



Council Meeting Agenda

JULY 14, 2021

CITY COUNCIL CHAMBERS

4:00 P.M. Closed Session; 5:00 P.M. Regular Session

201 N. Broadway, Escondido, CA 92025

MAYOR	Paul McNamara
DEPUTY MAYOR	Michael Morasco
COUNCIL MEMBERS	Consuelo Martinez Tina Inscoe Joe Garcia
CITY MANAGER	Sean McGlynn
CITY CLERK	Zack Beck
CITY ATTORNEY	Michael McGuinness
DIRECTOR OF COMMUNITY DEVELOPMENT	Adam Finestone (Interim)
DIRECTOR OF ENGINEERING SERVICES	Julie Procopio

Public Comment: To submit comments in writing, please do so at the following link:
<https://www.escondido.org/agenda-position.aspx>.

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>

In the event a quorum of the City Council loses electrical power or suffers an internet connection outage not corrected within 15 minutes, the meeting will be adjourned. Any items noticed as public hearings will be continued to the next regularly scheduled meeting of the City Council. Any other agenda items the Council has not taken action on will be placed on a future agenda.

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

**July 14, 2021
4:00 p.m. Meeting**

Escondido City Council

CALL TO ORDER

ROLL CALL: Garcia, Inscoc, Martinez, Morasco, McNamara

ORAL COMMUNICATIONS

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

CLOSED SESSION: (COUNCIL/RRB)

- I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
 - a. Agency Representatives:** Sean McGlynn (City Manager), Jessica Perpetua (Director of Human Resources) and/or designee
 - Employee Organization:** ECEA Unit (ACE and SUP)

- II. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code §54956.9(d)(2))**
 - a.** Significant exposure to litigation (1 matter)

- III. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
 - a. Property:** 1050 N. Broadway, Escondido
 - City Negotiators:** Sean McGlynn (City Manager), Michael McGuinness (City Attorney) and/or designees
 - Negotiating Parties:** American Heritage Education Foundation
 - Under Negotiation:** Price and Terms of Lease

ADJOURNMENT



Council Meeting Agenda

**July 14, 2021
5:00 P.M. Meeting**

**Escondido City Council
Mobilehome Rent Review Board**

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: Garcia, Inscoe, Martinez, Morasco, McNamara

PROCLAMATIONS: National Parks and Recreation Month, July 2021

CLOSED SESSION 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. (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:

- 353559 - 353747 dated June 9, 2021
- 353748 - 353968 dated June 16, 2021
- 353969 - 354214 dated June 23, 2021
- 354215 - 354379 dated June 30, 2021

Staff Recommendation: **Approval (Finance Department: Christina Holmes)**

3. APPROVAL OF MINUTES: Regular Meetings of June 9, 2021 and June 16, 2021

4. APPROVAL OF RECORDS RETENTION SCHEDULE -

Request the City Council approve the City's Records Retention Schedule and updated Records Management Policy.

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

a) RESOLUTION NO. 2021-90 b) ORDINANCE NO. 2021-06 (First Reading and Introduction)

5. DENIAL OF CALPERS INDUSTRIAL DISABILITY FOR POLICE OFFICER LAWRENCE T. LOVE-

Request the City Council approve denying the California Public Employees' Retirement System Industrial Disability Retirement for Police Officer Lawrence T. Love.

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

RESOLUTION NO. 2021-107

6. FISCAL YEAR 2019 URBAN AREA SECURITY INITIATIVE "(UASI)" GRANT - SKYTOWER PURCHASE -

Request the City Council approve authorizing the Escondido Police Department to purchase a portable security tower with camera equipment through approved sole source acquisition from Flir Detection, Inc., distributed by Atlantic Diving Supply, Inc. The security tower will be purchased with Council approved UASI grant funding in the amount of \$220,000. The Skytower Watch system is a regional asset that is interoperable and deployable. All towers throughout the County will be standardized by make and model to ensure interoperability. The towers will be used to improve community safety at public events and in crowded parking lots during the holiday season.

Staff Recommendation: **Approval (Police Department: Edward Varso)**

RESOLUTION NO. 2021-103

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

7. PROPOSITION S CONSTRAINT ANALYSIS AND HOTEL CONVERSION ORDINANCE -

Request the City Council approve 1) determining the applicability of Proposition S to commercially zoned properties; 2) Amending the Escondido Zoning Ordinance so that existing hotels and motels in all zoning districts as well as those located in specific plans may be converted to supportive housing, transitional housing, single-room occupancy, multi-family housing, or combination thereof.

Staff Recommendation: **Approval (Community Development Department: Adam Finestone)**

a) RESOLUTION NO. 2021-109 b) ORDINANCE NO. 2021-07 (First Reading and Introduction)

8. SHORT-FORM RENT INCREASE APPLICATION FOR CAREFREE RANCH MOBILEHOME PARK (File No. 0697-20-10285) -

Request the City Council approve considering a short-form rent increase application involving 56 spaces submitted for Carefree Ranch Mobilehome Park, located at 211 N. Citrus Ave, and if approved, adopt Rent Review Board Resolution No. 2021-03 granting an increase as requested in the application.

Staff Recommendation: **Approval (Community Development Department: Adam Finestone)**

Rent Review Board Resolution No. 2021-03

CURRENT BUSINESS

9. RECYCLED WATER EASTERLY AGRICULTURE DISTRIBUTION SYSTEM PROJECT: BID AWARD, CONSULTING AGREEMENTS, AND BUDGET ADJUSTMENT -

Request the City Council approve 1) authorizing the Mayor to execute a Public Improvement Agreement with the lowest responsive and responsible bidder for construction of the Recycled Water Easterly Agriculture Distribution System Project; 2) Adopt Resolution No. 2021-96, authorizing the Mayor to execute a third amendment to the Consulting Agreement with Water Synergy, Inc. for Engineering Services; 3) Adopt Resolution No. 2021-97, authorizing the Mayor to execute a Consulting Agreement for Construction Management Services; and 4) Approve a Budget Adjustment.

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

a) RESOLUTION NO. 2021-95 b) RESOLUTION NO. 2021-96 c) RESOLUTION NO. 2021-97

10. DESIGNATION OF VOTING DELEGATE - LEAGUE OF CALIFORNIA CITIES CONFERENCE -

Request the City Council designate the Voting Delegate and up to two alternates for the League of California Cities Annual Conference in Sacramento, CA on September 22-24, 2021.

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

FUTURE AGENDA

11. 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
July 21	Wednesday	4:00 & 5:00 p.m.	Regular Meeting	Council Chambers
July 28	-	-	No Meeting	-
August 4	-	-	No Meeting	-
August 11	Wednesday	4:00 & 5:00 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.

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 4:00 in Closed Session and 5:00 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

July 14, 2021

File No. 0400-40

SUBJECT: Approval of Warrants

DEPARTMENT: Finance Department

RECOMMENDATION:

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

353559 – 353747 dated June 9, 2021

353748 – 353968 dated June 16, 2021

353969 – 354214 dated June 23, 2021

354215 – 354379 dated June 30, 2021

FISCAL ANALYSIS:

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

June 3 – June 9, 2021, is \$ 1,088,865.99

June 10 – June 16, 2021, is \$ 2,462,504.78

June 17 – June 23, 2021, is \$ 2,657,757.45

June 24 – June 30, 2021, is \$ 914,589.27

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.

**June 9, 2021
5:00 P.M. Meeting**

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 5:00 p.m. June 9, 2021 in the City Council Chambers with Mayor McNamara presiding.

MOMENT OF REFLECTION

Zack Beck, City Clerk led the Moment of Reflection

FLAG SALUTE

Michael McGuinness, City Attorney, led the Flag Salute

PROCLAMATIONS: LGBTQ Pride Month June 2021

PRESENTATIONS: Presentation on the Spruce Street Channel Drainage Improvement Project

ATTENDANCE

The following members were present: Councilmember Joe Garcia, Councilmember Tina Inscoc, Councilmember Consuelo Martinez, Deputy Mayor Michael Morasco, and Mayor Paul McNamara. Quorum present.

Also present were: Christopher McKinney, Deputy City Manager; Michael McGuinness, City Attorney; Mike Strong, Director of Community Development; Julie Procopio, Director of Engineering Services; and Zack Beck, City Clerk.

CLOSED SESSION REPORT

None.

ORAL COMMUNICATIONS

Kevin Stevenson - Requested that Deputy Mayor Morasco reach out to constituents to hear their concerns.

Robert Netherton - Requested that the City Council support and fund the Escondido Police Department.

Dr. Henry Richter - Expressed support for the Escondido Police Department.

CONSENT CALENDAR

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Inscoc to approve all consent calendar items. Approved unanimously.

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:

- 352916 - 353121 dated May 19, 2021
- 353122 - 353370 dated May 26, 2021

Staff Recommendation: **Approval (Finance Department: Christina Holmes)**

3. APPROVAL OF MINUTES: None Scheduled

4. AWARD OF CONTRACT FOR LEGAL ADVERTISING FOR FISCAL YEAR 2021/22 -

Request the City Council approve the bid and awarding the contract for City's legal advertising for a one-year period to the Escondido Times-Advocate. (File No. 0600-10, A-3364)

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

RESOLUTION NO. 2021-84

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

5. ADOPTION OF FISCAL YEAR 2021/22 ANNUAL OPERATING BUDGET AND THE APPROPRIATIONS LIMIT (GANN LIMIT) FOR FISCAL YEAR 2021/22 AND APPROVAL TO MODIFY THE BUDGETARY AND FINANCIAL POLICIES -

Request the City Council approve the Fiscal Year 2021/22 Annual Operating Budget, adopt Resolution 2021-81 approving the Appropriations Limit (GANN Limit) for Fiscal Year 2021/22, and adopt Resolution 2021-86 modifying Budgetary and Financial Policies. (File No. 0430-30)

Staff Recommendation: **Approval (Finance Department: Christina Holmes)**

- a) RESOLUTION NO. 2021-80 b) RESOLUTION NO. 2021-81 c) RESOLUTION NO. 2021-86

Karla Aguilar - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Kevin Stevenson - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Dante Coman - Expressed concern about the treatment of homeless individuals by the police department. Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Gloria Conejo - Expressed disappointment in the two political parties and concern about the treatment of homeless individuals by the Escondido Police Department.

Justin Domicillo - Expressed concern about the recent shooting of Steven Olson and read from Isaiah 51 and requested that the City Council reduce the Escondido Police Department budget.

John Selk - Expressed support for the Escondido Police Department and concern about the current challenges police officers face.

Leyel Malave - Expressed concern about the recent shooting of Steven Olson. Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs, such as restrooms that are open 24 hours a day for un-housed persons.

Alana Horton - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Allison Bray - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Anna Marie Lopez - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Kevin Stevenson - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Brandon Jara - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Caleb Olson - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Cole Mattingly - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Danielle DiMemmo - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Derek Lam - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Eliot Dunn - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Isabelle Davis - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Jessica Chavez - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Jessica Gutierrez - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Juan Solis Campos - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Kelsy Pineda - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Laura Gonzalez - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Lauren Petronaci - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Mackenzie Ludwig - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Moises Aguayo - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Nathan Falk - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Noah Choufa - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Priya Narayan - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Reyes Angel - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Reyes Luis - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Rosa Martinez - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Sam Polizzi - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Saul Cruz - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Solis Jacqueline - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Teresa Pina De Solis - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Kevin Stevenson - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Vanessa Dunn - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Wendy Medina Herrera - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

Winter Smiley - Requested that the City Council reduce the amount of funding to the Police Department and allocate money towards other programs.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Garcia to approve the Fiscal Year 2021/22 Annual Operating Budget, adopt Resolution 2021-81 approving the Appropriations Limit (GANN Limit) for Fiscal Year 2021/22, and adopt Resolution 2021-86 modifying Budgetary and Financial Policies. Approved unanimously.

6. THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM, THE FISCAL YEAR 2021/22 CAPITAL IMPROVEMENT PROGRAM BUDGET, AND AMENDMENT TO THE 2020 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM -

Request the City Council approve adopting the Fiscal Years 2021/22 - 2025/26 Five Year Capital Improvement Program and Fiscal Year 2021/22 Project Budgets and adopt the Regional Transportation Improvement Program for Fiscal Years 2021/22 - 2025/26. (File No. 0430-30)

Staff Recommendation: **Approval (Finance Department: Christina Holmes)**

a) RESOLUTION NO. 2021-87 b) RESOLUTION NO. 2021-88

MOTION: Moved by Councilmember Martinez and seconded by Councilmember Garcia to approve adopting the Fiscal Years 2021/22 - 2025/26 Five Year Capital Improvement Program and Fiscal Year 2021/22 Project Budgets and adopt the Regional Transportation Improvement Program for Fiscal Years 2021/22 - 2025/26. Approved unanimously.

CURRENT BUSINESS

7. **CORONAVIRUS (COVID-19) EMERGENCY BUSINESS RECOVERY STRATEGY REPORT -**
Request the City Council receive and file a status update on the Business Recovery Strategy and other recovery efforts related to the COVID-19 pandemic outbreak. (File No. 0865-60)

Staff Recommendation: **Receive and File (Community Development Department: Mike Strong)**

FUTURE AGENDA

8. **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

None.

ADJOURNMENT

Mayor McNamara adjourned the meeting in honor of San Diego Police Officers Ryan Park and Jamie-Huntley Park at 8:03 p.m.

MAYOR

CITY CLERK

**June 16, 2021
5:00 P.M. Meeting**

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 5:00 p.m. June 16, 2021 in the City Council Chambers with Mayor McNamara presiding.

MOMENT OF REFLECTION

Zack Beck, City Clerk led the Moment of Reflection

FLAG SALUTE

Michael McGuinness, City Attorney, led the Flag Salute

PROCLAMATIONS: Jeffrey R. Epp Day, June 28, 2021

ATTENDANCE

The following members were present: Councilmember Joe Garcia, Councilmember Tina Inscoc, Councilmember Consuelo Martinez, Deputy Mayor Michael Morasco, and Mayor Paul McNamara. Quorum present.

Also present were: Christopher McKinney, Deputy City Manager; Michael McGuinness, City Attorney; Mike Strong, Director of Community Development; Julie Procopio, Director of Engineering Services; and Zack Beck, City Clerk.

CLOSED SESSION REPORT

None.

ORAL COMMUNICATIONS

Charles Marinelli – Expressed support for the Escondido Police Department.

Cindy Sieger – Expressed support for the Escondido Police Department.

Courtney Wilson – Expressed support for the Escondido Police Department.

Jean Marinelli – Expressed support for the Escondido Police Department.

Jeane Bunch – Expressed support for the Escondido Police Department.

Jill Weber – Expressed support for the Escondido Police Department.

Kevin Stevenson – Expressed disappointment that the City Council approved the Escondido Police Department budget.

Newell Dubail – Expressed support for the Escondido Police Department.

Robert Netherton – Expressed support for the Escondido Police Department.

Rosemary Dubail – Expressed support for the Escondido Police Department.

Dante Coman - Requested that the City Council make the current public comment model permanent and that the City open a restroom that is available to the public 24 hours a day.

Abigail Rojas - Expressed disappointment that the City Council approved the Escondido Police Department budget.

CONSENT CALENDAR

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Martinez to approve all consent calendar items. Approved unanimously.

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:

- 353371 - 353558 dated June 02, 2021

Staff Recommendation: **Approval (Finance Department: Christina Holmes)**

3. APPROVAL OF MINUTES: Regular Meeting of May 26, 2021

4. AWARD PURCHASE OF FUELS FOR FISCAL YEAR 2022 -

Request the City Council approve the purchase of unleaded gasoline, renewable diesel, and clear diesel fuel from SC Fuels, Inc., in the amount of \$1,200,000, utilizing a City of San Diego Purchasing agreement which contains a Public Agency Clause with renewable extensions, pursuant to Escondido Municipal Code section 10-90. (File No. 0470-20)

Staff Recommendation: **Approval (Public Works Department: Joseph Goulart)**

RESOLUTION NO. 2021-85

5. CONSULTING AGREEMENT WITH ADMINSURE INC., TO PROVIDE CLAIMS ADMINISTRATION SERVICES FOR THE CITY'S WORKERS' COMPENSATION PROGRAM -

Request the City Council approve authorizing the Mayor to execute a one-year renewable contract with AdminSure to provide third-party administrator services for the City of Escondido Workers Compensation Program. (File No. 0600-10, A-3156)

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

RESOLUTION NO. 2021-83

6. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE NON-SWORN POLICE (NSP) BARGAINING UNIT –

Request the City Council approve a successor Non-Sworn Police (NSP) Bargaining Unit contract. (File No. 0740-30)

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

RESOLUTION NO. 2021-92

7. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE MAINTENANCE AND OPERATIONS BARGAINING UNIT, TEAMSTERS' LOCAL 911 –

Request the City Council approve a successor Maintenance and Operations, Teamsters 911 Bargaining Unit contract. (File No. 0740-30)

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

RESOLUTION NO. 2021-99

8. REJECT ALL BIDS FOR THE KIT CARSON PARK LIGHTING PROJECT -

Request the City Council approve rejecting all bids received for the Kit Carson Park Lighting project and authorize staff to re-bid the project. (File No. 0470-45)

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

RESOLUTION NO. 2021-89

9. SEVENTH AMENDMENT TO THE CONSULTING AGREEMENT FOR THE CITRACADO PARKWAY IMPROVEMENT PROJECT -

Request the City Council approve authorizing a Seventh Amendment to the Consultant Agreement with Brian F. Smith and Associates, Inc. for archeological and tribal monitoring services during construction in compliance with the Memorandum of Agreement with the Army Corps of Engineers and State Historic Preservation Officer for the Citracado Parkway Extension Project. (File No. 0600-10, A-3058)

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

RESOLUTION NO. 2021-91

10. ADOPTION OF THE FISCAL YEAR 2021/22 ROAD MAINTENANCE AND REHABILITATION ACCOUNT INITIAL PROJECT LIST -

Request the City Council approve the list of streets proposed to be completed with Fiscal Year 21/22 Road Maintenance and Rehabilitation Account (RMRA) funds. (File No. 1020-05)

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

RESOLUTION NO. 2021-94

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

11. 2020 URBAN WATER MANAGEMENT PLAN, WATER SHORTAGE CONTINGENCY PLAN, AND 2015 URBAN WATER MANAGEMENT PLAN AMENDMENT -

Request the City Council approve the 2020 Urban Water Management Plan (UWMP), approve the Water Shortage Contingency Plan, and amend the 2015 UWMP. (File No. 0145-86)

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

a) RESOLUTION NO. 2021-42 b) RESOLUTION NO. 2021-43 c) RESOLUTION NO. 2021-44

MOTION: Moved by Councilmember Garcia and seconded by Councilmember Inscoe to approve the 2020 Urban Water Management Plan (UWMP), approve the Water Shortage Contingency Plan, and amend the 2015 UWMP. Approved unanimously.

CURRENT BUSINESS

- 12. REVIEW OF DRAFT COMMUNITY CHOICE ENERGY TECHNICAL FEASIBILITY STUDY -**
Request the City Council receive and file an overview conducted by EES Consulting, Inc., regarding the results from the Technical Feasibility Study. (File No. 0800-90)

Cody Hooven – Expressed support for the Community Choice Energy.

Joe Britton – Expressed support for the Community Choice Energy.

Kevin Stevenson – Expressed support for the Community Choice Energy.

Laura Hunter – Expressed support for the Community Choice Energy.

Linda Wilkinson – Expressed support for the Community Choice Energy.

Marisa Allen – Expressed support for the Community Choice Energy.

Matthew Vasilakis – Expressed support for the Community Choice Energy.

Patricia Borchmann – Expressed support for the Community Choice Energy.

Staff Recommendation: **Receive and File (Community Development Department: Mike Strong)**

FUTURE AGENDA

- 13. 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

Councilmember Martinez - Attended two financial briefings for the San Diego County Water Authority.

Councilmember Inscoe - Attended the Escondido Alley Art Launch.

Deputy Mayor Morasco – Attended a meeting with the Escondido Chamber of Commerce.

Mayor McNamara - Attended the Escondido Alley Art Launch.

CITY MANAGER'S WEEKLY ACTIVITY REPORT

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

- **WEEKLY ACTIVITY REPORT -**

ORAL COMMUNICATIONS

None.

ADJOURNMENT

Mayor McNamara adjourned the meeting at 6:32 p.m.

MAYOR

CITY CLERK

CITY COUNCIL STAFF REPORT

Consent Item No. 4

July 14, 2021

File No. 0160-50

SUBJECT: Approval of Records Retention Schedule

DEPARTMENT: City Clerk's Office

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2021-90 to approve the City of Escondido's ("City") Records Retention Schedule and introduce Ordinance No. 2021-06 updating the Records Management policy

FISCAL ANALYSIS:

None

PREVIOUS 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, in 2005, Resolution No. 2005-117, and in 2016, Resolution No. 2016-32.

BACKGROUND:

The City is upgrading its records management program, including its records retention policies. The adoption of this retention schedule will result in efficiency gains and cost savings.

Escondido selected Gladwell Governmental Services, Inc., an expert in local government records, to upgrade its records management program. An upgrade in the existing program was necessary to reduce current and future records storage costs, eliminate duplication of effort, increase efficiency and take advantage of current technology and changes in law.

The upgrade of the current records management systems are driven by many factors, including:

- Very limited space in City facilities
- Many departments are filing and storing copies of the same records
- Escondido produces and manages many permanent records
- Escalating records storage expenses
- Technology advancements
- Changes in law

Approval of Records Retention Schedule

July 14, 2021

Page 2

The purpose of the program is to apply efficient and economical methods to the creation, utilization, maintenance, retention, preservation and disposal of all records managed by the City.

The retention periods are in compliance with all laws and are standard business practice for California cities.

The new retention schedules were written interactively with representatives from all departments participating in the project. They provide clear, specific records descriptions and retention periods, and apply current law and technology to the management of Escondido's records. By identifying which department is responsible for maintaining the original record, and by establishing clear retention periods for different categories of records, Escondido will realize significant savings in labor costs, storage costs, free filing cabinet and office space, and realize operational efficiencies.

It is now standard business practice for California cities to authorize the routine destruction of records that have exceeded their adopted retention period, upon the request of the Department Head and with the consent in writing of the Department Head, City Clerk and City Attorney. This will reduce costs and improve efficiency for the City.

It is also now standard business practice for California cities to authorize updates to the schedule without further action of the City Council.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Zack Beck, City Clerk

07/07/21 4:52 p.m.

ATTACHMENTS:

1. Resolution No. 2021-90
2. Resolution No. 2021-90 Exhibit "A"
3. Ordinance No. 2021-06

RESOLUTION NO. 2021-90

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ADOPTING A RECORDS RETENTION
SCHEDULE, AUTHORIZING DESTRUCTION
OF CERTAIN CITY RECORDS AND
RESCINDING RESOLUTION 2016-32

WHEREAS, the maintenance of numerous records is expensive, slows document retrieval, and is not necessary after a certain period of time for the effective and efficient operation of the government of the City of Escondido (“City”); and

WHEREAS, Section 34090 of the Government Code of the State of California provides a procedure whereby any City record which has served its purpose and is no longer required may be destroyed; and

WHEREAS, the State of California has adopted guidelines for retention period for various government records; and

WHEREAS, the City Council of the City previously adopted Resolution 2016-32.

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

1. Resolution No 2016-32 is hereby rescinded.
2. The records of the City of Escondido, as set forth in the Records Retention Schedule Exhibit “A”, which is attached hereto and incorporated herein by this reference, are hereby authorized to be destroyed as provided by Section 34090 et seq. of the Government Code of the State of California and in accordance with the provision of said schedule upon the request of the Department Head and with the consent in

writing of the Department Head, City Clerk and City Attorney, without further action by the City Council of the City of Escondido.

3. Updates are hereby authorized to be made to the Records Retention Schedule, without any further action by the City Council, with the consent of the Department Head, City Clerk, City Attorney and City Manager.

4. The term “records” as used herein shall include documents, instructions, books, microforms, electronic files, magnetic tape, optical media, or papers; as defined by the California Public Records Act.

5. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

6. This resolution shall become effective immediately upon its passage and adoption.



RECORDS RETENTION SCHEDULE

City Clerk's Office | cityclerk@escondido.org | (760) 839-4617

**APPENDIX A
 CITY OF ESCONDIDO
 Records Retention Schedule**

File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
	Preliminary Drafts, Copies, or Duplicates of documents for which a department is not the office of primary responsibility	DEPT	0	It is the policy of the City of Escondido that preliminary drafts, duplicates, and copies may be destroyed by the departments whenever they are no longer required for reference purposes or otherwise as allowed by law.
	The following retention pertains to original records except where otherwise noted			
	ADMINISTRATION			
0100	General Administration			
0100-10	Administrative Directives - <i>City-wide policies</i>	CM/CC	P	GC 34090
0100-13	Appeals to a Department Head, Hearing Officer, or other public official (does not include appeals to the City Council, or Board, Commission, or Committee which is included in the Agenda Packet) (Business License Revocations, Nuisance Abatements, etc.)	DEPT	2	GC 34090

Retention Codes: **AC** = After Completed or Closed (End date of file), **P** = Permanent, **US** = Until Superseded, Separated, Settled, or Surplused (End date of file)
 OPR = The Department responsible for retaining the official record (original) for its retention period (Office of Public Record)
 Total Retention is in years (default), unless indicated in months.
 Electronic records may qualify to serve as the original / official record, provided legal requirements are met. See definitions for Electronic Record in the Glossary of Terms and laws.

File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0100-25	Customer Service Program (Entered in CityWorks – Preliminary Drafts) - <i>Information regarding the Customer Services Coordinator's Committee</i>	CM	0	GC 34090
0100-26	Comment Cards (Customer) (Entered in CityWorks – Preliminary Drafts) - <i>Customer service questionnaire</i>	DEPT	0	GC 34090
0100-50	City Manager's Weekly Update	COM	2	GC 34090(d)
0105	Reference			
0105-10	Correspondence - <i>Departmental memos, letters, etc.</i>	DEPT	2	GC 34090
0105-20	Reference Publications - <i>Publications from various organizations and/or businesses</i>	DEPT	0	N/A
0105-30	Sign-in Sheets for Visitors (no waivers), Logs (Preliminary drafts)	DEPT	0	GC 34090
0110	Departments			
0110-10	Departmental Directives – <i>Departmental policies and procedures</i>	DEPT	US+2	GC 34090
0110-20	Departmental Reports & Studies – <i>Includes reports and studies from all departments – NOT HISTORICAL</i>	DEPT	2	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0110-35	Compliments (Not Entered in CityWorks) <i>Memos and/or letters complimenting customer or city services</i>	DEPT	2	GC 34090
0110-40	Complaints & Inquiries (Not Entered in CityWorks) – <i>Citizens' complaint and/or inquiry letters – Excludes complaints against Peace Officers</i>	DEPT	2	GC 34090
0110-50	Staff Meeting Notices – <i>Department staff meeting notices and/or agendas and backup</i>	DEPT	0	Preliminary drafts GC 34090
0110-60	Departmental Staffing - <i>General information and reports</i>	DEPT	2	GC 34090
0120	City Boards, Commissions & Committees			
0120-10	Boards, Commission & Committees Appointments (<i>Includes all of the Boards, Commissions, & Committees throughout the city</i>) – <i>Applications and staff reports of appointed board, commission, and committee members</i>	CC	2	GC 34090
0120-12	Appointment Applications (Unsuccessful) - <i>Applications of unsuccessful applicants</i>	CC	2	GC 34090
0120-15	Agendas – <i>Agendas and staff reports for city boards, commissions, and committees. May include appeals to a board, commission, or committee</i>	DEPT	P	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0120-20	Minutes - <i>Minutes for City boards, commissions, and committees</i>	DEPT	P	GC 34090(e); 36814
0120-30	Resolutions – <i>Resolutions for City boards, commissions, and committees</i>	DEPT	P	GC 34090(e)
0120-35	Handbooks - <i>Department reference Information</i>	DEPT	US	GC 34090
0120-45	Meeting Notices - <i>Flyers notifying the public of upcoming meetings</i>	DEPT	2	GC 34090
0130	Professional Associations			
0130-10	Professional Associations - <i>Agendas and minutes for various professional association meetings</i>	DEPT	0	N/A
0130-20	Brochures/Publications/Newsletters/Bulletins - <i>from various professional associations</i>	DEPT	0	N/A
0135	Local & County Organizations			
0135-10	Local & County Organizations – <i>Agendas, minutes, notices, correspondence, and reference materials of various organizations</i>	DEPT	0	N/A
0135-20	Brochures/Publications/Newsletters/Bulletins - <i>from various local and county organizations</i>	DEPT	0	N/A
0135-35	ConVis – <i>Includes New Articles & Applications</i>	CS	2	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0137	Special Organizations (Created by the City)			
0137-10	California Center for the Arts Escondido - <i>Information regarding center marketing & statistics</i> (Note: The Center is operated by a contractor, and they retain operational records. Finance retains all Financial records submitted by the Contractor to the City. CC files contain supplemental/supporting documents)	CS	P	GC 34090
0137-30	Chief's Community Relations Action Team	DEPT	2	GC 34090
0140	Organizations at Large			
0140-20	CHAD/United Way - <i>and correspondence</i>	DEPT	2	GC 34090(d)
0140-30	AAA (Auto Club of Southern California) - <i>correspondence</i>	PD	2	GC 34090(d)
0145	Governmental/Regulatory Agencies			
0145-20	San Diego County Offices – <i>Correspondence</i>	DEPT	2	GC 34090
0145-30	State Agencies - <i>Correspondence</i>	DEPT	2	GC 34090
0145-40	Federal Agencies - <i>Correspondence</i>	DEPT	2	GC 34090
0145-50	L.A.F.C.O. - <i>Correspondence</i>	DEPT	2	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0145-60	S.A.N.D.A.G. Correspondence	DEPT	2	GC 34090
0145-70	North County Transit District - <i>Correspondence</i>	DEPT	2	GC 34090
0145-80	San Diego County Water Authority <i>SDCWA, reports from SDCWA, drought & disaster management plans, correspondence & other documents</i>	UTL	2	GC 34090
0145-85	Rincon Del Diablo Municipal Water District - <i>Water quality reports, meter exchange service agreement & records</i>	UTL	2	GC 34090
0145-86	Metropolitan Water District of Southern California - <i>Drought & disaster management plans, reservoir project documents, urban water management plan, and planning studies that pertain to Escondido</i>	UTL	P	GC 34090
0145-90	San Diego Gas & Electric - <i>Correspondence</i>	DEPT	2	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0150	Public Relations & Information			
0150-05	Administration, Public Relations, & Information	DEPT	2	GC 34090
0150-10	City & CDC Publications & Brochures – <i>City of Escondido Recreation Activities & Community Newsletters, and city brochures</i>	COM	P	GC 34090
0150-20	Awards, Donations, & Gifts - <i>Received from outside agencies</i>	DEPT	0	N/A
0150-40	News-clippings (not filed in category)	DEPT	0	N/A
0150-50	Photographs (not filed with category) – <i>Various City photos</i> Not of Significant Historical Value	DEPT	0	GC 34090 Selected photos of significant historical value to be retained by the Pioneer Room for historic value and safekeeping
0150-55	Press Releases, Public Education, Public Ceremonies and Events, Presentations (not filed with category) – <i>Regarding City business</i>	DEPT	2	GC 34090
0150-60	Public Ceremonies & Events (City) – <i>Correspondence</i>	DEPT	2	GC 34090
0150-65	Public information Reports (City)	DEPT	2	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0150-80	Lectures & Speeches - <i>Presentations of elected officials, city manager, and/or departments</i>	DEPT	2	GC 34090
0150-85	Biographies - <i>Biographies of elected officials, city manager, and/or department heads</i>	DEPT	US	N/A
0160	Records Management			
0160-07	Annual Compliance Audits - <i>Completed compliance audit forms</i>	CC	2	GC 34090
0160-25	Records Management Procedures Manual - <i>Citywide records management procedures manual, which includes Functional Filing System and Retention Schedule adopted by Resolution</i>	CC	US+2	GC 34090
0160-30	Records Transfer Lists - <i>Departmental records transfer lists (should be maintained in records transfer binder for reference)</i>	CC	P	GC 34090
0160-35	Records Destruction - <i>Records destruction staff reports and backup information</i>	CC	P	GC 34090
0160-50	Records Retention Schedule - <i>Adopted citywide records retention schedules</i>	CC	P	GC 34090
0160-60	City-wide Blank Forms – <i>Various city forms</i>	DEPT	0	N/A
0160-70	Microfilm/Imaging Program – <i>Locations, Inventories / Indexes</i>	CC	P	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0170	Risk Management			
0170-05	Administration, Risk Management – <i>General information</i> (Note: CC files contain supplemental/supporting documents)	RM	2	GC 34090
0170-11	Claims Against the City - <i>Claims Denied/Rejected</i>	CA	2	GC 34090
0170-12	Claims Against the City - <i>Claims Settled or Closed –Final Settlement / Agreement and Claim</i>	CA	5	GC 34090; CCP 337
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	5	GC 34090; 25105.5
0170-20	City Liability Insurance - <i>Insurance policies</i>	RM	P	GC 34090
0170-35	COBRA Program – <i>Notification Memos</i>	EB	2	GC 34090
0170-40	Employee Benefits (Not listed in 0170 & 0720) - <i>Benefit laws, various consultant info & bulletins</i>	EB	0	N/A
0170-45	Property Insurance - <i>Policies for city property claims</i>	RM	P	GC 34090
0170-50	Unemployment Claims – <i>Unemployment claims filed by former employees through EDD</i>	HR	US+3	GC 34090; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR 3204(d)(1) et seq., GC 12946, 12960, 29 USC 1113

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0170-55	Department of Worker's Compensation (DWC) Case Files – <i>NOT Toxic Substance Exposures or Potential Toxic Substance Exposures Accident reports, medical bills, medical reports, legal documents rehabilitation documents, DWC-form 1, letters</i>	WC	US+5	GC 34090; 8 CCR 3204(d)(1) et seq., 8 CCR 5144, GC 12946, 12960; LC 1198.5
0170-56	Worker's Compensation Insurance – <i>Excess insurance policies</i>	RM	P	GC 34090
0170-57	Industrial Disability Case Files - <i>Application for disability & related correspondence</i>	WC	P	GC 34090; 8 CCR 3204(d)(1) et seq., 8 CCR 5144, GC 12946, 12960; LC 1198.5
0170-58	Blood Borne Pathogen Exposures Toxic Substance Exposures or Potential Toxic Substance Exposures – <i>Incidents & Investigations, medical information regarding exposures and testing</i>	RM	US+30	GC 34090; 8 CCR 3204(d)(1) et seq., 8 CCR 5144, GC 12946, 12960; LC 1198.5
0170-64	Accidents, City Vehicles - <i>Employee accident reports/police reports</i>	RM	2	GC 34090
0170-67	Accident Reports (other than employee) - <i>Accidents or injuries on City property or during City-sponsored events where no claim was filed</i>	RM	2	GC 34090
0170-70	Safety Committee (City) - <i>Agenda, Minutes, and backup information from committee meetings</i>	RM	5	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0170-71	Safety Program Development - <i>Final materials used for Safety programs developed for specific training needs, that comply with regulatory requirements</i>	RM	5	GC 34090; 29 CFR 1602.31 LC 6429(c); GC 12946, 12960
0170-75	OSHA 300 Log (301A, etc.) - <i>Report to OSHA regarding employee injuries, lost time, & light duty days (Previously OSHA 200 Log Report)</i>	WC	5	GC 34090; 8 CCR 3203(b)(1), 29 CFR 1904.33, OMB 1220-0029, 8 CCR 14300.33
0170-76	OSHA Incident Investigations & Inquiries	RM	5	GC 34090; 8 CCR 3203(b)(1), 29 CFR 1904.33, OMB 1220-0029, 8 CCR 14300.33
0170-85	Certificates of Insurance (Misc.) – <i>Various certificates for City vendors that cannot be matched to a contract</i>	RM	10	GC 34090; CCP 337
0170-86	Employee Safety Meetings - <i>Information regarding the meetings with individual employees re: safety issues</i>	RM	5	GC 34090; 29 CFR 1602.31 LC 6429(c); GC 12946, 12960
0170-87	Monthly Safety Inspection Reports – <i>Inspection of city facilities for safety problems</i>	RM	5	GC 34090; 29 CFR 1602.31 LC 6429(c); GC 12946, 12960
0170-90	Risk Management Reports, Studies, Surveys, Agendas, & Logs	RM	5	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
	HEALTH, SAFETY & WELFARE			
0200	Animal Care & Control			
0200-10	Correspondence	DEPT	3	GC 34090
0220	Emergency Management			
0220-05	Emergency Plans (i.e. EOP, COOP)	FD	2	GC 34090
0220-10	CERT (Community Emergency Response Team) training & meeting rosters, etc.	FD	7	GC 34090
0220-20	Community Resources - <i>Community Resource Catalog</i>	FD	0	GC 34090
0220-25	After Action Reports / Corrective Action Reports - <i>City related Historical Incidents (Not the FEMA / OES Claim)</i>	FD	P	GC 34090
0220-30	Hazard Analysis - <i>Risk analysis of hazards in City</i>	FD	3	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0220-35	Hazardous Materials Contingency Plans (other agencies) - <i>Plans to deal with unusual hazardous material releases</i>	FD	0	N/A
0220-37	Hazardous Materials Manifests - <i>Listing of hazardous materials disposed of by the city</i>	PW	P	GC 34090; 22 CCR 66262.40
0220-38	Mutual Aid Activity Reports / Strike Team Reimbursements / FEMA Claims / OES Claims / Urban Search & Rescue	FD	10	GC 34090
0220-50	Disaster Preparedness Training Programs	FD	US+2	GC 34090
0220-95	Pressure Vessel Permits - 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	US	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0230	Environmental Issues & Conservation			
0230-05	Sage Scrub Habitat Loss Permit - <i>Permits required to mitigate vegetation removal</i>	PLAN	2	GC 34090
0230-06	Employee Trip Reduction & Congestion Mgmt. - <i>Correspondence regarding congestion management</i>	DEPT	2	GC 34090
0230-07	Adopt-A-Highway Program - <i>Reports, memos and demands</i>	PW	2	GC 34090
0230-09	Ride Sharing - <i>Memos, letters, van pool program rules & regulations and reports and transportation demand management (City records only)</i>	HR	2	GC 34090
0230-10	Air Quality - <i>Transportation program to improve air quality reports & studies (City records only)</i>	PLAN	10	GC 34090;
0230-30	Household Hazardous Materials (General) - <i>Correspondence regarding the various programs</i>	UTL	2	GC 34090
0230-31	Used Oil Recycling / Disposal of City's Used Oil - <i>Correspondence</i>	UTL	3	GC 34090; 22 CCR 66266.130(c)(5), H&S 25250.18(b), 25250.19(a)(3)

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0230-35	Storage Tanks (Underground)	PW	P	GC 34090; 23 CCR 2712(b); H&S 25284.2(i)
0230-41	Sale of Conservation Credits – <i>Agreements and backup information</i>	PLAN	P	GC 34090
0230-45	Litter Control – <i>Memos, reports, and program outline</i>	PW	2	GC 34090
0230-50	Noise Control – <i>Correspondence</i>	DEPT	2	GC 34090
0230-60	Pest Controls / Pesticide Application Permits – <i>Correspondence</i>	DEPT	2	GC 340903 CCR 6623, 40 CFR 171.11
0230-65	Water Quality - <i>Groundwater Water Quality reports about fluorine & chloramines within the City, and information about possible contaminants</i>	UTL	P	GC 34090
0230-66	Storm Drainage/Watershed – <i>LACSD contract administration, Splash Science Mobile Lab information, and storm drain stenciling records, waivers, and information. For NPDES, see 1330</i>	UTL	3	GC 34090; CCP 337 et seq.

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0230-70	Water Conservation - <i>Information regarding City's education and community programs</i>	UTL	2	GC 34090
0230-80	Environmental Protection Rules & Regulations - <i>Drinking water regulations & greywater Information</i>	UTL	US	GC 34090
0230-90	Emissions Control	UTL	5	GC34090
0230-95	Vapor Recovery Testing – <i>Air Pollution Control District (APCD) Annual inspection of fuel tanks</i>	PW	P	GC 34090
0230-96	Portable Equipment Registration / PERP – <i>Portable Engine Registration Program / generators, brush chippers, air compressors, pumps, and stump grinders – Air Resources Board, California Environmental Protection Agency. Statewide Portable Equipment Registration.</i>	FLT	5	GC 34090
0240	Health Protection/Services			
0240-05	Administration, Health Protection/Services – <i>General Correspondence</i>	DEPT	2	GC 34090
0240-20	Hospitals - <i>General Correspondence regarding hospitals</i>	DEPT	2	GC 34090
0240-80	Healthy Cities Program - <i>Correspondence regarding various projects funded by the California Healthy Cities Program</i>	CDBG	AC+5	GC 34090; 8546.7; 2 CFR 200.333; OMB Circular A-133

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0250	Police Protection / Services			
0250-01	Daily Watch Logs – 30 Day Blotter	PD	2	GC 34090(d)
0250-02	Telephone & Radio Communication Recordings – <i>Recorded in the Normal Course of Business on a Daily Basis (Recordings are Not Evidence in any Claim File, No Pending Litigation)</i>	PD	2	GC 34090.6
0250-03	Arrest Records of Juveniles Order Sealed by the Court (<i>NOTE: Retention Begins Once Records are Sealed</i>)	PD	US+5	WIC 781(c&d); GC 68152(g)(1&2); W&I 300, 389(a&c)
0250-04	Juvenile Detention Logs & Correspondence	PD	4	GC 34090
0250-06	Communications Employee Work Schedule – Watch Assignments & Timekeeping Records	PD	2	GC34090(d)
0250-07	Police Licenses/Permits/Registrations - <i>ABC/massage/bingo/secondhand dealers' licenses, etc.</i>	PD	6	GC 34090
0250-08	Rosters – Mobile Field Force & Patrol – <i>Includes Fleet and Radio Rosters</i>	PD	2	GC 34090(d)
0250-09	Firearms Training Facility (Range)	PD	P	GC 34090
0250-10	Incident Reports (Police) - <i>After action & investigation reports</i>	PD	5	EVC 1045(b)(1); PC 832.5 VC 2547 GC 12946, 12960, 34090
0250-11	Canine Bites - <i>Reports regarding police dog bites of subjects</i>	PD	5	EVC 1045(b)(1); PC 832.5 VC 2547 GC 34090

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0250-12	Polygraph Files – Includes Exams for SD Marshall’s Office, Palomar College, and Carlsbad PD	PD	15	GC 34090
0250-14	Community Work Service Program – <i>Court assigned workers who are working off fines</i>	PD	3	GC 34090
0250-25	A.R.J.I.S. - <i>Statistical reports regarding criminal activity</i>	PD	3	GC 34090
0250-30	Detention Facilities (Regional) - <i>Reports and correspondence</i>	PD	3	GC 34090
0250-43	Activities of Gangs - <i>Reports regarding gang activities</i>	PD	3	GC 34090; 28 CFR 23.20(h)
0250-50	Arson Offender Registrants (Adults)	PD	P	W&I 781; GC 34090
0250-51	Arson Offender Registrants (Juveniles)	PD	Age 25 or Sealing +5	W&I 781; GC 34090
0250-52	Sex Offender Registrants (Adults)	PD	P	PC 290
0250-53	Sex Offender Registrants (Juveniles)	PD	P	PC 290, W&I 781(d)
0250-55	Towing Services - <i>Applications, appeals correspondence</i>	PD	3	GC 34090
0250-60	Special Services (COPPS) - <i>Reports regarding projects & Programs</i>	PD	5	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0250-63	Special Enforcement Projects - <i>Reports regarding the outcome of projects</i>	PD	5	GC 34090
0250-75	Asset Forfeiture - <i>Reports regarding the acquisition & disposition of seized property</i>	PD	5	GC 34090
0250-81	Case Files – <i>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)</i>	PD	AC+7	GC 34090; PC 800, 187, 802; H&S 11361.5
0250-82	Case Files – <i>Death Reports; Lost & Found Property Reports; Found 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)</i>	PD	2	GC 34090(d)
0250-83	Case Files – <i>Misdemeanor Arrest, Crime & Investigative Reports (Probation & Jail Terms set forth by Court have Expired); Traffic Accident Reports & Related Material (No Pending Litigation)</i>	PD	4	GC 34090
0250-84	Case Files – <i>Citizen Complaints of Misconduct; Police After Action Reports & Investigations; DUI Checkpoints & Grant Related Activities</i>	PD	5	GC 34090; EVC 1045, GC 12946, 12960 PC 832.5, VC 2547
0250-86	Incidents Occurring Outside Escondido City Limits - <i>After action & investigation reports</i>	PD	5	EVC 1045(b)(1); PC 832.5 VC 2547; GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0250-87	Case Files - Felony Offense (“punishable by imprisonment in the state prison for life or for life without the possibility of parole...”)	PD	P	GC 34090; PC 799; 261, 286, 288, 288a, 288.5, 289, 289.5, 803(h), 11169 et seq.; 11170(a); WIC 707(b)
0250-88	Case Files - Marijuana / Cannabis	PD	2	H&S 11361.5 et seq.
0250-91	Confidential Informant Files - <i>Legal notifications, identification, payment, and activities information</i>	PD	5	GC 34090; 28 CFR 23.20(h)
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	2	GC 34090(d)
0250-94	Computer Aided Dispatch (CAD)– <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	3	GC34090.6
0250-95	Police Department Investigation – Body-Worn Camera Video Recordings (<i>Non-evidentiary</i>)	PD	60 Days	GC 34090.6; PC 832.18
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, or as Evidence	GC 34090(d); PC 832.18

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0250-97	Police Department Investigation – Body-Worn Camera - LOGS of Access or Deletion of Data	PD	P	GC 34090(d); PC 832.18(b)(5)(E)
0251	Police/Traffic Division			
0251-05	Collision Report – <i>Accident (Non-Injury)</i>	PD	7	GC 34090
0251-10	Collision Report – <i>Fatal</i>	PD	7	GC 34090
0251-15	Sobriety Checkpoint OP Plans	PD	7	GC 34090
0251-20	Crime Reports – <i>Cite & Release</i>	PD	7	GC 34090(d)
0251-25	Police Vehicle Code Infraction Case Files (Duplicates) – <i>Original is forwarded to Court. Includes DUI Case & Reports.</i>	PD	2	GC 34090(d)

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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	5	GC 34090, 8546.7; 2 CFR 200.333; OMB Circular A-133
0260-15	Welfare Programs - <i>Correspondence</i>	DEPT	2	GC 34090
0260-20	Child Care Services - <i>Information regarding the city's child care subsidy program</i>	CDBG	5	GC 34090; 8546.7; 2 CFR 200.333; OMB Circular A-133
0260-25	Child Abuse Services – <i>Copies of Reports made to outside agencies</i>	CS	2	GC 34090(d)
0260-30	Drug/Alcohol Test Results – <i>Employee test files</i>	RM	5	GC 34090; 29 CFR 1627.3(b)(1)(v), 49 CFR 655.71 et seq.; 49 CFR 382.401 et seq. 49 CFR 653.71
0260-35	Literacy Adult Learner Case Files – <i>Assessment documentation, monthly tutoring sheets and Misc. Information (Funded by a Grant)</i>	CS/LIB	5	GC 340908546.7; 2 CFR 200.333; OMB Circular A-133
0260-40	Literacy Tutor Case Files – <i>Tutor application, training certificate, contact report and Misc. Information (Funded by a Grant)</i>	CS/LIB	5	GC 340908546.7; 2 CFR 200.333; OMB Circular A-133
0260-45	Homelessness Services – Information related to homeless issues (<i>funded by a grant – After Close is Close of the grant</i>)	CDBG	AC+5	GC 34090; 8546.7; 2 CFR 200.333; OMB Circular A-133
0260-50	Employment Development Services - <i>City Records</i>	HR	2	GC 34090

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0260-55	Community/Group Projects – <i>Information regarding projects related to community issues (funded by a grant, After Close is close of the grant)</i>	CDBG	AC+5	GC 34090; 8546.7; 2 CFR 200.333; OMB Circular A-133
0260-60	Community Problem Solving Program – <i>Backup information from community group meetings regarding issues affecting Escondido (funded by a grant, After Close is close of the grant)</i>	CDBG	AC+5	GC 34090; 8546.7; 2 CFR 200.333; OMB Circular A-133
0260-66	Liability Releases / Waivers – Hold Harmless Agreements, and Release Authorizations	PW	2	GC 34090
0260-80	Healthy Families, Escondido – <i>Information regarding health issues related to Escondido citizens (funded by a grant, After Close is close of the grant)</i>	CDBG	AC+5	GC 34090; 8546.7; 2 CFR 200.333; OMB Circular A-133
0270	Police Department Volunteers			
0270-10	Explorer Post #600 (Police) – <i>Information regarding cadets & events</i>	PD	2	GC 34090
0270-40	Escondido Police Reserves - <i>Applications and backup info</i>	PD	US+3	GC 34090; 9 CFR 1602.31 & 1627.3(b)(1)(i)&(ii), GC 12946, 12960

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0280	Police Department Administration			
0280-05	Quarterly Newsletter (Retired Police Employees) – <i>Police Department status reports</i>	PD	2	GC 34090
0280-10	Emergency Operations Center (EOC) – <i>Disaster Preparedness Manual</i>	PD	US	GC 34090
0280-15	Safety Program (Traffic Police) – <i>Reports & information regarding school safety programs</i>	PD	2	GC 34090
0280-50	Internal Affairs Investigations – <i>Complaints of alleged police misconduct</i>	PD	AC+5	PC 832.5; EVC 1045(b)(1), GC 12946, 12960, 34090, VC 2547
0280-80	Police Statistics & Surveys - <i>Outside request for departmental information</i>	PD	2	GC 34090(d)
0280-81	911 Call Center Time and Call Volume Statistics	PD	P	GC 34090
0280-83	Chaplaincy Program (Police) – <i>Applications & biographical, meeting, and training</i>	PD	US+3	GC 34090; 9 CFR 1602.31 & 1627.3(b)(1)(i)&(ii), GC 12946, 12960
0280-84	Citizen’s Patrol - <i>Reports and organizational Information</i>	PD	2	GC 34090
0280-85	Awareness Academy (Community Police) - <i>Course information</i>	PD	2	GC 34090
0280-95	Board of Review (Shooting) - <i>Reports from board meetings</i>	PD	5	GC 34090; PC 832.5; EVC 1045(b)(1) , GC 12946, 12960, VC 2547

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0290	Police Department Vehicles			
0290-10	Police Vehicles - <i>Vehicle assignment log</i>	PD	2	GC 34090(d)
0290-15	Licenses (Non-Exempt) - <i>Registration & renewal information</i>	PD	AC+2	GC 34090(d)
0290-20	Command Van - <i>Equipment, driver & schedule Information</i>	PD	2	GC 34090(d)
0290-30	Take Home Car Plan/PPV - <i>Implementation of the program & reference information</i>	PD	2	GC 34090(d)
	FIRE PREVENTION EQUIPMENT & OPERATIONS			
0300	Administration			
0300-10	Fire Mutual Aid - <i>Mutual aid incident reports</i>	FD	2	GC 34090
0300-30	Training Records - <i>mV Class B training records, FFI & II state FM training records, in-house training records (by Employee)</i>	FD	US+5	GC 34090; 29 CFR 1602.31 1627.3(b)(ii), LC 6429(c); GC 12946, 12960, 53235.2(b), 53237.2(b)
0300-40	Fire Chaplaincy Program	FD	2	GC 34090
0300-50	Fire Department Employee Background Investigations	FD	US+5	29 CFR 1602.14; 2 CCR 11013(c); GC 12946, 12960, 34090
0300-60	Fire Explorer Program, Post #2223	FD	2	GC 34090

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0310	Investigations & Reports			
0310-10	Run Reports (Fire Incident) - <i>Engine company/ incident reports</i>	FD	5	GC 34090
0310-20	Fire/Not Arson Investigation Reports - <i>Fire investigators report regarding specifics of source/point of origin</i>	FD	10	GC 34090
0310-21	Fire/Arson ONLY Investigation Reports - <i>Fire investigators report regarding specifics of source/point of origin</i>	FD	P	GC 34090
0310-25	Non-Fire Investigative Logs – Narcotics, False Alarm	FD	10	GC 34090
0320	Fire Prevention Inspections/Code Enforcement			
0320-10	Life Safety Inspections / Business Inspections - <i>FD business files, contain inspection reports, permits, Smoke Detector logs' and 'Fire Suppression System reports' and 'citations'</i>	FD	P	CFC 104.6 – 104.6.4; GC 34090
0320-20	Construction Inspections (B Files)	FD	P	CFC 104.6 – 104.6.4; GC 34090
0320-30	Complaints (Fire Prevention) - <i>Fire hazard complaints / Vegetation, Weed Abatement, etc.</i>	FD	2	GC 34090
0320-35	Building Files (Plans) - <i>Files maintained by address, contain plans, plan review comments</i>	FD	P	GC 34090

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0330	Emergency Medical Services			
0330-05	Controlled Substance Logs, Inventories / Ambulance Inventory Logs	FD	3	GC 34090; 21 CFR 1304.04, 1310.04
0330-10	HIPAA Policies and Procedures (Health Insurance Portability and Accountability Act)	FD	US+6	24 CFR 164.530(j) GC 34090
0330-15	Paramedic Continuing Education Rosters and Certificates	FD	4	8 CCR 3204(d)(1) et seq., 8 CCR 3203 et seq., 29 CFR 1627.3(b)(ii), LC 6429(c); GC 12946, 34090
0330-20	Patient Care Reports / PCRs / Paramedic Release Forms (EMS transportation) / Consent Form with Assignment of Benefits: ADULTS	FD	7	CCP 340.5, GC 34090; H&S 1797.98(e) 123145; 42 CFR 482.24(b); 9 CCR 9444, 22 CCR 70751(c) & 71551(c); 22 CCR 70751(c), 71551(c), 73543(a), 74731(a), 75055(a), 75343(a), 77143(a), W&I 14124.1; CMS Pub. 100-4, Chapter 1, Section 110.3
0330-25	Patient Care Reports / PCRs / Paramedic Release Forms (EMS transportation) / Consent Form with Assignment of Benefits: JUVENILES or PREGNANT ADULTS	FD	20	CCP 340.5, GC 34090; H&S 1797.98(e) 123145; 42 CFR 482.24(b); 9 CCR 9444, 22 CCR 70751(c) & 71551(c); 22 CCR 70751(c), 71551(c), 73543(a), 74731(a), 75055(a), 75343(a), 77143(a), W&I 14124.1; CMS Pub. 100-4, Chapter 1, Section 110.3
0350	Vegetation Management / Weed Abatement			
0350-10	Vegetation management / Weed Abatement Complaints, Notice of Violation, Postings, Photos	FD	2	GC 34090

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0360	Fire Prevention			
0360-10	Fire Prevention Permits (Tent Canopy, Special Event, Fireworks, Operations, Run Permits)	FD	AC+2	GC 34090
0360-20	Citations – <i>Fire Prevention Business and Construction Inspections, Slim Jim Tool Kit Emergency Use Release</i>	FD	AC+2	GC 34090
0360-30	Fire Investigation Reports & Photos	FD	AC+2	GC 34090
0360-40	Homeless encampments documentation (photos and CAD reports)	FD	AC+2	GC 34090
0370	Fire Apparatus & Equipment			
0370-10	Fire Apparatus Service Tests - <i>Annual tests of Fire Apparatus</i>	FD	US+2	GC 34090; NFPA 1911.4.7.3 & Annex C.5
0370-20	Fire Apparatus & Equipment Inventories - <i>Inventories of apparatus, equipment, radios, etc.</i>	FD	US+2	GC 34090
0370-30	Fire Apparatus Specifications – <i>Specification documents for new apparatus</i>	FD	2	GC 34090
0370-40	Equipment Assignments (Fire) - <i>Physical locations of fire equipment (person, building)</i>	FD	US	GC 34090
0370-60	Fire Equipment History & Maintenance - <i>Fire hose, ladder, and other equipment maintenance and annual test records</i>	FD	US+2	GC 34090; NFPA 1911.4.7.3 & Annex C.5

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0370-70	Issue of Safety Clothing/Equipment – <i>Inventory of safety gear for each employee</i>	FD	US	GC 34090
0370-75	Hydrant Records - <i>Annual test records for city/Rincon hydrants</i>	UTIL	2	CCP 340.5; GC 34090
0370-80	Fire Training Tower Inspection Reports, Tower Live Burn Records	FD	US+2	GC 34090
FINANCE & FISCAL				
0400	Accounting			
0400-07	Collection - <i>Small Claims</i>	FIN	10	GC 34090; US 36729; 37212(b)
0400-08	Unpaid & Closed Collection Accounts - <i>Preliminary letters</i>	UTL Billing	2	GC 34090
0400-10	Charts of Accounts - <i>Reports of all city account numbers</i>	FIN	US	GC 34090
0400-15	Travel Expenses Statements – <i>Statements listing expenses incurred by employees during business related trips</i>	FIN	5	GC 34090
0400-20	Petty Cash Bank Statements – <i>Reconciliation of petty cash checking accounts</i>	TRES	5	GC 34090
0400-30	Fixed Assets - <i>Annual reports of the city's fixed assets</i>	FIN	5	GC 34090
0400-40	Check Registers - <i>Accounts Payables summary</i>	FIN (A/P)	5	GC 34090

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0400-50	FEMA Claims & Reimbursements / OES Claims & Reimbursements (includes COVID reimbursements)	FIN (A/P)	10	GC 34090
0400-60	General Ledgers / Balance Sheets – <i>Reports that show revenue, expenditures, assets, & liabilities</i>	FIN	5	GC 34090
0400-65	Balance Sheet Reports – <i>Report regarding city assets & financial obligations by fund</i>	FIN	5	GC 34090
0400-70	Journal Vouchers - <i>Files that are filed by month of journal and back-up (uploaded into Questys)</i>	FIN	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	5	GC 34090
0400-76	Petty Cash Requests – <i>Request for payment, Currency/Coin order & bank deposits</i>	UTL Billing	5	GC 34090
0400-85	Monthly Treasurers Report – <i>Investment portfolio</i>	TRES	5	GC 34090
0400-93	Capital Projects Monthly Reports – <i>Monthly reports of departments account balances</i>	FIN	5	GC 34090
0400-96	Housing Loan Reconciliations	FIN	5	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0410	Audits			
0410-20	External Audit Reports - <i>Final audit report (Includes the Annual Finance Report)</i>	FIN	P	GC 34090
0410-30	Audit Preparation Files & Financial Statement Preparation Files – <i>Includes backup information for the financial statements (drafts)</i>	FIN	0	N/A
0420	Banking			
0420-10	Banking Services - <i>Banking information on armored car, bank monthly services fees, credit cards</i>	TRES/ FIN	5	GC 34090
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	5	GC 34090
0420-38	Checks (Stale-Dated) - <i>A listing of accounts payable & payroll checks that are over a year old</i>	TRES	5	GC 34090
0420-40	Check Stubs – <i>Cancelled checks for petty cash & early release requests</i>	TRES	5	GC 34090
0420-41	Returned Checks - <i>Returned check notification from bank on returned NSF checks</i>	TRES	5	GC 34090
0420-42	Check Stop Payments - <i>Stop payments on payroll & accounts payable City checks</i>	TRES	5	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0420-43	Bank Deposit Slips - <i>Deposit slips for general & Library with totals of daily deposits</i>	TRES	5	GC 34090
0420-44	Deposit Corrections - <i>A bank notice of errors and corrections made on deposit slips</i>	TRES	5	GC 34090
0420-45	Debit/Credit Memos & Transfer of Funds Advice – <i>Incoming and outgoing wire transfers</i>	TRES	5	GC 34090
0420-46	Electronic Transactions – <i>Electronic Transfers and Pay online accounts</i>	UTL Billing	5	GC 34090
0420-47	Armored Transport Receipts – <i>Signed receipts from armored transport pickups</i>	UTL Billing	2	GC 34090(d)
0420-60	Banking Daily Worksheets - <i>Treasurers daily worksheets on banking & investment transactions</i>	TRES	5	GC 34090
0420-61	Weekly Check Register - <i>Register for all checks written for the previous accounting time periods</i>	FIN	5	GC 34090
0420-62	Banking Cash Reconciliation Worksheets - <i>Working papers involving outstanding payroll and accounts payable files</i>	FIN	5	GC 34090
0420-70	Duplicating Center Worksheets – <i>Information regarding duplicating charges used to do journal entries</i>	FIN	5	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0430	Budget			
0430-10	Departmental Budget - <i>Department budget working papers (drafts)</i>	DEPT	0	GC 34090
0430-20	External Financial Support Requests - <i>Correspondence notifying non-profit agencies of funds available for grants. Also include applications</i>	FIN/CS	5	GC 34090, 8546.7; 2 CFR 200.333; OMB Circular A-133
0430-25	Budget Objectives - <i>Report regarding department budget objectives</i>	FIN	5	GC 34090
0430-30	Annual Operating/C.I.P. Budget – <i>Adopted citywide operating/CIP budget</i>	FIN	P	GC 34090
0430-35	Budget Preparation Files – <i>Budget backup data</i>	FIN	5	GC 34090
0430-50	Revenue Estimates - <i>Correspondence from the County regarding revenue projections</i>	FIN	5	GC 34090
0430-80	Carryovers/Budget Adjustments – <i>Authorization to move funds from one account to another</i>	FIN	5	GC 34090
0440	Bond Issues/Debt Service			
0440-05	Administration, Bond Issues - <i>Information on Bond Issues by the City</i>	TRES/ FIN	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-10	Bond Paying Agent / Fiscal Agent - <i>Monthly bearer payment statements</i>	TRES	5	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)

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0440-15	Bonds, Industrial Development - <i>Bonds for various city projects</i>	TRES	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-20	Bonds, Mortgage Revenue - <i>Bonds & transaction statements for various city projects</i>	TRES/ FIN	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-22	Bonds, EJPFA - <i>Bonds & files containing preliminary official statements & invoices with amounts due for debt services</i>	TRES/ CC	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-25	Assessment District Financial Records (1911 Act) - <i>Payment demands & general information</i>	TRES / FIN	5	GC 34090
0440-30	Assessment District Financial Records (1915 Act) - <i>Information on Bonds - Auto Parkway, Reidy Creek, Rancho San Pasqual</i>	TRES	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-35	Bonds, General Obligation - <i>1958 Municipal Improvement Series Bonds</i>	TRES/ FIN	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-40	Certificates of Participation (CDC/City) - <i>Statements and information on Mobile home Park, Municipal Golf course, City Hall Project</i>	TRES/ FIN	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-45	Bonds, Revenue (Not Specifically Listed) – <i>Bonds & transaction statements for various city projects</i>	TRES/ FIN	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-50	Bonds, Water Revenue – <i>maturity schedule</i>	TRES	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)

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0440-55	Bonds, Sewer Revenue - <i>Sewer bond statements</i>	TRES	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-60	Mortgage Revenue Bonds Bank Statements - <i>Monthly statements of multifamily Housing Revenue Bonds</i>	TRES/ FIN	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-63	Monthly Age/Income Compliance Reports - <i>Information regarding occupants of low income housing pertaining to multifamily revenue Bonds</i>	TRES/ FIN	P	GC 34090
0440-65	Bonds, Housing (Multiple Family) – <i>Yearly Housing Bond Issuance report</i>	TRES / HSG	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0440-90	Bond Issues Reports & Studies - <i>The Depository Trust Co., claim responses</i>	TRES	AC+10	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1(e)
0450	Payroll			
0450-10	Individual Employee Payroll Files – <i>Employee payroll history</i>	PR	US+5	GC 34090
0450-11	Payroll Register	PR	P	GC 34090
0450-12	Quarterly Tax Reports - <i>Employee Payroll federal and state tax reports DE-6, DE-9, DE-9C, DE-43, W-3, & DE-166, & 941 forms</i>	PR	5	GC 34090; IRS Reg 31.6001-1(e)(2), 26 CFR 1.6001-1, R&T 19530

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0450-13	MOU Negotiation Changes - <i>Pay changes as a result of a new MOU</i>	PR	5	GC 34090
0450-14	Direct Deposit Reports - <i>Report of employees information who participate in the direct deposit program</i>	PR	5	GC 34090
0450-20	Time Cards / Standby Pay / Overtime – <i>Employee work Timecard</i>	PR / DEPT	5	GC 34090
0450-21	Off-line/Off-cycle Checks - <i>Payroll checks written outside of the normal payroll run for different reasons</i>	PR	5	GC 34090
0450-35	Workers Compensation/LOA/SDI Reports - <i>Payroll information for employees on Workers Compensation</i>	PR	5	GC 34090
0450-40	Mileage Reimbursement – <i>Statement listing number of miles employee traveled for business related activities</i>	FIN	5	GC 34090
0450-45	Alpha Reports - <i>(Other Earnings/Benefits/Insurance/Deductions)</i>	PR	5	GC 34090
0450-54	1098 & 1099 Tax Forms – <i>Tax Information for vendors</i>	FIN	5	GC 34090; IRS Reg 31.6001-1(e)(2), 26 CFR 1.6001-1 R&T 19530
0450-55	Leave Registers - <i>Report of employee leave balances</i>	PR	5	GC 34090
0450-56	W-2 Register Worksheets– <i>Preliminary backup working documents (drafts)</i>	PR	0	GC 34090

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0450-57	W-2 Register – <i>Listing of all W-2 employee information</i>	PR	5	GC 34090; IRS Reg 31.6001-1€(2), R&T 19530; 29CFR 516.5 – 516.6, 29 USC 436
0450-58	W-2's – <i>Employee tax statements</i>	PR	5	GC 34090 IRS Reg 31.6001-1€(2), R&T 19530; 29CFR 516.5 – 516.6, 29 USC 436
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	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	0	N/A
0460-20	PERS Reports – <i>Report of employees reportable PERS wages and contributions</i>	PR	5	GC 34090
0460-30	PARS REPORTS – <i>Report of employees reportable PARS wages and contributions</i>	PR	5	GC 34090
0470	Purchasing			
0470-10	Accounts Payables – <i>Invoices and backup information</i>	FIN	5	GC 34090
0470-11	Accounts Payable Detailed Information – <i>Itemized information supporting the bill (copies – compilation of data)</i>	DEPT	0	GC 34090
0470-18	Pending Purchases – <i>Quotes, bids</i>	DEPT	2	GC 34090

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0470-20	Purchase Requisitions – <i>Departmental requests for maintenance service agreements, supplies, & equipment</i>	PURCH	5	GC 34090
0470-25	Purchase Orders – <i>Annual or One-time open PO's, contracts, agreements, public service agreements, orders for equipment & supplies</i>	PURCH /CC	5	GC 34090
0470-26	Purchase History - <i>Newsletters, co-operative purchase agreements (State/County), credit card info</i>	PURCH	5	GC 34090
0470-27	Procurement Credit Card – <i>Credit cards used for emergency purchases for small amounts, monthly statements, memos & correspondence</i>	PURCH	5	GC 34090
0470-32	Pending Bids (Request for Proposals / RFPs)	DEPT.	5	GC 34090
0470-35	Award of Bid (Equipment/Supplies/Services) – <i>Successful bids / Request for Proposals / RFPs</i>	DEPT.	5	GC 34090
0470-45	Rejected Bids – <i>Unsuccessful bids and Request for Proposals / RFP's for equipment & supplies/services</i>	DEPT / CC	2	GC 34090
0470-47	Office Supply Room Log Sheet – <i>Department sign out supplies sheet. Log is calculated for department's monthly charge.</i>	PURCH	2	GC 34090
0470-50	Supply Inventories – <i>Office supplies Inventory</i>	PURCH	US	GC 34090

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0470-55	Auctions (City/County) – <i>Informal stores, not a published auction</i>	PURCH/ PW	5	GC 34090
0470-65	Surplus Property Disposal Requests - <i>Departmental requests of surplus property disposal requests</i>	PURCH	2	GC 34090
0470-80	Vendor Brochures & Catalogs – <i>For equipment and services (Includes Pricing Manuals)</i>	DEPT	0	N/A
0470-85	Consultant Reference Information – <i>Brochures & Reference information</i>	DEPT	0	N/A
0470-90	Policies & Procedures (Purchasing) – <i>Purchasing guidelines</i>	PURCH	US	GC 34090
0480	Revenue & Taxation			
0480-05	Refunds – <i>Water meter & Construction</i>	UTL Billing	5	GC 34090
0480-10	Accounts Receivable - <i>Billings for money owed to the city, customer files, uncollectible invoices & closed customer files</i>	FIN	5	GC 34090
0480-15	Daily Cash Receipts – <i>Receipts for city information, services, and/or programs</i>	FIN/CS/ UTL Billing	5	GC 34090
0480-20	Billing & Service Requests – <i>After-hours ons, service request, theft notices & meter check entry (drafts – data entered in database)</i>	UTL Billing	0	GC 34090

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0480-25	Billings & Receipts - <i>Water, Trash, Sewer, Parking, SDG&E, & Church/School/Recreation</i>	UTL Billing /CS	5	GC 34090
0480-30	Paramedic Billings – <i>Billing information for paramedic services rendered</i>	FIN	5	GC 34090
0480-31	Credit Card Slips - <i>Bills paid by credit card</i>	UTL Billing	5	GC 34090
0480-32	Paid NSF (Non-Sufficient Fund Checks) – <i>Receipts for paid NSF checks</i>	UTL Billing /FIN	5	GC 34090
0480-35	Business Licenses / Permits – <i>Applications & renewals, Home Occupation Permits</i> (Note: Planning and/or PD may approve some types of Licenses or Permits CC files contain supplemental/supporting documents)	CM / ED	5	GC 34090
0480-40	Taxes – <i>Backup information regarding city taxes, including property taxes and transient occupancy tax.</i>	FIN	5	GC 34090
0480-45	Fee Studies/Schedule (Adopted) – <i>City Clerk’s office maintains the original fee Resolutions, staff reports and attachments to the Resolution permanently.</i>	FIN	P	GC 34090

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0480-46	Fee Studies/Schedule – Departmental Information (drafts or copies)	DEPT	0	GC 34090
0480-49	Prop 218 Protest Letter Tabulation, Ballot Tabulations, Notices, Sewer Rates – <i>Rate increase Notifications</i>	UTIL	2	GC 34090
0480-55	Fee Waiver Requests – <i>Requests for the waiving of fees for projects</i>	DEPT	5	GC 34090
0480-59	Reclaimed Water Rates – <i>Financial Survey</i>	FIN	2	GC 34090
0480-70	Grants, Successful – <i>Grants for city programs obtained from County, State, and Federal organizations, including Literacy grants.</i>	DEPT	AC+5	GC 34090, 8546.7; 2 CFR 200.333; OMB Circular A-133 Subject to County, State and Federal requirements
0480-80	Grants, Unsuccessful – <i>Non- approved grants for city programs</i>	DEPT	2	GC 34090
0480-85	Funding Programs (Private) – <i>Programs with the city that are privately funded.</i>	DEPT	2	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0490	Investments			
0490-10	Investment Information (General) – <i>Statements & investments safekeeping</i>	TRES	5	GC 34090
0490-30	Investment Fund (L.A.I.F.) – <i>pooled money investment statements</i>	TRES	5	GC 34090
0490-40	Investment Committee – <i>Membership & minutes</i>	FIN	2	GC 34090
0490-50	Investment Statements – <i>Investment confirmations & statements of investment account</i>	TRES/ FIN	5	GC 34090
0490-55	Investment Report (Quarterly) – <i>Treasurers quarterly investment work papers</i>	TRES	5	GC 34090
0490-60	Investment Reports & Studies – <i>AIM information & statements</i>	TRES	5	GC 34090
	EQUIPMENT SERVICE & MAINTENANCE			
0500	Communication/Computer/Office /Mechanical Equipment & Rolling Stock			
0500-10	Work/Orders Service Requests – <i>Requests for maintenance of equipment – may include potable water system</i>	DEPT	5	GC 34090

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0500-20	Maintenance & Repair Records – <i>Individual Equipment or Vehicle History files created for the maintenance or repair work of individual items. Smog Inspections, Annual Aerial Inspections, BIT (Biennial Inspection of Terminals) Inspections, Crane/Hoist Inspections, and Dielectric Inspections</i>	DEPT	US+2	GC 34090
0500-21	Daily Vehicle Inspections / Daily Equipment Checks	DEPT	2	GC 34090
0500-22	Vehicle Titles / Pink Slips	FLT	US	GC 34090
0500-23	Lift Inspections / Vehicle Lift Inspections	FLT	AC	GC 34090
0500-30	Inventories – <i>Inventory of city equipment, and fuel</i>	DEPT	US+2	GC 34090
0500-40	Log Books – <i>Daily logs of work performed and vehicle logs – may include potable water</i>	PW	5	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	P	GC 34090, CCP 337
0600-11	Departmental Contracts and Agreements – <i>PSA's and consulting agreements that are approved by the City Manager or the Department Head (City Clerk retains anything approved by the City Council)</i>	DEPT	AC+10	GC 34090; CCP 337

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0600-12	Community Service Agreements (Instructors) – <i>Contracts with instructors that teach recreation classes</i>	CS	AC+2	GC 34090; CCP 337
0600-15	Development Agreements – <i>Agreements pertaining to development within the city (excludes subdivisions, annexations, & CDC)</i>	CC	P	GC 34090, CCP 337
0600-20	C.D.C. Agreements – <i>Community Development Commission Agreements</i>	CC	P	GC 34090, CCP 337
0600-30	Industrial Development Bond Authority Agreements – <i>Agreements regarding the issuance of bonds</i>	CC	P	GC 34090, CCP 337
0600-35	EJPFA (Escondido Joint Powers Financing Agency) Agreements – <i>Agreements with other governmental agencies</i>	CC	P	GC 34090, CCP 337
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>	ENGR	P	GC 34090, CCP 337
0600-65	Improvement Bonds – <i>Bonds required for specific city projects</i>	CC	P	GC 34090; 43900 et seq; CCP 336 et seq. 337.5(a); 26 CFR 1.6001-1€
0600-70	Lot Tie Agreements Lot Mergers – <i>Agreements required for specific small projects</i>	ENGR/CC	P	GC 34090, CCP 337
0600-75	Repayment Agreements (Water/Sewer/Storm Drains/Streets) – <i>Repayment for Public Utility improvements</i>	CC	P	GC 34090, CCP 337

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0600-80	Sewer/Water Service Agreements (outside city limits) – <i>Agreements to utilize city sewer system</i>	UTL/CC	P	GC 34090, CCP 337
0600-85	Promissory Notes – <i>Originals of signed promissory notes</i>	FIN/ UTL Billing	AC+5	GC 34090, CCP 337
0600-95	Notice of Completion	CC	P	GC 34090
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 that pertain to City business (excludes promotion of charity fundraisers, brochures, etc.)</i>	CC	P	GC 34090
0610-25	Closed Sessions – <i>closed session vote count notes</i>	CA	P	GC 34090
0610-30	Agendas – <i>Declaration of posting</i>	CC	2	GC 34090
0610-40	Minutes – <i>Original minutes of legislative meetings</i>	CC	P	GC 34090€
0610-45	Verbatim Transcripts – <i>May be done occasionally for legal purposes</i>	CC	2	GC 34090
0610-55	Subcommittees – <i>Information regarding misc. council sub-committees</i>	CM	2	GC 34090

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0610-70	Appointments/Resignations – <i>Appointments and Resignations to Mayor and City Council seats</i>	CC	P	GC 34090
0610-75	Agenda / Staff Reports / Agenda Packet – City Council May include Appeals to the City Council	CC	P	GC 34090
0610-80	Confirmed Agenda (Actions Only) – City Council	CC	P	GC 34090€
0610-85	Request to Speak Form – <i>Public Meeting Request to Speak Form (draft used to produce minutes)</i>	DEPT	0	GC 34090
0610-90	Council Policies and Procedures – <i>Various rules and procedures adopted by Council</i>	CC	US+2	GC 34090
0640	Conflict of Interest			
0640-10	Statement of Economic Interests – <i>Completed FPPC 700 Forms filed with the City Clerk for City employees and boards and commissions (NOT electronically filed)</i>	CC	7	GC 81009
0640-15	Statement of Economic Interests – <i>Completed FPPC 700 Forms for Public Officials (87200 filers) the City Council, Planning Commission, City Manager, City Attorney, and Finance Director (Originals are filed with the State)</i>	CC	7	GC 81009
0640-16	Statement of Economic Interests – ELECTRONICALLY FILED – <i>Completed FPPC 700 Forms for Public Officials (87200 filers) and City employees and boards and commissions</i>	CC	10	GC 81009, 84615

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0640-20	Conflict of Interest Filing Instructions, Forms & Bulletins	CC	0	N/A
0640-30	Conflict of Interest Polices & Procedures - <i>City policies and required positions for filing (Resolutions Only)</i>	CC	P	GC 34090
0640-40	Specific Inquiries and Matters – <i>Materials regarding issues dealing with council and commission member conflict of interests and FPPC related inquiries</i>	CA	2	GC 34090
0640-45	FPPC Form 801 (Gift to Agency Report), FPPC Form 802 (Tickets Provided by Agency Report), FPPC Form 803 (Behested Payment Report), or FPPC Form 806 (Agency Report of Public Official Appointments)	CC	7	GC 81009(e), 2 CCR 18702.5(b)(3)
0650	Elections			
0650-10	Election Planning Materials & Reference - <i>General election material and information</i>	CC	0	N/A
0650-20	Election Initiatives – <i>Initiatives submitted by the public to be placed on the ballot</i>	CC	8 mos.	EC 17200, 17400 - Retain 8 months after the election is certified, or Final Examination if No Election +1 year after petition examination if petition is insufficient
0650-30	Election Referendums - <i>Referendums submitted by the public to be placed on the ballot</i>	CC	8 mos.	EC 17200, 17400 - Retain 8 months after the election is certified, or Final Examination if No Election +1 year after petition examination if petition is insufficient

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0650-40	Election Case Files – <i>Election working papers and correspondence (Resolutions have final results)</i>	CC	2	GC 34090
0650-45	Nomination Documents – <i>Includes Nomination Papers, Candidates Statements and Petitions in Lieu of Filing Fee</i>	CC	8	EC 17100 - Retain 4 years after expiration of term.
0650-50	Campaign Statements (Unsuccessful candidates/committees) – <i>Completed FPPC 400 series forms.</i>	CC	5	GC 81009(b)&(g); GC 84615
0650-70	Campaign Statements ELECTRONICALLY FILED, OR FILED IN PAPER (Successful candidates/committees) – <i>Completed FPPC 400 series forms.</i>	CC	P	GC 81009(b)&(g), GC 84615
0650-75	Campaign Statements – ELECTRONICALLY FILED (Unsuccessful candidates/committees) – <i>Completed FPPC 400 series forms</i>	CC	10	GC 81009(b); GC 84615
0650-80	Campaign Disclosure Statements (Those Required to File A Non-Original With The City Clerk) - <i>Completed FPPC 400 series forms</i>	CC	4	GC 81009(f)&(g)
0650-85	Campaign Disclosure Statements (Other Committees / PACS - not candidate-controlled) - <i>Completed FPPC 400 series forms:</i>	CC	7	GC 81009(e)&(g)
0650-90	Initiative, Recall, or Referendum Petitions	CC	1	EC 17200(b)(3), 17400
0660	Code Enforcement Program			
0660-10	Code Enforcement Complaints & Investigations - <i>Initial citations, follow-up correspondence, work-up of investigation</i>	CE	AC+2	GC 34090

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0660-20	Code Enforcement Case Files – <i>Case filed by address containing office notes & pertinent documentation, pictures, etc. (Includes Original Recorded Documents)</i> Excludes Liens	CE	AC+2	GC 34090
0660-35	Mobile Homes Maintenance & Inspection Program - <i>State mandated inspection reports & corrections</i>	CE	2	GC 34090
0660-40	Homeless encampments documentation (photos and CAD reports)	FD	AC+2	GC 34090
0670	Legal Operations			
0670-10	Affidavits of Posting - <i>Posting of legislative meeting notices</i>	DEPT	2	GC 34090
0670-20	Affidavits of Publication – <i>Publication of Public Hearings & Ordinances</i>	DEPT	2	GC 34090
0670-30	Legal Opinions – <i>City Attorney and outside counsel legal opinions regarding various issues</i>	CA	P	GC 34090
0670-60	Loyalty Oaths - <i>Oaths for the city council, boards, commissions, and committee members</i>	CC	US+4	GC 34090, 36507; PC 801.5, 803(c)
0670-65	Public Records Requests - <i>Letters, e-mails, etc. from the public requesting copies of city records / Next Request Database</i>	CC	AC+2	GC 34090
0670-66	Deposition Subpoena – <i>Production of Business Records</i>	CC	2	GC 34090

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0670-70	Departmental Legal Project Files - <i>Backup information regarding specific projects reviewed by City Attorney</i>	CA	7	GC 34090
0675	Litigation			
0675-10	Civil Case Files - <i>Lawsuits on behalf of City and defense of cases against the City</i>	CA	P	GC 34090; CCP 337
0675-30	Criminal Case Files - <i>Lawsuits regarding violations of Escondido Ordinances</i>	CA	P	GC 34090; CCP 337
0680	Legislation			
0680-10	Ordinances - <i>City Ordinances adopted by the City Council</i>	CC	P	GC 34090(e)
0680-20	Resolutions - <i>City resolutions adopted by the City Council</i>	CC	P	GC 34090(e)
0680-25	Resolutions, Oversight Board	CC	P	GC 34090(e)
0680-30	Resolutions, CDC	CC	P	GC 34090(e)
0680-35	Resolutions, MHRRB	CC	P	GC 34090(e)
0680-40	Resolutions, IDA	CC	P	GC 34090(e)
0680-43	Resolutions, EJPFA	CC	P	GC 34090(e)

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0680-45	Resolutions (Planning Commission) - <i>Resolutions for planning case files that go before the Planning Commission</i>	PLAN	P	GC 34090(e)
0680-50	Code Files (City) - <i>Municipal and Ordinance code amendments – Correspondence to Codifier</i>	CC	2	GC 34090
0680-60	Legislative Analyst/Lobbyist – <i>Federal & state lobbyist financial reporting information – FPPC Form 635 & 602</i>	CA/CM/ FIN	3	GC 34090, 2 CCR 18615(d)
0680-70	Legislation Pending - <i>General correspondence regarding Federal and/or State legislation</i>	DEPT	2	GC 34090
0680-87	Comprehensive Housing Affordability Strategy/ Five Year Consolidated Action Plan - <i>5-year housing & community needs strategy (No longer exists but is used)</i>	HSG	US+5	GC 34090
0680-91	GANN Initiative - <i>Prop 4. Backup Documents</i>	FIN	5	GC 34090
0685	Assessment/Community Facilities Districts			
0685-10	Assessment District Case Files – <i>Application and backup information for implementation.</i> Includes Landscape Maintenance Districts, Community Facilities Districts, etc.	PLAN	P	GC 34090

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0685-20	Community Facilities District Case Files - <i>Application and backup information for implementation</i>	ENGR	P	GC 34090
0690	Real Property			
0690-10	Acquisitions of Real Property (Active) - <i>Appraisals, agreements regarding acquisitions of Real Property</i>	ENGR	P	GC 34090
0690-20	Disposal of Real Property (Active) - <i>Records, agreements regarding disposal of Real Property</i>	ENGR	P	GC 34090
0690-30	Dedication of Real Property Offers (Successful / Unsuccessful)	ENGR	P	GC 34090
0690-40	Abandonments/Vacations of Right-of-way or Relinquishment of Public Right-of-way	ENGR	P	GC 34090
0690-50	Eminent Domain Proceedings - <i>Appraisals, correspondence, legal & court documents (excludes final Order of Condemnation)</i>	ENGR	5	GC 34090
0690-55	Condemnations of Real Property – Final Order of Condemnation	ENGR	P	GC 34090
0690-60	Encroachments (Permanent) Permits - <i>Permits which set permanent conditions on property</i>	ENGR Field	P	GC 34090(a)
0690-65	Liens Against Real Property – <i>Recorded liens issued for various reasons</i>	ENGR	P	GC 34090(a)

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0690-70	Inventories (Real Property)	ROW	US	GC 34090
0690-80	Recorded Documents / Deeds & Easements – <i>Original City deeds and easements recorded by the county</i>	CC	P	GC 34090(a)
0695	Real Property/City Owned Mobile Home Parks			
0695-20	Mobile Home Rental Lots – <i>Rental lease applications and correspondence</i>	HSG	5	GC 34090
0697	Rent Control in Escondido			
0697-07	Complaints (Mobile Homes) – <i>Request forms - inspection results, correspondence, and problem analysis & legal resolution</i>	CA/CE	AC+2	GC 34090
0697-10	Mobile Home Rent Space Worksheet - <i>Annual report the city requires from Mobile Home parks requiring Mobile Home administration</i>	CA/HSG	P	GC 34090
0697-20	Mobile Home Rent Control Hearing File - <i>Application and hearing for rent increase</i>	CA/HSG	P	GC 34090

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PERSONNEL				
0700	Personnel Administration			
0700-02	HIPAA Logs – <i>Logs tracking the movement of medical information</i>	HR	6	GC 34090
0700-03	Training Certificates retained by Human Resources: Sexual Harassment Prevention - <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	5	GC 34090, 53235.2(b)
0700-10	Employee Assistance Program – <i>Bills, correspondence, resolutions, reports, back-up info; countywide survey reports</i>	EB	5	GC 12946, 12960, GC 34090
0700-05	COVID-19 Notifications to Employees	HR	3	LC 6409.6(k), GC 34090
0700-15	Wellness Programs – <i>Employee Programs and Health and Wellness Expo</i>	EB	2	GC 34090
0700-20	Employee Handbook – <i>Supervisor's Resource Manual (originals)</i>	HR	US	GC 34090
0700-30	Employee Newsletter “In Touch In Tune”	CM	P	GC 34090
0700-40	Employee Suggestions – <i>Employee suggestions for work improvement</i>	CM	2	GC 34090

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0700-45	Awards (Employee) – <i>Employee awards and recognition</i>	DEPT	2	GC 34090
0700-50	New Position Requests – <i>Requests from departments for new positions</i>	HR	2	GC 34090
0700-60	Organization Charts - <i>City-wide chart originated by the CM office</i>	COM	US	GC 34090
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>	HR	US+2	GC 34090
0700-95	P.O.S.T. (Police Officers Standards & Training) - <i>State updates and changes in rules & regulations</i>	PD/HR	0	N/A
0710	Classifications & Qualifications			
0710-20	Job Description & Specifications - <i>Past & present job specifications which describes duties & functions of each job listed</i>	HR	P	GC 34090
0710-50	Reclassification Requests- <i>Original memos & backup information for jobs that have been reclassified</i>	HR	P	GC 34090

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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
0720-20	Compensation Plans - <i>Current grade and step tables showing monthly rates (copies of Resolutions, drafts)</i>	HR	0	GC 34090.7
0720-21	Health Insurance Committee – <i>Meeting material, agendas, minutes, & informational correspondence</i>	EB	2	GC 34090
0720-22	Benefits, Retired Employee Files – <i>Individual continuance of City benefits</i>	EB	AC+2	GC 34090
0720-23	Benefits, COBRA Participants – <i>Individuals continuance of city benefits</i>	EB	AC+2	GC 34090
0720-24	Benefits, Separated Employee File – <i>Individual employee enrollment forms for medical, dental, life, and LTD insurance</i>	EB	2	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	5	GC 34090

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0720-26	Benefits, Consulting – <i>Includes Correspondence</i>	EB	2	GC 34090
0720-27	Family Friendly Benefits	EB	0	GC 34090
0720-28	Benefits, Death Benefit Information – <i>Includes Correspondence</i>	EB	2	GC 34090
0720-29	Disability Benefits – <i>LTD, STD general administrative files, LOA billing procedures</i>	EB	2	GC 34090
0720-30	Insurance Plans	EB	AC+6	29 CFR 1627.3(b)(2); GC 12946, 12960, 34090
0720-31	Government Mandated Benefit Programs – <i>Administrative files of City Records Only on COBRA, HIPPA, FMLA; Social Security, Medicare & DOC requirements</i>	EB	P	GC 34090
0720-33	International Foundation of Employee Benefit Plans – <i>Membership & General Information</i>	EB	0	N/A
0720-34	Benefits, Leave Issues – <i>Includes Correspondence</i>	EB	2	GC 34090

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0720-40	Retirement Plans – <i>Administrative files, PERS, PARS, 401(k), 457, Prepare Plan</i>	EB	P	29 CFR 1627.3(b)(2); GC 12946, 12960, 34090
0720-80	Salary Surveys - <i>Other agencies compensation plan CCPA survey reports, memos and reports re: city position salary surveys</i>	HR	0	N/A
0720-90	Salary Studies - <i>Full-time & Part-time salary study</i>	HR	US+3	GC 12946, 12960, 34090
0730	Employee Records			
0730-10	Employees Personnel File - <i>(Full-time or Part-time employees) Includes start notices, evaluations, pay changes, (1095-C, 1094-C – Employer-provided Health Care), etc.</i>	HR	US+6	29 CFR 1627.3, GC 34090, GC 12946, 29 CFR 516.6 et seq. 29 CFR 1602.14; 29 CFR 1602.31; 2 CCR 11013(c); GC 12960, 34090; 29 USC 1113; LC 1198.5; 6 CFR 31.6001-1(e)(2); GC 3105
0730-20	Contract Employees - <i>Contracts with employees which are not approved by the City Council</i>	HR	US+10	29 CFR 1627.3, GC 34090, GC 12946, 29 CFR 516.6 et seq. 29 CFR 1602.14; 29 CFR 1602.31; 2 CCR 11013(c); GC 12960, 34090; 29 USC 1113; LC 1198.5; 6 CFR 31.6001-1(e)(2); GC 3105, CCP 337
0730-40	Departmental Personnel Files – <i>Department Copies, certificates specific to profession or responsibility</i>	DEPT	US+3	GC 34090.7 Administrative Directive No. 28

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0730-45	Employee Personnel Medical Files / Medical Test Files: Pre-employment physical clearance, DMV & Respiratory Fit Tests, Physicals – <i>Physicals and tests for city functions in compliance with regulations</i>	RM	US+30	29 CFR 1627.3, GC 12946, 29 CFR 516.6 et seq. 8 CCR 3204(d)(1) et seq., 8 CCR 5144, GC 12960, 34090; LC 1198.5
0730-50	Employee Investigations	HR	US+6	29 CFR 1627.3, GC 34090, GC 12946, 29 CFR 516.6 et seq. 29 CFR 1602.14; 29 CFR 1602.31; 2 CCR 11013(c); GC 12960, 34090; 29 USC 1113; LC 1198.5; 6 CFR 31.6001-1(e)(2); GC 3105
0730-55	Police Employee Background Investigations	PD	US+5	29 CFR 1602.14; 2 CCR 11013(c); GC 12946, 12960, 34090
0740	Labor Relations			
0740-20	Labor Negotiations - <i>Notes, agendas, minutes, memos re: employee groups</i>	HR	US (twice)	GC 34090(d) Keep last two sets of negotiations in office per HR
0740-25	Impasse Procedures - <i>Procedures for handling employee group impasses</i>	HR	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	P	GC 34090

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0740-40	Employee Associations - <i>History of bargaining units, by-laws, recognition petitions</i>	HR	P	GC 34090
0740-60	Grievances & Investigations – <i>Notes, memos, letters re: disciplinary actions, employee complaints, investigations grievance procedure</i>	HR/CA	20	GC 12946, 29 CFR 1602 & 1627.3(b)(1); GC 12960, 34090
0740-70	Fair Labor Law & Standards – <i>Correspondence & FLSA meet & confer info</i>	HR	20	GC 12946, 29 CFR 1602 & 1627.3(b)(1); GC 12960, 34090
0750	Recruitment & Selection			
0750-10	Affirmative Action Program – <i>Action plan, report data, and EEO reports</i>	HR	3	GC 34090; 29 CFR 1602.30; 29 CFR 1602.32
0750-15	ADA (Americans With Disabilities Act) - <i>Transition plans, Compliance Plans</i>	HR	20	GC 34090; 29 CFR 1602 & 1627.3(b)(1); GC 12946, 129960
0750-35	Employment Bulletins – <i>External organizations, Job fairs, etc.</i>	HR	0	N/A
0750-40	Resumes (Permanent & Part-time) - <i>Resumes from prospective employees for open positions (the application is the City's record)</i>	HR	0	N/A
0750-70	Eligibility Lists - <i>Applications, letters, job announcements; eligibility list – active/inactive, test answers</i>	HR	AC+3	GC 34090; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2 CCR 11013(c); 8 CCR 11040.7(7)(C), GC 12946, 12960

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0750-75	General Assessment Centers (Employee Recruitment) - <i>Notes & memos and results re: assessment centers</i>	HR	AC+3	GC 34090; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2 CCR 11013(c); 8 CCR 11040.7(7)(C), GC 12946, 12960
0750-90	Test Files - <i>Sample tests for various city positions (Oral, practical and written tests)</i>	HR	0	N/A
0760	Education			
0760-10	Conferences (Employee) – <i>Registration and backup information (originals are in Accounts Payable)</i>	FIN	0	GC 34090.7
0760-30	Educational Programs (Employee) - <i>Education Compact</i>	HR	AC+3	GC 34090; GC 12946, 12960
0760-40	Educational Reimbursements (Employee) - <i>Tuition Reimbursement forms and Correspondence (originals are in Accounts Payable)</i>	FIN	0	GC 34090.7
0770	Volunteers			
0770-05	Volunteers Administration – <i>Backup and general information regarding the volunteer program (not individual volunteer applications)</i>	VOL/CM	2	GC 34090(d)
0770-20	Volunteer Records - <i>Includes applications from previous volunteers and unsuccessful applicants, waivers for one-time projects, hours, and correspondence. Also include Municipal court order volunteer records</i>	VOL/CM	3	GC 34090(d); 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2 CCR 11013(c); 8 CCR 11040.7(7)(C), GC 12946, 12960

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
0780	Training			
0780-05	Training - Completed and ongoing employee training Course Syllabus / content of training. Includes Safety training, Harassment Prevention and Ethics Training certificates for employees (City Clerk maintains Elected Officials)	DEPT	5	GC 34090; 29 CFR 1602.31; LC 6429(c); GC 12946, 12960, 53235.2(b), 53237.2(b)
0780-10	Training Rosters – Attendance rosters for mandatory training. Includes Safety training, Harassment Prevention and Ethics Training	HR	5	GC 34090(d) GC 34090; 29 CFR 1602.31; LC 6429(c); GC 12946, 12960, 53235.2(b), 53237.2(b)
0780-15	Police Employee Training File	PD	US+5	29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR 3204(d)(1) et seq., GC 34090
0780-60	Loss Prevention	RM	2	GC 34090
PLANNING & COMMUNITY DEVELOPMENT				
0800	Developments/Subdivisions			
0800-10	Subdivision (Tract) Files - Case & Inspection files for Tract Developments (Inspections are performed by field engineering) (Includes Original Recorded Document and record drawings)	PLAN/ ENGR	P	GC 34090
0800-11	County Subdivisions - Correspondence	ENGR	2	GC 34090
0800-15	Special Use Lots - Temporary sales lots (i.e. Christmas trees, pumpkin patches)	PLAN	AC+2	GC 34090
0800-20	Tentative Parcel Maps / Parcel Maps - A subdivision of 4 or fewer lots files (Includes Original Recorded Documents)	PLAN/ ENGR	P	GC 34090

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0800-30	Plot Plans - <i>Administrative project review process files (Includes Original Recorded Documents)</i>	PLAN	P	GC 34090
0800-35	Sub-area Facilities' Plans – <i>Utilities & services provided to certain city sectors; copies of maps, correspondence</i>	UTIL	P	GC 34090
0800-40	Planning Case Files - <i>Public Hearing cases (PD, CZ, CUP, GE, PUA, GPIIP, DA, CP, PZ, SP & BEZ) (Includes Original Recorded Documents)</i>	PLAN	P	GC 34090; 4 CCR 15095(c)
0800-50	CEQA / NEPA - Correspondence submitted to, or transferred from the agency, internal agency communications, including staff notes related to a non-exempt CEQA action	PLAN	AC	<i>Golden Door Properties, LLC v. Superior Court of San Diego County (County of San Diego, et al., Real Parties in Interest) (D076605, D076924, D076993) (4th Dist. 2020); PRC 21167,6; GC 34090; 4 CCR 15095(c)</i>
0800-80	Certificates of Compliance (Subdivision) - <i>Determines whether a lot has been created legally (Includes Original Recorded Documents)</i>	PLAN/ENGR	P	GC 34090
0800-90	Development Reports & Studies (General) - <i>Studies, maps</i>	PLAN	P	GC 34090

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0810	Land Use Control			
0810-15	Determination of Permitted Use – <i>Determination of zoning uses</i>	PLAN	P	GC 34090
0810-20	Zoning Code Amendments Case Files - <i>Amendments to the zoning code</i>	PLAN	P	GC 34090
0810-30	Growth Management Program - <i>Concurrent implementation of facilities & services w/ growth & development</i>	PLAN	P	GC 34090
0810-40	Administrative Adjustments (Land Use) - <i>Adjustment of development standards files</i>	PLAN	P	GC 34090
0820	Environmental Review			
0820-20	CEQA / NEPA / Environmental Impact Reports (EIR)/Initial Studies – <i>Includes EIR's, Environmental Reviews and Negative Declarations, Categorical Exemptions, etc.</i>	PLAN	P	GC 34090(a)
0830	General Plan			
0830-07	General Plan Implementation – <i>Implementation of the City's 20-year master plan</i>	PLAN	P	GC 34090
0830-20	General Plan Amendment Case Files - <i>GPA project files</i>	PLAN	P	GC 34090(a)

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0840	City Planning			
0850	City Organization/Formation			
0850-20	Annexation Case Files – <i>Annexation applications expanding the Escondido city limits</i>	PLAN	P	GC 34090
0850-40	Spheres of Influence - <i>Ultimate geographical boundary of area to be served by Escondido municipal services</i>	PLAN	P	GC 34090
0860	Successor Agency (previously Redevelopment)			
0860-20	Redevelopment Plan - <i>Area designated where redevelopment moneys can be spent – Includes agreements and case file information</i>	ED	P	GC 34090
0865	Economic Development			
0865-10	BEAR (Business Expansion, Attraction, & Retention Program) - <i>Business visits, memos, & statistics</i>	ED	2	GC 34090
0865-15	Economic Development Business Assistance Programs - <i>Small business loan program, fee deferral, etc.</i>	ED	5	GC 34090
0865-20	Economic Development Community Organizations – <i>Agendas, correspondence, & Statistics</i>	ED	2	GC 34090
0865-60	Economic Development Reports, Studies & Surveys – <i>General Information</i>	ED	2	GC 34090

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0870	Community Development Block Grant Program			
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	NSVCS	AC+5	GC 34090, 24 CFR 570.502, 8546.7; 2 CFR 200.333; OMB Circular A-133
0873	Home Funding Program (HOME)			
0873-01	Funding Program HOMES – <i>Regulatory agreements & correspondence regarding HOME funded projects, also include First Time Home buyers</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(b)(3), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090
0873-99	Home Funding Program Administration - <i>Correspondence regarding the tracking of special issues with significant historical value</i>	HSG	P	GC 34090

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0875	Housing Program (Redevelopment / State Funding)			
0875-12	Transitional Housing Program – <i>Individual case files on sites for transitional housing</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090
0875-13	Small Family/New Construction Program - <i>Projects funded for small families</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090
0875-14	Senior Housing Program - <i>Project files for senior living quarters</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090
0875-16	First Time Home-buyers Program – <i>Individual loan files and related program documents – (Includes Recorded Documents: Promissory Notes & Deeds)</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090
0875-20	Housing Rehabilitation – <i>Individual loan files and related program documents</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090

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0875-21	Multi-Family Acquisition & Rehabilitation Loan Files - <i>Individual loan files and related program documents</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090
0875-29	Mobile Home Conversion Assistance (General) - <i>Documents related to conversion policy & M.H.P. purchases</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090
0875-30	Rancho Escondido Mobile Home Park - <i>Individual loan files</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090
0875-31	The Views Mobile Home Park – <i>Individual loan files</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090
0875-32	Mountain Shadows Mobile Home Parks - <i>Individual loan files</i>	HSG	AC+5	After Completion or Close = after the Affordability Period Terminates and Agreement is Completed; 24 CFR 570.502(a)(16), 24 CFR 92.508(a)&(c), 2 CFR 200.333; GC 34090

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0875-55	Housing Program Policies – <i>Policies governing the use of funding sources</i>	HSG	P	24 CFR 570.502(a)(16)
0875-70	Housing Program Reports & Studies (General) - <i>Reports & studies related to housing needs and accomplishments</i>	HSG	P	24 CFR 570.502(a)(16)
0880	Historical Site Preservation			
0880-10	Historic Site Case Files – <i>Applications for Historic incentives programs</i>	PLAN	P	GC 34090
0880-20	Historic Site Inventories – <i>Inventory of the Historical properties in Escondido</i>	PLAN	P	GC 34090
0885	Sign Control			
0885-10	Banner Permits - <i>Temporary banner & sign permits</i>	PLAN	AC+2	GC 34090
	PUBLIC FACILITIES & GROUNDS (CONSTRUCTION/ALTERATIONS/ MAINTENANCE/USE)			
0900	General Administration			
0900-05	Building Maintenance Work Orders - <i>Completed work orders for work performed on city facilities</i>	BLDG MAINT	2	GC 34090
0900-10	City Facilities Custodial Services - <i>Information regarding city custodial services</i>	PW	2	GC 34090

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0900-12	Site Supervisors Reports – <i>Completed facilities activity/inspection reports</i>	CS	2	GC 34090
0900-20	Facility Use/Permits/Insurance Binders – <i>Correspondence and permits regarding the use of city facilities</i>	DEPT	AC+2	GC 34090
0900-25	Space Planning Case Files – <i>Floor Plans and information pertaining to remodeling (Preliminary drafts)</i>	GR	0	GC 34090
0900-30	Graffiti on City Buildings – <i>Memos, Graffiti Kit wavers, letters and flyers</i>	PW	2	GC 34090
0900-35	Graffiti Removal Waivers (Authorization for City to remove Graffiti from private property)	PW	AC+2	GC 34090
0900-40	Public Works Daily Work Logs - <i>Worksheets of daily activity in the field (excludes potable water)</i>	PW	2	GC 34090
0900-50	Stand-by Forms (Drafts – the Timesheet is the final)	PW	0	GC 34090

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0910	Municipal Facilities/City Property			
0910-10	City Property/Facilities – <i>Construction of City facilities –</i> PERMANENT RECORDS <i>Specifications & Addenda, Agreement / Contract, Successful Proposal, Change Orders, Geotechnical Studies & Reports, Materials Testing Reports, Notice of Completion, Photos, Soil Reports, Studies, Submittals, Surveys</i>	ENGR	P	GC 34090
0910-20	City Property, Other – <i>Construction of City properties –</i> PERMANENT RECORDS <i>Specifications & Addenda, Agreement / Contract, Successful Proposal, Change Orders, Geotechnical Studies & Reports, Materials Testing Reports, Notice of Completion, Photos, Soil Reports, Studies, Submittals, Surveys</i>	ENGR	P	GC 34090
0910-30	City Property – PROJECT ADMINISTRATION RECORDS <i>Project Administration, Certified Payrolls / Prevailing Wage, Community Outreach / Notifications, Project Schedules, Progress meetings, Punch Lists, Real Estate Appraisals, RFIs & Responses, Temporary Easements, Construction Manager's Logs, Daily Inspections, Daily Logs, etc.</i>	ENGR	AC+10	GC 34090; CCP 337
0915	Parks & Open Space			
0915-07	City Parks & Open Space - <i>Information regarding the construction of Parks & Open Space</i>	PW	P	GC 34090
0915-55	City Lakes (Wohlford/Dixon) – <i>Information regarding the construction of these facilities</i>	PW	P	GC 34090

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BUILDING & ENGINEERING				
1000	Permits & Inspections			
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	P	Required for the life of the structure H&S 19850, GC 34090
1000-15	Structural Plans/Project Data – <i>Approved plans and/or information for private property in the City</i>	BLDG	P	GC 34090
1000-20	Plan Check Files & Inspection Logs - <i>Documentation related to the projects except for plans and permits, which are the final records</i>	BLDG	2	GC 34090
1000-70	Grading Permits & Inspections – <i>Permit issued to the contractor after approval of grading plan</i>	ENGR	P	GC 34090(a)
1000-72	Inspection Logs - <i>Inspectors daily logs for City construction jobs</i>	ENGR	AC+10	GC 34090, CCP 337
1000-75	Building Permit Reports – <i>Monthly, year-to-day, and yearly breakdown of individual permits issued PRIOR to Permitting Software. Not microfilmed, but kept in yearly file</i>	BLDG	P	GC 34090
1000-80	Building Permit Reports – <i>Monthly, year-to-day, and yearly breakdown of individual permits issued AFTER Permitting Software (copies or drafts)</i>	BLDG	0	GC 34090

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1000-90	California Building Codes, Plumbing Codes, Uniform Building Codes, etc. Adopted by the City	BLDG	P	GC 50022.6; GC 34090
1010	Engineering Projects			
1010-05	Engineering Projects Yearly Bid Results - <i>Bid results & general files</i>	ENGR Design	0	GC 34090
1010-10	Engineering Plans / Record Drawings / As-Builts - <i>Plans of grading & public improvements for private property</i>	ENGR	P	CCP 337, GC 34090
1010-20	Survey Projects & Maps – <i>street alignments, preliminary design, reports and studies</i>	ENGR	P	GC 34090
1010-30	Special Projects Engineering – <i>reports, maps, studies</i>	ENGR	P	GC 34090
1010-35	City Master Plans - <i>maps, studies</i>	ENGR	P	GC 34090
1010-40	Improvement/Grading/Drainage Plans - <i>Street lighting, reports, studies</i>	ENGR	P	GC 34090
1010-60	Underground Service Alerts / Dig Alerts– <i>Notifications regarding projects requiring underground work</i>	PW	2	GC 4216.2(d) & 4216.3(d), 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1020	Streets, Sidewalks, Curbs, Gutters & Driveways			
1020-05	Streets, Sidewalks, Curbs, Gutters & Driveways General overlay & rehabilitation projects streets, chip seals, crack fill, etc. project files	ENGR Design	AC+10	GC 34090, CCP 337
1020-20	Specific Alignment Plans, Streets – <i>Circulation planned street widening studies</i>	ENGR Traffic / Design	P	GC 34090, CCP 337
1020-25	Street Widening/Alignments – <i>Project files for street widening</i>	ENGR Design	P	GC 34090, CCP 337
1020-30	Street Inventories - <i>Inventory of City Streets</i>	ENGR Traffic	US	GC 34090
1020-35	Street Naming - <i>Case files for the naming of streets</i>	PLAN	P	GC 34090
1020-40	Street Lighting - <i>Project files for street lighting</i>	ENGR Design	P	GC 34090, CCP 337
1020-45	Medians/Islands Landscaping – <i>Roadway medians and median openings project files</i>	ENGR Field	P	GC 34090, CCP 337
1020-50	Bike Facilities & Plans - <i>Bike Facilities, Lanes, & project files</i>	ENGR Traffic	P	GC 34090, CCP 337
1020-65	Federal Aid Urban System (FAU) - <i>Streets in system, funding utilized in City projects</i>	ENGR Traffic / Design	AC+5	GC 34090, 8546.7; 2 CFR 200.333; OMB Circular A-133

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1020-70	Federal Aid Secondary System (FAS) - <i>Streets in system, funding utilized in City projects</i>	ENGR Traffic / Design	AC+5	GC 34090, 8546.7; 2 CFR 200.333; OMB Circular A-133
1020-71	Transnet & Corridor Programs (SANDAG) - <i>Transnet funding program: streets and funding utilized in City projects: program planning</i>	ENGR Traffic / Design	AC+5	GC 34090, 8546.7; 2 CFR 200.333; OMB Circular A-133
1020-72	State-Local Transportation Partnership Program (State) - <i>Guidelines & procedures of Partnership Program utilized in City projects</i>	ENGR Traffic / Design	AC+5	GC 34090, 8546.7; 2 CFR 200.333; OMB Circular A-133
1020-75	Capital Projects - <i>All projects that are not maintenance or specific, including record drawings</i>	ENGR Design	P	CCP 337, GC 34090
1030	Bridges			
1030-05	Bridges Inspections performed by Cal Trans - <i>General inspection reports (Cal Trans records for bridges located inside City boundaries)</i>	ENGR Design	2	GC 34090
1030-10	Bridges Case Files - <i>Project files for bridges</i>	ENGR Design	P	GC 34090, CCP 337
1040	Highways			
1040-05	Highways Administration – <i>General files & Information</i>	ENGR Design	0	N/A

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1050	Traffic Engineering			
1050-05	Traffic Engineering Complaints/Requests - <i>Complaints & requests filed by year</i>	ENGR Traffic	2	GC 34090
1050-10	Accident Information - <i>Accident info citywide</i>	PD	0	GC 34090
1050-15	Traffic Engineering Circulation – <i>Street circulation studies</i>	ENGR Traffic	10	GC 34090
1050-20	Speed Zoning - <i>Speed zone study</i>	ENGR Traffic	US+3	GC 34090
1050-25	Vehicular Volume Counts - <i>Traffic volume counts & information</i>	ENGR Traffic	10	GC 34090
1050-30	Traffic Projects (other than streets) <i>- Projects to improve operations and safety</i>	ENGR Traffic	P	GC 34090, CCP 337
1050-35	School Safety Programs - <i>Traffic programs for school safety</i>	ENGR Traffic	10	GC 34090
1050-40	Pedestrian Safety, General – <i>Pedestrian safety program information</i>	ENGR Traffic	10	GC 34090
1050-45	Traffic Studies/Surveys, General – <i>General information about traffic studies and surveys</i>	ENGR Traffic	10	GC 34090

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1050-50	Traffic Schedules - <i>Traffic Schedules for traffic control devices</i>	ENGR Traffic	10	GC 34090
1050-55	Traffic Control Devices Committee – <i>Information from the California Traffic Control Devices Committee</i>	ENGR Traffic	0	N/A
1050-65	Signal Projects – <i>Preliminary and final designs, specs,</i>	ENGR Traffic	P	GC 34090, CCP 337
1050-70	CALTRANS (Traffic Related) – <i>Information relating to Caltrans facilities and projects within the City</i>	ENGR Traffic	0	N/A
1050-80	Signing - <i>Traffic signing</i>	ENGR Traffic	P	GC 34090; CCP 337
1050-85	Striping/Markings - <i>Street striping & pavement marking information</i>	ENGR Traffic	P	GC 34090; CCP 337
1050-90	Reference & Correspondence Traffic Engineering - <i>Reference material & correspondence relating to traffic issues</i>	ENGR Traffic	10	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1060	Parking			
1060-05	Parking Administration – <i>Information on Vehicle Parking District</i>	ENGR Traffic	10	GC 34090
1060-10	Curb Zones – <i>Information on street Parking</i>	ENGR Traffic	P	GC 34090
1060-50	Parking Facilities, City – <i>Information on city owned parking areas</i>	ENGR Traffic	P	GC 34090
1060-75	Parking Reports & Studies – <i>Studies of parking use and needs</i>	ENGR Traffic	10	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	GC 34090
1070-20	Storm Drainage & Flood Control Master Plans - <i>Information regarding study of the city's storm drain system</i>	ENGR	P	GC 34090
1070-30	Storm Drainage & Flood Control Reports & Studies - <i>Various reports and studies regarding storm drain & flood control</i>	ENGR	P	GC 34090
1070-40	F.E.M.A. - <i>Incidents by year of incidents within the city (flooding, hazardous waste, water contamination, etc.)</i>	ENGR	P	GC 34090 Subject to State and Federal requirements

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1070-50	Storm Drainage & Flood Control Capital Projects - <i>General project files</i>	ENGR Design	P	CC 337.15, GC 34090
1070-60	Federal Flood Insurance Program - <i>General information regarding the city's participation in the FIP program</i>	ENGR	P	GC 34090
1080	Transportation			
1080-15	Peak Hour Traffic Management – <i>Information on peak hour traffic management</i>	ENGR Traffic	10	GC 34090
1080-20	Park & Ride - <i>Information on park and ride program</i>	ENGR Traffic	10	GC 34090
1080-50	Railroads - <i>Information on rail operations in the city</i>	ENGR Traffic	0	N/A
1080-65	Transportation Planning, General - <i>General information on transportation planning</i>	ENGR Traffic	10	GC 34090
1080-70	Transportation Reports & Studies – <i>Transportation reports and studies</i>	ENGR Traffic	10	GC 34090

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RECREATION & EDUCATION				
1100 General Administration				
1100-10	Vendor Info (Resources) – <i>Information on craft projects supplies (i.e. clay fabric, glass, metal)</i>	CS	0	N/A
1100-15	Site Supervisors Incident Reports – <i>Reports for various activities at recreation facilities</i>	CS	2	GC 34090
1110 Cultural Recreation				
1110-20	Monuments & Statues – <i>Backup information</i>	CS	P	GC 34090
1110-40	Public Art Program – <i>Slides and drawings of Public Art Installed and Purchased by the City</i>	CS	P	GC 34090
1110-60	Art & Cultural Heritage Support Programs - <i>Consultants Report, cultural resources, theater projects</i>	CS	2	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1115	Library			
1115-10	Contract Services for Library / Agreements for Library	CS / LIB	AC+2	GC 34090
1115-12	Comment Cards (Customer) (NOT Entered in CityWorks)	CS / LIB	AC+2	GC 34090
1115-15	Fines Finance sends to Collection	CS / LIB	5	GC 34090
1115-20	Gifts & Donations to Library (Cash)	CS / LIB	5	GC 34090
1115-30	Grants – Library	CS / LIB	AC+5	GC 34090
1115-40	Agreements for using Chromebooks, Book Clubs in a bag, nature backpacks, etc.	CS / LIB	2	GC 34090
1115-60	Patron Applications for Library Card (Used by Finance for Collections of Fines)	CS / LIB	2	GC 34090
1115-70	Unruly Patrons / Incidents	CS / LIB	AC+2	GC 34090
1120	Education & Educational Recreation			
1120-10	Colleges & Universities - <i>Informational materials</i>	DEPT	0	N/A
1120-30	Escondido School Districts - <i>General files on Elementary, Middle, and High School Districts (Public & Private)</i>	DEPT	0	N/A

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1120-50	Public & Private Schools - <i>General information on schools within Escondido -Includes Grants</i>	CS	5	GC 34090, 8546.7; 2 CFR 200.333; OMB Circular A-133
1120-70	Educational Programs - <i>General Information</i>	DEPT	0	N/A
1130	Physical Education			
1130-10	Sports Planning (file alphabetically by sport) - <i>General files on City sports programs</i>	CS	2	GC 34090
1130-20	Adult Sports Activities - <i>Registration forms and backup information for adult sports leagues</i>	CS	2	GC 34090
1130-30	Youth Sports Activities - <i>Registration forms and backup information for youth sports leagues</i>	CS	2	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	GC 34090
1140-20	Specific Events Programs/Large Gatherings - <i>General information regarding street fairs carnivals festivals, etc.</i>	CS	2	GC 34090
1140-30	After School Recreation Programs - <i>Federal and State Grants</i>	CS	5	GC 34090; 8546.7; 2 CFR 200.333; OMB Circular A-133

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	COMMUNICATIONS & STAFF SERVICES			
1200	Information Technology			
1200-10	Computer Backups (for Disaster Recovery Only)	IS	0	GC 34090.7
1200-20	Enterprise System Catalogue (posted on line)	IS	US	GC 34090
1220	Audio Visual			
1220-10	Audio Recordings of Council Meetings - <i>Audio tapes of the City Council legislative meetings</i>	COM	2	GC 34090.7
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 / COM	P	GC 54953.5(b)
1220-21	Audio Recordings – <i>Audio Recordings for city boards, commissions, and committees</i>	DEPT	2	GC 34090.7
1220-30	Graphics - <i>Completed graphic request forms</i>	GR	0	GC 34090.7
1220-40	Video Recordings – <i>Video intentionally obtained from a routine monitoring device regarding City Operations or Building Security in the normal course of business. (Includes – Library, Temporary Holding Facility observation and building security monitoring – Unless Used as Evidence.)</i>	IS	1	GC 34090.6(c) Automatic Deletion after 1 Year

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1230	Software Systems			
1230-05	Systems Administration - <i>Request for the addition or deletion of users on the network (Preliminary Drafts / Content Not Substantive)</i>	IS	0	GC 34090
1230-20	Software Work Requests / Help Desk Tickets - <i>Requests for system modifications</i>	IS	2	GC 34090
1240	Printing & Duplicating Services			
1240-05	Printing & Duplicating Services Requests - <i>Completed request forms for services</i>	IS	2	GC 34090
1240-40	Photocopy Machine Reads - <i>Copier Reads for billing purposes</i>	IS	2	GC 34090
1250	Mail Control			
1250-05	Postage Report - <i>Report of departmental postage charges</i>	IS	2	GC 34090
1250-10	Electronic Mail, if the Content does not relate in a substantive way to the conduct of the public's business. If the Content relates in a substantive way to the conduct of the public's business, employees save the electronic mail in an appropriate project file.	IS	90 days	GC 34090, 6252, 6254(a); <i>City of San Jose v. Superior Court (Smith) (2017)</i> Administrative Directive No. 27 Automatic Deletion of e-mail where the content is not substantive, and message remains in e-mail system after 90 Days

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1260	Communications			
1260-20	Telecommunications - <i>ATEL services requests</i>	IS	2	GC 34090(d)
1270	Geographic Information Systems			
1270-10	GIS Work Projects – <i>Requests forms for projects</i>	GIS	2	GC 34090
1280	Technology Information			
1280-20	Technology Information Projects - <i>Various information and document tracking and management projects</i>	DEPT	2	GC 34090
	UTILITIES			
1300	Underground Utilities			
1300-20	Underground Utility Districts - <i>Backup information regarding the creation of districts</i>	UTL	P	GC 34090
1305	Gas & Electricity Supply			
1305-05	Gas & Electricity Supply - <i>Information regarding SDG&E rates</i>	UTL	0	N/A

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1310	Solid Waste Management			
1310-10	Refuse Collection - EDI general information and landfill tonnage reports / AB 929 Compliance	UTL	10	GC 34090
1310-40	Recycling Programs - 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	UTL	10	GC 34090
1310-50	Solid Waste Management Master Plan	UTL	P	GC 34090
1320	Water Management			
1320-02	Water Management Administration – Information regarding water management; records of inquiries about water softeners	UTL	5	GC 34090
1320-05	Water Treatment Plant - Capacity reports, chlorination facility information, water demand reports, demand recording consumption detail reports, Dixon F.P. electric billing	UTL	5	GC 34090

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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; piezometer readings; photos, recreation restriction records; seasonal storage information</i>	UTL	P	GC 34090
1320-15	Monthly Summary of Water Quality - <i>Report on the water quality of the city-wide system</i>	WTP	P	40 CFR 142.14
1320-20	Pump Stations - <i>Records, documents, and studies pertaining to Hogback pump zone and Raw Water station</i>	UTL	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, System Water Accounting Report , etc.</i>	WTP	P	GC 34090, 40 CFR 141.33
1320-22	Daily Operations Log - <i>Daily plant worksheet</i>	WTP	5	GC 34090(d)
1320-23	C-T Calculations - <i>Report regarding chlorine by-products</i>	WTP	5	GC 34090; 40 CFR 141.33
1320-24	Daily Turbidity Report - <i>Report regarding water quality</i>	WTP	5	GC 34090; 40 CFR 141.91

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1320-26	Filter Backwash Log - <i>Log tracking the use of Filters</i>	WTP	5	GC 34090; 40 CFR 141.91
1320-27	Daily Plant Checklist - <i>Physical inspections of all functions of the plant</i>	WTP	5	GC 34090
1320-28	Weekly Plant Checklist - <i>Physical inspections of all functions of the plant</i>	WTP	5	GC 34090
1320-29	Stand-by Forms (drafts – the Timesheet is the final)	WTP	0	GC 34090
1320-30	Water Meter Sets, Permanent	UTL Billing	P	GC 34090
1320-32	Meter Reads - <i>On/off Reads & Rereads</i>	UTL Billing	2	GC 34090
1320-34	Shutoff Lists - <i>List of water shutoffs for nonpayment</i>	UTL Billing	2	GC 34090
1320-36	Water Service Information - <i>On/off Cards & Change of address Cards</i>	UTL Billing	4	GC 34090

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1320-40	<i>Water Usage - 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>	UTL	P	GC 34090
1320-41	<i>Agricultural Water Use Certificates - Records of special circumstances, correspondence, certification records & reference materials (NOT recycled water)</i>	UTL	5	GC 34090
1320-42	<i>Meter Applications - Meter exchanges & SDCWACC (San Diego County Water Authority Capacity Charge)</i>	UTL Billing	5	GC 34090
1320-43	<i>Construction Affidavits - Affidavits for refund of sewer and trash charges</i>	UTL Billing	5	GC 34090
1320-44	<i>Meter Sets - Application for a permanent meter to be set (installed)</i>	UTL Billing	P	GC 34090
1320-45	<i>Escondido Mutual Water Company - 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	P	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
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	AC+4	GC 34090
1320-55	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>	UTL	P	GC 34090
1320-65	Water Rates - <i>Information, documents, and records pertaining to water & sewer rates; and records & documents pertaining to the water conservation offset fee – Adopted by Resolution</i>	UTL	P	GC 34090
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; Reed Reservoir records, Vista Verde Reservoir records</i>	UTIL/ENGR	P	CC 337.15; GC 34090
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	P	40 CFR122.41; GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1320-85	Master Plans Water Management - <i>Backup information regarding the implementation and updates of the water master plan</i>	UTL	P	GC 34090
1320-90	Water Management Reports & Studies - <i>Monthly Activity 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 Meter Survey to SDCWA; Annual reconciliation to SDCWA; Public Health Goals Report; raw water sampling & coliform monitoring plan; urban water production information; TDS & chloride content reports; Urban Water Management Plan and associated reports; utilities forecast survey; and water utility statistics report.</i>	UTL	P	GC 34090
1320-91	Sanitary Surveys of Drinking Water Systems	UTL	10	40 CFR 141.33(c); 22 CCR 64470; GC 34090
1320-92	Vulnerability Assessment / Emergency Response Plan / Risk & Resiliency Assessment / Hazard Mitigation Plan	UTL	US	42 USC 300i-2(d); GC 34090
1320-93	Water Quality Report (Annual) - <i>Consumer Confidence Report</i>	UTL	P	40 CFR 141.33(a); 22 CCR 64470; GC 34090
1320-94	Well Records, including water quality laboratory reports	UTL	P	GC 34090
1320-96	Potable Water Management Violations – <i>Original violations and back-up information (Drinking Water) / Work Orders / Service Requests</i>	UTL	5	40 CFR 122.41(j)(2) & 40 CFR 141.33(b); 22 CCR 64470(a)

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1330	Wastewater Management			
1330-05	<i>Sewage Treatment Plant - Influent flow records; 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; pooled emission estimation program records; plant maintenance information; radioactive material license; SDG&E easement information; lift station #4 records and information; transformer & substation records & information; historical cost records; and HARRF wetlands mitigation records</i>	UTL	P	GC 34090
1330-06	Confined Space Entries	UTL	2	8 CCR 5157(d)(14) & (e)(6); 29 CFR 1910.146(e)(6); GC 34090
1330-07	Sewage Treatment Plant - Laboratory Reports	UTL	5	40 CFR 122.41(j)(2); 40 CFR 122.41(j)(2); GC 34090
1330-08	Sewage Treatment Plant – Operations Log Books	UTL	3	40 CFR 122.41(j)(2); GC 34090
1330-09	Sanitary Spills and Overflows (SSOs) / Violations	UTL	5	40 CFR 122.41(j)(2); 40 CFR 122.41(j)(2); GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1330-20	Pump Stations & Wells - <i>Odor problem records & information; lift & pump station records & information; and private sewage pumps correspondence & records.</i>	HARRF	P	GC 34090
1330-34	Wastewater Violations – Original violations and back-up information	UTL	P	GC 34090
1330-35	Industrial Waste - <i>Pretreatment violation records, enforcement response guide, permit applications, reports, audits, program evaluation and records, FOG (Fats, Oil & Grease)</i>	HARRF	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	5	40 CFR 61.54, 122.41, 503.47
1330-45	Wastewater Management Outfall - <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	P	40 CFR 60.153

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1330-50	Lab Compliance / Equipment Calibration, Certification, Log Books, etc.	UTL	10	GC 34090; 40 CFR 792.195
1330-55	Lab Reports / Water Quality Reports	UTL	12	GC 34090; 22 CCR 64400.25; 22 CCR 64470, 40 CFR 141.33(a); 40 CFR 141.91
1330-70	Wastewater Management Capital Projects - <i>Information regarding changes or additions to the plant</i>	UTL	P	CCP 337.15, GC 34090
1330-75	Wastewater Management Permits - <i>NPDES permits</i>	HARRF	P	40 CFR 122.41, 122.21, 122.44;
1330-85	Master Plans - <i>Wastewater master plan and project alternatives information</i>	UTL	P	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1330-90	Wastewater 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>	UTL	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	5	40 CFR 122.41 40 CFR 122.21,122.44
1330-92	DMR Reports .01 - Quarterly Reports .02 - Monthly Reports	HARRF	5	40 CFR 122.41
1330-93	Wastewater Lab Log Books .01 - Sample Record and Log In .02 - Operations Log In	HARRF	5	40 CFR 122.41

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
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	10	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	10	40 CFR 122.41
1330-95	Subcontract Lab Results .01 - Chemical Analysis .02 - Toxicity Testing	HARRF	10	40 CFR 122.41
1330-96	QA-QC .01 - Daily .02 - Monthly .03 - Semi-Annually (Thermometers) .04 - QA-QC Corrective Actions	HARRF	10	40 CFR 122.41
1330-97	Chain of Custody .01 - HAARF - Wastewater .02 - Miscellaneous	HARRF	10	40 CFR 122.41

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1340	Reclaimed Water Management			
1340-02	Reclaimed Water Management Administration - <i>Brine management information; Bureau of Reclamation provisions for grants & agreements; Water Reuse initiative information; 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</i>	UTL	P	40 CFR 122.41
1340-40	Reclaimed Water Usage - <i>Information about reclaimed water usage</i>	UTL	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	3	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
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	P	CCP 337.15
1340-75	Reclaimed Water Management Permits - <i>Permit information</i>	UTL	P	40 CFR 122.41
1340-85	Reclaimed Water Management Master Plans - <i>San Pasqual Valley Water Reclamation Master Plan</i>	UTL	P	GC 34090
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	P	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1350	Storm Water Management			
1350-10	NPDES HARRF - <i>Intermittent wet weather discharge</i> .01 - Baseline Monitoring Quarterly Reports .02 - Annual Reports	HARRF	5	40 CFR 122.41, 122.21,122.44
1350-20	Storm Water Discharge Associated with Industrial Activity .01 - Hale Ave. Resource Recovery .02 - Public Work Discharge	HARRF	5	40 CFR 122.41, 122.21,122.44
1350-30	Chain of Custody .01 - Storm Water .02 - Storm Water Run-Off	HARRF	5	40 CFR 122.41, 122.21,122.44
1350-40	Storm Water Subcontractor Lab Results	HARRF	5	40 CFR 122.41
1350-45	Storm Water NPDES compliance – Documents related to Municipal Separate Storm Sewer System MS4 Permit compliance, jurisdictional and watershed plans, water quality reports and studies, municipal program documents	UTL	P	40 CFR 122.41, 122.21,122.44
1350-50	Storm water program documents - <i>Inspection records, enforcement (notices, citations, etc.), BMP certifications, file notes</i>	UTL	3	40 CFR 122.41, 122.21,122.44
1350-55	Wetland permitting – <i>401/404 certifications, state and federal agency notifications and documentation for maintenance or improvements to creek and other storm drain system components, channel maintenance program, wetland mitigation areas</i>	UTL / PW	P	40 CFR 122.41, 122.21,122.44

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1360	Water Administration			
1360-05	Water Quality Reports - <i>Finished, Source and Distribution System Water – Chemical, Bacteriological and Organics</i> .01 - Monthly Monitoring report .02 - Quarterly .1 - THMs .2 - HAAs .3 - General Minerals & Inorganics .03 – Other .1 - Organics .2 – Radiation	HARRF	10	40 CFR 141.33(a) and (b)(1); 22 CCR 64470
1360-10	Water Quality Reports - Copper & Lead .01 - Reports .02 – Miscellaneous	HARRF	12	22 CCR 64400.25; 22 CCR 64470, 40 CFR 141.33(a); 40 CFR 141.91
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	12	40 CFR 141.91; 22 CCR 64400.25; 22 CCR 64470, 40 CFR 141.33(a)
1360-20	Chain of Custody (Drinking Water)	HARRF	12	40 CFR 141.91; 22 CCR 64400.25; 22 CCR 64470, 40 CFR 141.33(a)
1360-25	Drinking Water Log Books	HARRF	12	40 CFR 141.91; 22 CCR 64400.25; 22 CCR 64470, 40 CFR 141.33(a)

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1360-30	HPC Analysis	HARRF	12	40 CFR 141.91; 22 CCR 64400.25; 22 CCR 64470, 40 CFR 141.33(a)
1360-35	Supplementary Bacteriological Tests	HARRF	5	40 CFR 141.33(a) and (b)(1); 22 CCR 64470
1360-40	Water Quality Complaints	HARRF	5	40 CFR 122.41(j)(2) & 40 CFR 141.33(b); 22 CCR 64453(a)
1360-45	Internal Testing .01 - Nitrification Monitoring .02 - Watershed Microbiological monitoring .03 - TOC .04 - Algae Counting/DO measure in lakes	HARRF	10	40 CFR 141.33(a); GC 34090
1360-50	QA/QC	HARRF	5	40 CFR 141.33(a); GC 34090
1360-55	Drinking Water Subcontractor Lab Results .01 - Montgomery Watson Laboratories .02 - Bio-Vir Laboratories .03 - Others	HARRF	12	40 CFR 141.91; 22 CCR 64400.25; 22 CCR 64470, 40 CFR 141.33(a)
1370	Lakes			
1370-05	Patrol Logs/Rosters/Work Schedules	LKE	2	GC 34090
1370-06	Night Patrol Logs - <i>Includes Incident Reports</i>	LKE	2	GC 34090

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File #	Record Description	OPR (Office of Primary Responsibility)	Total Retention (Final, Completed)	Citation
1370-10	Dixon Lake Special Programs	LKE	2	GC 34090
1370-20	Radio Assignments – <i>Includes sign-in sheets</i>	LKE	2	GC 34090(d)
1370-30	Boating/Camping/Fishing Entry Logs – <i>Also includes ticket orders, permits, and licenses.</i>	LKE	2	GC 34090(d)
1370-40	ADA Compliance – <i>Background information for ADA cabins (including contract & repairs) and pier specs & repairs.</i>	LKE	P	GC 34090
1370-50	Catfish/Trout Stocking Schedules	LKE	3	GC 34090
1370-60	FEMA Records/Reports - <i>Includes Personnel Logs and Incident Reports, etc.</i>	LKE	10	GC 34090
1370-70	Concession Operations – <i>Includes general information for maintenance and operations (i.e., inventory reports, copies of work orders, inspections, repairs, cleaning, and complaints).</i>	LKE	2	GC 34090
1370-80	Boat Repairs – <i>Includes work orders for service and equipment maintenance & repairs.</i>	LKE	US+2	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>	LKE	P	GC 34090

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EXHIBIT B

City of Escondido

FUNCTIONAL FILING SYSTEM / VERSATILE RECORDS MANAGEMENT CODES
MAJOR CATEGORIES

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

APPENDIX C
 CITY OF ESCONDIDO
RECORDS RETENTION SCHEDULES

Abbreviations

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
COM	Communications
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
FLT	Fleet
GIS	Geographical Information Systems (Engineering)
GR	Graphics (Planning)
HARRF	Hale Avenue Resource Recovery Facility
HR	Human Resources
HSG	Housing
IS	Information Systems

LIB	Library
LKE	Lake
MH	Mobile Home (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
US	Workers Compensation
WTP	Water Treatment Plant

EXHIBIT D
RECORDS RETENTION SCHEDULES GLOSSARY

City of Escondido, California		Effective Date: Issued: June 1988 Revised: March 2016, June, 2021
CITY-WIDE RECORDS MANAGEMENT PROGRAM		
Subject:		Page 1 of 4
GLOSSARY OF TERMS		
TERM	DESCRIPTION	
Appraisal	The process of analyzing the content of records to distinguish records of continuing value from those of no further value to the City.	
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.	
Auto-index	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, or official record of which is located elsewhere. Copies, which do not meet the above criteria, may be considered to be originals or official records. For example, "original" correspondence from the City is provided to the addressee, and therefore, the "copy" becomes the City's original, or official record, or record copy.	
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 Assistant City Clerk, 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 Assistant City Clerk; updates the records management manual indexes and polices; maintains an Archive to protect vital records; and supervises temporary clerical staff.	

City of Escondido, California		Effective Date: Issued: June 1988 Revised: March 2016, June, 2021
CITY-WIDE RECORDS MANAGEMENT PROGRAM		
Subject:		Page 2 of 4
GLOSSARY OF TERMS		
TERM	DESCRIPTION	
Disposition	Disposition is a comprehensive term that includes destruction as well as other actions, such as the transfer of records for long-term or permanent storage.	
Drafts / Preliminary Drafts / Notes	Preliminary version(s) of a record; a record that has or will have more than one version. Interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, or where the content of the record does not relate in a substantive way to the conduct of the public's business (e.g., telephone messages, routing slips.).	
ECMS / EDMS (Questys)	Electronic Content Management System / Electronic Document Management System is a repository for final, official electronic records. Questys is a brand of ECMS / EDMS that serves as a repository for final / official electronic records which has been configured to meet California law for Trustworthy Electronic Records, Electronic records that are to serve as the final / official record should be placed in the Questys repository.	
Electronic Record – Copies, Drafts, Preliminary Drafts	An electronic record that does not meet the criteria for an original, official record, or Trustworthy Electronic Record. Refer to other definitions: <ul style="list-style-type: none"> • Copy • Drafts / Preliminary Drafts / Notes • Electronic Record - Official Electronic Records / Trustworthy Electronic Record 	
Electronic Record - Official Electronic Records / Trustworthy Electronic Record	An electronic record may serve as the official record if it contains all significant details from the original and is an adequate substitute for the original document for all purposes, and has been placed on unalterable media, and meets other criteria (non-propriety file format, etc.) Questys ECMS is the official repository to official electronic records / trustworthy electronic records for the City.	
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	A record that is not required to be used frequently and can be stored in a less convenient location (typically in a box in the Records Center).
Inventory	The process of examining records to determine their location, function, content and dates in order to assign retention/disposition information.

City of Escondido, California		Effective Date: Issued: June 1988 Revised: March 2016, June, 2021
CITY-WIDE RECORDS MANAGEMENT PROGRAM		
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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 / Records Inventory	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)	Optical Character Recognition is the process of recognizing letters or text in an image and converting them into ASCII text so full text searches can be performed.	
Original Record / Official Record	An original or official record is the City's record copy of a document, on file with the office of primary responsibility (OPR). An original / official record 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, or official, or record copy.	
Public Record	Any writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained regardless of physical form or characteristics. Some records may not be accessible to the public. See, Government Code §6252 through §6257.	
Questys ECMS / EDMS	Questys is a brand of ECMS / EDMS that serves as a repository for final / official electronic records which has been configured to meet California law for Trustworthy Electronic Records, Electronic records that are to serve as the final / official record should be placed in the Questys repository.	
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.	

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CITY-WIDE RECORDS MANAGEMENT PROGRAM		
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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 a record may be destroyed in compliance with City policies and procedures.	
Unified Filing System	A numeric classification system of filing in which all Departments use the same numbering system for similar types of records.	
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 (Record)	Any writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained regardless of physical form or characteristics. See, Government Code §6252 through §6257.	



RECORDS RETENTION SCHEDULE

City Clerk's Office | cityclerk@escondido.org | (760) 839-4617

ORDINANCE NO. 2021-06

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

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

SECTION 1. Ordinance No. 89-2 is hereby repealed.

SECTION 2. Purpose. The declared purpose of this Ordinance is to provide for
the proper and efficient management of public records of the City of Escondido.

SECTION 3. Definitions.

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

b. *Office of Primary Responsibility* means 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.

c. *Public Record* means any writing containing information relating to
the conduct of the public's business that is owned, used, or retained
regardless of physical form or characteristics, as defined in Government Code
6252 et seq.

- i. Public Records inspection or duplication by members of the
public shall be in compliance with the California Public Records
Act, Government Code 6250 et seq.
- ii. Public Records (including those records not accessible to the
public) shall be the property of the City of Escondido.

- iii. All employees and officials, including elected officials, shall manage their records in compliance with Federal and State laws, and City of Escondido laws, policies and procedures.
- iv. All employees and officials, including elected officials, shall ensure the protection of public records, including, but not limited to, during separation from the City of Escondido.

d. *Records Management* means the application of management techniques to the creation, utilization, maintenance, retention, preservation, and disposition of records in all formats and locations, undertaken to comply with law, protect appropriate records, increase transparency, reduce costs and improve efficiency in record keeping.

e. *Records Retention Schedule* means the document governing the length of time official records are retained, and which department is responsible for retaining the official record.

f. *Total Retention Period* means the period of time which must elapse before a record may be destroyed in compliance with City policies and procedures.

SECTION 4. Responsibilities.

a. City Council. The responsibility for establishing the Records Management program and delegating City officials the responsibility for creating and maintaining an efficient program in compliance with all federal, state and local laws and regulations.

b. City Clerk. It shall be the duty of the City Clerk to coordinate the Records Management Program for the City of Escondido. 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) Advise and assist City departments and employees in all aspects of the Records Management program.
- 2) Policies and Procedures. Train employees and officials on such policies and procedures as may be necessary and proper to implement and maintain the Records Management program.
- 3) Records Center(s). Provide and maintain Records Center(s) to house records not required in active office areas, but which require further retention.

- i. An index of all records stored in any Records Center must be created with the assistance and support of the Department storing such records.
 - ii. The index must accurately describe the records in sufficient detail to allow the efficient location, retrieval, and/or destruction pursuant to the City's Records Retention Schedule with the assistance and support of the Department storing such records.
 - iii. Records Center(s) may include commercial Records Centers approved by the City Clerk for retention of City of Escondido's Public Records.
- 4) Records Retention Schedule. Provide and maintain a Records Retention Schedule for all Departments, including any required amendments or modifications.
 - i. The Records Retention Schedule shall accurately describe official records, provide for their Total Retention Period, and an Office of Primary Responsibility to ensure all records are properly retained.
 - ii. With the consent of the Department Head, City Clerk, City Attorney and City Manager, amendments to the Records Retention Schedule are authorized to be made without first seeking the City Council's approval.
- 5) Records Destruction Policies and Procedures. Provide and maintain policies, procedures, forms, and training for department employees to destroy official public records that have exceeded their Total Retention in an authorized, documented, and routine manner.
- 6) Disaster Protection. Provide and maintain systems, policies and procedures to ensure the City's Public Records are protected from loss.
 - i. Systems may include Electronic Content Management Systems (ECMS), electronic records systems, digital document imaging, or microfilming programs in compliance with federal and state law.
 - ii. Develop policies and procedures to ensure legal compliance, as well as efficient and effective management of records stored in such systems.

- iii. Coordinate with other departments, including technology departments as required to ensure systems are compliant with federal and state law.
 - iv. Provide employee training.
- 7) Assessments, Audits, Investigations, Reports, Studies, Surveys. May perform assessments, audits, or develop reports to assess the efficiency and effectiveness of the Records Management Program on a Departmental basis, or City-wide basis.
- c. City Departments. It shall be the duty of City departments to establish and maintain an active, continuing program for the economical and efficient management of public records in their custody. Such program shall, among other things, provide for:
 - 1) Effective controls over the creation, maintenance, use and destruction of the City's public records in full compliance with federal, state and City law, and in compliance with City policies and procedures, as developed by the City Clerk.

SECTION 5. 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 6. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation for the City of Escondido.

CITY COUNCIL STAFF REPORT

Consent Item No. 5

July 14, 2021

File No. 0170-57

SUBJECT: Denial of CalPERS Industrial Disability for Police Officer Lawrence T. Love

DEPARTMENT: Human Resources Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2021-107, denying the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Police Officer Lawrence T. Love.

BACKGROUND:

Mr. Love filed for an Industrial Disability Retirement in October 2020, as a 47-year-old Police Officer. He was employed by the City of Escondido for ten years. Mr. Love was hired on December 1, 2008 and separated employment on May 9, 2019. The basis for the denial of Mr. Love's Industrial Disability Retirement application is confirmed by a medical report from Dr. Alexander Francini, MD., Medical Director, Concentra in Long Beach.

Under State Law, the City Council is required to adopt a Resolution determining that competent medical evidence supports the granting or denial of an Industrial Disability Retirement. Based on medical evidence, staff recommends the City Council adopt Resolution No. 2021-107, denying the CalPERS Industrial Disability Retirement for Lawrence T. Love.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Jessica Perpetua, Director of Human Resources
07/07/21 8:19 p.m.

ATTACHMENTS:

1. Resolution No. 2021-107

RESOLUTION NO. 2021-107

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
MAKING THE DISABILITY DETERMINATION OF
THE APPLICATION FOR INDUSTRIAL
DISABILITY RETIREMENT FOR FORMER
POLICE OFFICER LAWRENCE T. LOVE

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

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

WHEREAS, an application for an Industrial Disability Retirement of left shoulder from Lawrence T. Love (“Employee”) employed by the City of Escondido in the position of Police Officer has been filed with CalPERS; and

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

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

1. That the above recitations are true.
2. That the City Council does hereby find and determine that Employee was not and is not incapacitated within the meaning of the California Public Employees’ Retirement Law for performance of his duties in the position of Police Officer for his left shoulder.

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

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

CITY COUNCIL STAFF REPORT

Consent Item No. 6

July 14, 2021

File No. 0480-70

SUBJECT: Fiscal Year 2019 Urban Area Security Initiative (UASI) Grant – Skytower Purchase

DEPARTMENT: Police Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2021-103 and authorize the Escondido Police Department to purchase a portable security tower with camera equipment through approved sole source acquisition from Flir Detection, Inc., distributed by Atlantic Diving Supply, Inc. The security tower will be purchased with Council-approved UASI grant funding in the amount of \$220,000. The Skytower Watch system is a regional asset that is interoperable and deployable. All towers throughout the County will be standardized by make and model to ensure interoperability. The towers will be used to improve community safety at public events and in crowded parking lots during the holiday season.

Although City Council approved the acceptance of these grant funds and the intent to purchase the portable security tower system in May 2020, it is now necessary to receive City Council approval to spend these grant funds on a sole source purchase that exceeds \$200,000.

PREVIOUS ACTION:

On May 20, 2020 the City Council accepted \$258,236 in funds from the FY 2019 Urban Area Security Initiative (UASI) Grant for the purchase of a portable security tower and training.

BACKGROUND:

The Escondido Police and Fire Departments received a FY 2019 Urban Area Security Initiative (UASI) Grant in the amount of \$258,236. UASI funds support regional efforts to prevent, mitigate, respond to, and recover from acts of terrorism or disaster. The San Diego County Regional Technology Partnership (RTP) and the Urban Area Working Group (UAWG) vetted and approved Escondido's proposed UASI projects.

The funding must be spent on the Portable Security Tower with Camera System at a cost of \$220,000 with the balance of the grant used for training costs. Several police departments throughout the County were awarded portable security towers with observation systems. These towers are regional assets that are interoperable and deployable. To maintain consistency, all towers throughout the County will be standardized by make and model. The towers will be used to improve community safety at public events and in crowded parking lots during the holiday season.

Pursuant to direction from the City of San Diego’s Office of Homeland Security, Flir Detection, Incorporated has been approved as the sole source manufacturer, and Atlantic Diving Supply as the only distributor, for the Skytower Watch tower system. Given this direction, and the constraints of the grant funding, this sole source purchase is also consistent with Escondido Municipal Code section 10-102(d). (City Manager approval of specific brand or a specialized piece of equipment required to meet quality and performance criteria). This Staff Report serves as the City Manager’s written authorization and approval that this purchase satisfies the requirements of the Municipal Code.

Per Escondido Municipal Code Section 10-96, City Council approval is needed for purchases over \$200,000 and corresponding sole source acquisitions. This approval will cover both requirements.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Edward Varso, Chief of Police
07/07/21 10:41 p.m.

ATTACHMENTS:

1. Resolution No. 2021-103

RESOLUTION NO. 2021-103

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE PURCHASE OF
SKYWATCH TOWER AND CAMERA
EQUIPMENT FOR THE ESCONDIDO POLICE
DEPARTMENT FROM FLIR DETECTION INC.
VIA ATLANTIC DIVING SUPPLY INC.

WHEREAS, the City of Escondido (“City”) proposes to purchase a new tower for community safety; and

WHEREAS, Urban Area Security Initiative Grant (“Grant”) funds have been approved and allocated to cover the cost of the tower and camera system; and

WHEREAS, Escondido Municipal Code (“EMC”) section 10-96 requires City Council approval for purchases over \$200,000; and

WHEREAS, Flir Detection Inc. is the sole manufacturer of the Skywatch Tower system; and

WHEREAS, Atlantic Diving Supply, Inc is the sole distributor of the Skywatch Tower system; and

WHEREAS, the City Manager has made the requisite findings that this sole source purchase is required under the Grant and consistent with the requirements of the Escondido Municipal Code including, but not limited to, EMC section 10-102(d); and

WHEREAS, Atlantic Diving Supply, Inc. will supply compliant equipment for the Escondido Police Department.

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 use of sole source funding as required by the Grant and allowed by the EMC.
3. The Mayor and City Council hereby authorize the purchase of the Skywatch Tower and camera equipment by the Escondido Police Department.

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 7

July 14, 2021

File No. 0810-20

SUBJECT: Proposition S Constraint Analysis and Hotel Conversion Ordinance

DEPARTMENT: Community Development

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2021-109, determining that Proposition S does not apply to properties with non-residential General Plan land use designations, and introduce Ordinance No. 2021-07, amending the Escondido Zoning Code so that existing hotels and motels in all zoning districts as well as those located in specific plans may be converted to supportive housing, transitional housing, single-room occupancy, multi-family housing, or combination thereof.

FISCAL ANALYSIS:

In analyzing for potential fiscal impacts of hotel and motel conversions, the Finance Department provided information on the total number of hotel and motel rooms in the City of Escondido ("City"); and the transient occupancy tax revenue by business for the previous five fiscal years. The receipt amounts reported show \$1,597,650 in FY2016/17, \$1,682,956 in FY2017/18, \$1,774,663 in FY2018/19, \$1,774,268 in FY2019/20, \$1,833,977 in FY2020/21. This revenue was generated from 16 hotels/motels that remitted transient occupancy tax payment to the City during the last five years. However, it is important to note that Springhill Suites opened May 2019 (and only remitted payment thereafter); and the Palm Tree Lodge shuttered in 2018 and the City America's Best Value converted to a residential care facility on June 4, 2021. The Finance Department won't have the total of transient occupancy tax receipts for FY2020/21 until the first week of August (receipts for the month of June is due July 31). However, the City has collected \$1,246,154 for receipts through March 2021.

It is difficult to assess how many hotels or motels may qualify and be interested in participating in the program if the Hotel Conversion Ordinance is adopted. New land use development applications seeking to convert hotels and motels to group homes or quarters, single-room occupancy, multi-family housing, or a combination thereof, would be subject to a fiscal impact analysis to offset the cost of municipal services associated with new development.

PREVIOUS ACTION:

In 1998, voters of the City approved Proposition S, which established and reaffirmed various General Plan policies limiting the intensification of residential land uses. In addition, Proposition S specified that certain future amendments to the General Plan which affect the intent of the policies established and reaffirmed by Proposition S would require approval by vote of the public.

In 2012, voters approved Measure N, which increased residential land use intensities (up-zoned) on approximately 66 acres of land, and changed approximately 458 acres of residential land uses to employment land uses.

On June 22, 2021, the Escondido Planning Commission unanimously approved Planning Commission Resolution No. 2021-05, recommending City Council approval of the Escondido Zoning Code amendment.

BACKGROUND:

Government Code section 65583 requires that a local government's Housing Element be updated to include the identification of sites with appropriate zoning, development standards, services, and facilities to accommodate the jurisdiction's Regional Housing Needs Allocation ("RHNA") for each income level and to assist in the development of adequate housing to meet the needs of lower- and moderate-income households. Among other things, as part of the Housing Element Update process, cities and counties need to analyze current market conditions and prepare a housing needs assessment and constraints analysis. The analysis of constraints includes an evaluation of land use controls, fees and exactions, permits and processing procedures, and related impacts on housing development. The purpose of the constraints analysis is to identify nongovernmental and governmental factors that inhibit the development, maintenance, or improvement of housing. A thorough understanding of the constraints to development can help to create appropriate policy responses to mitigate constraints and make it easier and more affordable to develop housing. In addition to removing actual or potential constraints to housing development, cities and counties need to analyze different policy approaches that continue to support housing production, which may start within the framework already established in adopted policy documents.

Land use controls provided in the Escondido General Plan and the Zoning Code influence housing production in the City in several ways. The permitted and conditionally permitted uses in each zoning district guide new development and provide both developers and the public with an understanding of how vacant land will develop in the future. This includes the density of development that will occur within a particular land use designation or zoning district. In recent years, there have been considerable discussions throughout the state of California regarding the housing shortage, which is associated with rising housing costs and lack of affordable housing options. The rising housing costs and lack of affordable housing options have led to a rise in homelessness in the region, including within Escondido. Many cities, like Escondido, are attempting to increase housing production. In some cases, it is challenging because zoning requirements preclude broader housing production.

Partially in response to the COVID 19 pandemic, the State of California established Project Homekey, which is a program that provides grant funding to public agencies and non-profit corporations for the purchase and conversion of hotels and motels into permanent residential housing units. Units created under this program would be deed restricted as affordable housing units and would assist a City in meeting its affordable housing goals. The State's 2021-2022 budget allocates \$750 million to continue

this program into the current fiscal year. One feature of this program is that it preempts local land use authority which might otherwise preclude the conversion of transient lodging facilities into residential uses. As such, the City would have no authority to identify which hotels and motels could be converted under this program.

ANALYSIS

1. Proposition S Constraint Analysis

The Planning and Zoning Law (Government Code section 65000 et seq.) requires every city and county to adopt a General Plan that sets out planned uses for all of the area covered by the plan, and requires the General Plan to include mandatory elements, including the Housing Element. The Planning and Zoning Law requires major land use decisions by cities and counties, such as development permitting and subdivisions of land, to be consistent with their General Plans.

The Housing Element portion of a General Plan serves as a strategy to help cities prepare for the maintenance, improvement, and development of housing. One of the most significant requirements is often called a “fair-share” law, with the term generally referring to a regional process by which each local community works together to accommodate a fair proportion of future housing needs. Another important purpose of preparing and updating the Housing Element is the requirement that cities and counties must identify existing constraints to housing production, such as adding to the cost of development, and including program responses or actions to mitigate the effects of such constraints. By reviewing local conditions and regulations that may impact the housing market, cities and counties can determine if each *potential* constraint poses as an *actual* constraint.

The City initiated a comprehensive General Plan update in 2008 to address land use distribution, preservation of neighborhoods, and identification of appropriate growth centers within the City. The updated General Plan was approved by the City Council on May 23, 2012. Portions of the updated General Plan were placed on the November 2012 ballot and approved by Escondido residents. The General Plan update preserved most existing land use policies in much of the City’s residential neighborhoods, while also providing opportunities for employment and residential intensification in select areas. The approval of the General Plan update by the voters increased the City’s capacity for residential growth over the long term.

Recognizing Proposition S as a potential constraint, the 2012 Housing Element included a program to monitor the potential impacts of Proposition S on housing development. The same monitoring program is included in the draft 2021-2029 Housing Element. In preparing the draft 2021-2029 Housing Element (which as of this writing, is available for public review), the City examined the residential development capacity under the existing General Plan, zoning, and specific plans, and has demonstrated adequate capacity to accommodate the City’s RHNA for the Sixth Housing Element planning cycle.

In response to this housing crisis, the state legislature has adopted a series of housing-related bills over recent years to increase housing production. These changes limit the ability of cities and counties to fully implement growth management control measures. One of the laws passed by the California Legislature was the Residential Density and Affordability Act of 2017 (SB 166), which amended the Housing Element law to require the city to ensure that its Housing Element is capable of accommodating the remaining RHNA at all times (Government Code section 65863(a)). Another law passed by the California Legislature was the Housing Crisis Act of 2019 (SB 330), which added Section 66300 to the Government Code and suspends, until 2025, certain restrictions on development of new housing. Among other things, the Legislature, under Government Code section 66300(b)(1)(D), suspended the ability of cities to establish or implement any provision that:

- Limits the number of land use approvals or permits necessary for the approval and construction of housing that will be issued or allocated within all or a portion of the affected city,
- Acts as a cap on the number of housing units that can be approved or constructed either annually or for some other time period, or
- Limits the population of the affected city.

California's on-going housing shortage has underlined the need for local jurisdictions to revisit their regulatory frameworks governing housing production. In Escondido, the discussion has been particularly dynamic, as the community and policymakers have wrestled with a variety of local, regional, and state factors that contribute to housing production, affordability, and equity. From time to time, the City has made changes to rules and regulations related to housing in response to these factors. A good example of that is the Downtown Density Transfer Program, adopted by Resolution 2019-69, which allows the City to transfer residential density from undeveloped or underutilized properties (sending areas) to developing properties (receiving areas) within the Downtown Specific Plan.

City officials must implement local voter initiatives; however, they are also bound to comply with applicable state housing laws. If a local voter-approved measure conflicts with state Housing Element Law (Government Code sections 65550 – 65589.11), either at the time of the measure's adoption or as a result of newly adopted state housing laws, the local government must recognize the conflict and take appropriate action. In the short term, Proposition S does not present a constraint to housing development in the City and does not conflict with state Housing Element Law.

The intent of Proposition S is to focus on current residential zones, rather than rezones from non-residential zones to residential zones. A rezone from a non-residential zone to a residential zone does not trigger Proposition S. Proposition S does not act as a cap on the number of housing units constructed or permits that can be approved either annually or for some other time

period. It also does not limit the population of the city. Rather, Escondido's growth management strategy has fluctuated naturally over time based on a multitude of internal and external factors that influence how the City's priorities are identified and addressed. The overarching strategy is implemented through the Land Use and Housing Elements of the General Plan, which describe the build-out characteristics of the City and the maximum parameters for future development; and the Zoning Ordinance and implementing Zoning Map, which provide more detailed development standards and project requirements. These policies and standards are intended to guide land use patterns and distribution. Over time, as properties absorb new growth based on market demand, the overall zoned capacity for new land use development projects has gradually tightened. This is largely due to a reduction in development potential. Still, Escondido has historically met or exceeded its land inventory requirements as assigned through planning cycles of RHNA numbers. That is, the City's residential lands inventory prepared for each Housing Element planning cycle has provided more than enough suitable lands to accommodate the City's housing need for all income categories.

2. Hotel Conversion Ordinance

Over the past few years, California has been experiencing a housing supply crisis with housing demand outstripping housing supply. According to an October 2016 report by the McKinsey Global Institute, "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," California ranked 49th out of 50 states in housing units per capita.

Consequently, existing housing in the state has become very expensive. Seven out of the ten most expensive real estate markets in the United States are in California. Because there is so much need for homes to be built at prices below current market rates, there has been a marked interest in understanding how to transform the public sector to deliver better public service and to bring new ideas forward for implementation that meet the growing needs of different household populations. One of the ways that cities and counties are improving their land use efficiencies during the housing supply crisis is to provide new residential development opportunities in areas where none currently exist. One way to encourage more multi-family housing development is to ensure the financial viability of converting existing hotels and motels to group homes or quarters, single-room occupancy, or multi-family housing. With hotels and motels experiencing devastatingly low occupancy levels in 2020 and 2021 as a result of the COVID-19 pandemic, industry experts are predicting an uncertain or grim future for their continued operations post-pandemic. Amending the Zoning Code to support conversions of hotels and motels to housing would provide more market-based choices for the current property owner and could be an effective way to get housing online quickly for vulnerable populations.

In addition to authorizing hotel and motel conversions, Ordinance No. 2021-07 also establishes regulations to facilitate the conversion through identification of objective site and building design standards. Some of the highlights of the proposed Municipal and Zoning Code Amendment ("Amendment") are summarized below. The Amendment, which is provided as Exhibit "B" to

Ordinance No. 2021-07, and depicted in strike-thru/underline format in Attachment “5” to this report, also includes regulatory incentives to encourage conversion of hotels and motels to supportive housing, transitional housing, and affordable housing. (With the exception of conversions processed through the State’s Project Homekey program, the proposed conversion of hotels and motels may require a General Plan Amendment and/or rezone to be processed by the applicant to ensure the land use development request complies with applicable, objective General Plan and zoning standards.)

- Kitchen facilities: The Amendment includes provisions to allow the modification of guest rooms to install small cooking facilities. In some cases, the units may either be too small to accommodate the facilities, or there would be additional Building Code and Fire Code requirements that would make this modification infeasible. These properties may be better suited as single-room occupancy units, which do not necessarily require individual kitchens because meals may be prepared in a central kitchen or otherwise arranged by the service provider. For these reasons, the draft ordinance does not require provisions for cooking facilities in each unit.
- Parking: The number of off-street parking spaces required in connection with any particular land use shall be no fewer than the amount set forth by Article 39 of the Escondido Zoning Code. Bachelor and studio units require one parking space per unit and one bedroom units require 1.5 parking spaces per unit. Guest parking is required at a rate of one space for each four units. However, to encourage hotel or motel conversion to group quarters, single-room occupancy units, or multi-family housing units, the Amendment recommends reducing the amount of parking required. Parking restrictions and their ensuing construction costs would make hotel or motel conversions infeasible or difficult to finance. The Amendment recommends not more than 0.5 parking spaces required per income-restricted unit, irrespective of the number of habitable rooms for each unit. Furthermore, the requirement to provide guest parking would be waived for income-restricted dwelling units. Market-rate dwelling units would need to comply with the parking requirements as specified in the Zoning Code for multi-family housing development.
- Open space: A minimum of 50 square feet per each unit would be required for each SRO unit, rather than the 300 square feet of open space that is required by the Downtown Specific Plan or the 200 square feet of open space required for one-bedroom, multi-family housing by the Zoning Code (Article 6).
- Regulatory incentives: The Amendment allows for expedited processing of Building plans and permits. Projects providing affordable housing, including affordable housing for seniors, will receive expedited processing as currently available.
- Operational requirements: Supportive services are an essential component of supportive housing and transitional housing, and are the key to these housing solutions working

effectively to assist those experiencing homelessness in maintaining housing stability. However, the Amendment does not address the operational aspects of certain structures. There are complicated legal issues around policies that determine the types of households that may occupy housing, including state and federal fair housing laws. With respect to supportive housing services, the public agencies that are providing funding for support services are the most appropriate entities to evaluate the types of supportive services offered to residents or determine if the project should be customized with the needs of the tenants in mind.

Once adopted, no application to construct a new dwelling unit shall be accepted for processing or approved, unless the proposed land use development application is in conformance with the new land use policies. The provisions of the Amendment would only apply to all dwelling units proposed to be constructed, whether by new construction or rehabilitation, after the adoption of the ordinance, unless specifically exempted. The Amendment presented to the City Council will also include a provision that the ordinance would not apply to land use development applications for which (1) a request for a development permit was filed with and accepted by the Community Development Department, and deemed complete pursuant to Government Code section 65943, prior to adoption of the ordinance, or (2) a preliminary application for a housing development project meeting the criteria of Government Code section 65941.1 was submitted prior to adoption of the ordinance.

3. General Plan Consistency

Government Code section 65860 requires a city's zoning ordinance to be consistent with its general plan. While contemplating the Zoning Code amendment, City staff conducted a review of goals and policies contained in the General Plan. Relevant goals and policies were identified in the Land Use and Community Form Element, and the Housing Element. An analysis of the project's consistency with those goals and policies can be found in Attachment "4" to this report.

PLANNING COMMISSION

The Escondido Planning Commission held a public hearing to consider the proposed project at its June 22, 2021, meeting. A copy of the staff report from that meeting is included with this report as Attachment "1". No oral comments were received at the meeting, however one written comment in support of the Proposition S determination was received, and has been included with this staff report as Attachment "2". The Commission discussed various aspects of the proposed Zoning Code Amendment, primarily related to development standards, including parking requirements, open space requirements, kitchen facilities, and maximum unit count. Minor revisions to the proposed Zoning Code Amendment related to parking, open space, and maximum unit counts, were incorporated into the Planning Commission's recommendation, as identified in Exhibit "B" to Planning Commission Resolution No. 2021-05, which itself is attached to this staff report as Attachment "3".

The Planning Commission also recommended that the City Council take separate action on the Proposition S determination and the Hotel Conversion Ordinance. As such, the City Council is being asked to adopt Resolution No. 2021-109 separately from and prior to Ordinance No. 2021-07.

ENVIRONMENTAL STATUS

The determination that Proposition S does not apply to changes in land use designations from nonresidential land uses to residential land uses is not considered a project pursuant to the California Environmental Quality Act ("CEQA") because it consists of a statement on an existing policy that is does not have the potential to cause a direct or reasonably foreseeable indirect change to the environment. The Zoning Code Amendment is categorically exempt from further review pursuant CEQA Guidelines section 15301 (Existing Facilities). The Zoning Code Amendment consists of an ordinance which establishes procedures and requirements for conversions of existing commercial structures (hotels and motels) into residential uses, and allows minor expansions to said structures. Individual projects undertaken in reliance upon the amendment would be subject to independent review under CEQA. The CEQA Notice of Exemption prepared for the project is included as Attachment "6" to this staff report.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Adam Finestone, City Planner
07/07/21 5:14 p.m.

ATTACHMENTS:

1. Attachment "1" June 22, 2021, Planning Commission Staff Report
2. Attachment "2" Written Correspondence
3. Attachment "3" Planning Commission Resolution No. 2021-05
4. Attachment "4" General Plan Consistency Analysis
5. Attachment "5" Draft Zoning Code Amendment (strike-thru/underline)
6. Attachment "6" CEQA Notice of Exemption
7. Resolution No. 2021-109
8. Resolution No. 2021-109 Exhibit "A"
9. Ordinance 2021-07
10. Ordinance No. 2021-07 Exhibits "A" and "B"



PLANNING COMMISSION

Agenda Item No.: G.1
Date: June 22, 2021

PROJECT NUMBER / NAME: PL 21-0228 / Proposition S Constraint Analysis and Hotel Conversion Ordinance

REQUEST: Receive and file the Proposition S constraint analysis and amend the Zoning Code so that existing hotels and motels in all zoning districts as well as those located in specific plans may be converted to supportive housing, transitional housing, single-room occupancy, multi-family housing, or a combination thereof.

LOCATION: CityWide

APPLICANT: City of Escondido

APN / APNS: N/A

PRIMARY REPRESENTATIVE:
Planning Division

GENERAL PLAN / ZONING: N/A

DISCRETIONARY ACTIONS REQUESTED: Zoning Code Amendment

PREVIOUS ACTIONS: N/A

PROJECT PLANNER: Mike Strong, Director of Community Development
mstrong@escondido.org

CEQA RECOMMENDATION: Approve the Categorical Exemption pursuant to CEQA Guidelines section 15301 (Existing Facilities)

STAFF RECOMMENDATION: Provide a recommendation to City Council to approve the Zoning Code Amendment.

REQUESTED ACTION: Approve Planning Commission Resolution No. 2021-05

CITY COUNCIL HEARING REQUIRED: YES NO

REPORT APPROVALS:

- Mike Strong, Community Development Director
- Adam Finestone, City Planner

Project Name: Proposition S Constraint Analysis and Hotel Conversion Ordinance
Planning Commission Meeting
Date: June 22, 2021

A. BACKGROUND:

Proposition S was adopted by voters in 1998 and requires voter approval of specified future changes to the Escondido General Plan. General Plan changes subject to Proposition S include increasing residential densities, changing or increasing the residential land use categories, or changing any residential designation to a commercial or industrial designation on any property designated as Rural, Estate, Suburban, or Urban. Thus, voter approval is required for amendments that would increase residential densities, but also deters the loss of residential land when associated with an amendment to commercial or industrial. The intent of Proposition S is to focus on existing residential zones, rather than rezones from non-residential to residential. As such, a rezone from a non-residential zone to a residential zone does not trigger Proposition S. Proposition S does not act as a cap on the number of housing units constructed or permits that can be approved either annually or for some other time period. Proposition S also does not limit the population of the City.

Government Code section 65583 requires that a local government's Housing Element be updated to include the identification of sites with appropriate zoning, development standards, services, and facilities to accommodate the jurisdiction's RHNA for each income level and to assist in the development of adequate housing to meet the needs of lower- and moderate-income households. Among other things, as part of the Housing Element Update process, cities and counties need to analyze current market conditions and prepare a housing needs assessment and constraints analysis. The analysis of constraints includes an evaluation of land use controls, fees and exactions, permits and processing procedures, and related impacts on housing development. The purpose of the constraints analysis is to identify nongovernmental and governmental factors that inhibit the development, maintenance, or improvement of housing. A thorough understanding of the constraints to development can help to create appropriate policy responses to mitigate constraints and make it easier and more affordable to develop housing. In addition to removing actual or potential constraints to housing development, cities and counties need to analyze different policy approaches that continue to support housing production, which may start within the framework already established in adopted policy documents.

Land use controls provided in the Escondido General Plan and the Zoning Code influence housing production in the City in several ways. The permitted and conditionally permitted uses in each zoning district guide new development and provide both developers and the public with an understanding of how vacant land will develop in the future. This includes the density of development that will occur within a particular land use designation or zoning district. In recent years, there have been considerable discussions throughout the state of California regarding the housing shortage, which is associated with rising housing costs and lack of affordable housing options. The rising housing costs and lack of affordable housing options have led to a rise in homelessness in the region, including within Escondido. Many cities, like Escondido, are attempting to increase housing production. In some cases, it is challenging because exclusionary zoning prevents broader housing production.

Project Name: Proposition S Constraint Analysis and Hotel Conversion Ordinance
Planning Commission Meeting
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Because Proposition S does not apply to non-residential lands, this Project consists of a request to amend the Zoning Code so that existing hotels and motels in all zoning districts as well as those located in specific plans may be converted to group homes or quarters, single-room occupancy units, or multi-family housing units, which could facilitate occupancy for supportive housing, transitional housing, or restricted dwelling units to be sold or rented to lower income households or target populations like seniors or individuals with disabilities. The conversion of existing transient lodging buildings and other structures allows for the potential creation of new housing through adaptive reuse of existing buildings and structures. To qualify, a proposed housing development would have to comply with applicable, objective General Plan, zoning, and subdivision standards.

B. SUMMARY OF REQUEST:

This Agenda Report recommends the adoption of new regulations to allow the re-use of existing transient lodging buildings or structures for supportive housing, transitional housing, single-room occupancy, multi-family housing, or a combination thereof. The proposed ordinance creates an application process under the Planning Division and establishes new requirements for all types of potential hotel and motel conversion projects. The goals of the proposed ordinance include to promote creative and cost-effective strategies to expand housing solutions for persons experiencing homelessness and to bridge housing accommodation to target populations. If adopted, the ordinance would streamline the approval process so existing hotels and motels in all zoning districts, as well as those located within specific plan areas, may be converted.

C. SUPPLEMENTAL DETAILS OF REQUEST:

Understanding the existing housing market and business climate and its future potential is essential in overcoming barriers that exist for new investors and housing developers. The rising housing costs and lack of affordable housing options in San Diego County have led to a rise in homelessness in the region, including within Escondido. People experiencing homelessness are more likely to successfully transition to permanent housing when provided with easily accessible support services such as health, substance abuse, education, job training, and case management, in addition to affordable housing. The conversion of existing hotels and motels to affordable housing requires substantially less time and cost than new development of affordable housing. The conversion of existing hotels and motels to affordable housing allows for the creation of new housing through adaptive reuse of existing buildings, thereby substantially accommodating new growth while maintaining the existing scale and character of neighborhoods.

1. Proposition S Constraint Analysis:

The Planning and Zoning Law (Government Code section 65000 et seq.) requires every city and county to adopt a General Plan that sets out planned uses for all of the area covered by the plan, and requires the General Plan to include mandatory elements, including the Housing Element. The Planning and Zoning Law requires major land use

Project Name: Proposition S Constraint Analysis and Hotel Conversion Ordinance
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decisions by cities and counties, such as development permitting and subdivisions of land, to be consistent with their General Plans.

The Housing Element portion of a General Plan serves as a strategy to help cities prepare for the maintenance, improvement, and development of housing. One of the most significant requirements is often called a "fair-share" law, with the term generally referring to a regional process by which each local community works together to accommodate a fair proportion of future housing needs. Another important purpose of preparing and updating the Housing Element is the requirement that cities and counties must identify existing constraints to housing production, such as adding to the cost of development, and including program responses or actions to mitigate the effects of such constraints. By reviewing local conditions and regulations that may impact the housing market, cities and counties can determine if each potential constraint poses as an actual constraint.

The City initiated a comprehensive General Plan update in 2008 to address land use distribution, preservation of neighborhoods, and identification of appropriate growth centers within the City. The updated General Plan was approved by the City Council on May 23, 2012. Portions of the updated General Plan were placed on the November 2012 ballot and approved by Escondido residents. The General Plan update preserved most existing land use policies in much of the City's residential neighborhoods, while also providing opportunities for employment and residential intensification. The approval of the General Plan update by the voters increased the City's capacity for residential growth over the long term. Recognizing Proposition S as a potential constraint, the 2012 Housing Element included a program to monitor the potential impacts of Proposition S on housing development. The same monitoring program is included in the draft 2021-2029 Housing Element. In preparing the draft 2021-2029 Housing Element (which as of this writing, is available for public review) the City examined the residential development capacity under the existing General Plan, zoning, and specific plans, and has demonstrated adequate capacity to accommodate the City's RHNA for the Sixth Housing Element planning cycle.

In response to this housing crisis, the state legislature has adopted a series of housing-related bills over recent years to increase housing production. These changes limit the ability of cities and counties to fully implement growth management control measures. One of the laws passed by the California Legislature was the Residential Density and Affordability Act of 2017 (SB 166), which amended the Housing Element law to require the city to ensure that its Housing Element is capable of accommodating the remaining RHNA at all times (Government Code section 65863(a)). Another law passed by the California Legislature was the Housing Crisis Act of 2019 (SB 330), which added Section 66300 to the Government Code and suspends, until 2025, certain restrictions on development of new housing. Among other things, the Legislature, under Government Code section 66300(b)(1)(D), suspended the ability of cities to establish or implement any provision that:

Attachment "1"

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- Limits the number of land use approvals or permits necessary for the approval and construction of housing that will be issued or allocated within all or a portion of the affected city,
- Acts as a cap on the number of housing units that can be approved or constructed either annually or for some other time period, or
- Limits the population of the affected city.

California's on-going housing shortage has underlined the need for local jurisdictions to revisit their regulatory frameworks governing housing production. In Escondido, the discussion has been particularly dynamic, as the community and policymakers have wrestled with a variety of local, regional, and state factors that contribute to housing production, affordability, and equity. From time to time, the City has made changes to rules and regulations related to housing in response to these factors. A good example of that is the Downtown Density Transfer Program, adopted by Resolution 2019-69, which allows the City to transfer residential density from undeveloped or underutilized properties (sending areas) to developing properties (receiving areas) within the Downtown Specific Plan.

City officials must implement local voter initiatives; however, they are also bound to comply with applicable state housing laws. If a local voter-approved measure conflicts with state Housing Element Law (Government Code sections 65550 – 65589.11), either at the time of the measure's adoption or as a result of newly adopted state housing laws, the local government must recognize the conflict and take appropriate action. In the short term, Proposition S does not present a constraint to housing development in the City and does not conflict with state Housing Element Law. As mentioned earlier in this Agenda Report, the intent of Proposition S is to focus on current residential zones, rather than rezones from non-residential to residential. A rezone from a non-residential zone to a residential zone does not trigger Proposition S. Proposition S does not act as a cap on the number of housing units constructed or permits that can be approved either annually or for some other time period. It also does not limit the population of the city. Rather, Escondido's growth management strategy has fluctuated naturally over time based on a multitude of internal and external factors that influence how the City's priorities are identified and addressed. The overarching strategy is implemented through the Land Use and Housing Element portions of the General Plan, which describes the build-out characteristics of the City and the maximum parameters for future development; and the Zoning Ordinance and implementing Zoning Map, which provides more detailed development standards and project requirements. These policies and standards are intended to guide land use patterns and distribution. Over time, as properties absorb new growth based on market demand, the overall zoned capacity for new land use development projects has gradually tightened. This is largely due to a reduction in development potential. Still, Escondido has historically met or exceeded its land inventory requirements as assigned through planning cycles of RHNA numbers. That is, the City's residential lands inventory prepared for each Housing Element planning cycle has provided more than enough suitable lands to accommodate the City's housing need for all income categories.

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2. Hotel and Motel Conversion Ordinance

Over the past few years, California has been experiencing a housing supply crisis with housing demand outstripping housing supply. According to an October 2016 report by the McKinsey Global Institute, "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," California ranked 49th out of 50 states in housing units per capita.

Consequently, existing housing in the state has become very expensive. Seven out of the ten most expensive real estate markets in the United States are in California. Because there is so much need for homes to be built at prices below current market rates, there has been a marked interest in understanding how to transform the public sector to deliver better public service and to bring new ideas forward for implementation that meet the growing needs of different household populations. One of the ways that cities and counties are improving their land use efficiencies during the housing supply crisis is to provide new development opportunities in areas where none currently exist. One way to encourage more multi-family housing development is to ensure the financial viability of converting existing hotels and motels to group homes or quarters, single-room occupancy, or multi-family housing. With hotels and motels experiencing devastatingly low occupancy levels in 2020 and 2021 as a result of the COVID-19 pandemic, industry experts are predicting an uncertain or grim future for their continued operations post-pandemic. Amending the Zoning Code to support conversions of hotels and motels to housing would provide more market-based choices for the current property owner and could be a really effective way to get housing online quickly for vulnerable populations.

In addition to authorizing hotel and motel conversions, this Project also establishes regulations to facilitate the use of existing hotels and motels for housing with objective site and building design standards. Some of the highlights of the draft ordinance are summarized below. The draft ordinance, which is provided as Exhibit "B" to draft Resolution No. 2021-05, also includes regulatory incentives to encourage conversion to supportive housing, transitional housing, and affordable housing. (Depending on the zoning district in which an existing hotel or motel is located, a General Plan Amendment or rezoning might be needed to be processed by the applicant to ensure the land use development request complies with applicable, objective General Plan and zoning standards.)

- Kitchen facilities: The draft ordinance includes provisions to allow the modification of guest rooms to install small cooking facilities. In some cases, the units may either be too small to accommodate the facilities, or there would be additional Building Code and Fire Code barriers that would make this modification infeasible. These properties may be better suited as single-room occupancy units, which does not necessarily require individual kitchens because meals may be prepared in a central kitchen or otherwise arranged by the service provider. For these reasons, the draft ordinance does not require provisions for cooking facilities in each unit.

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- **Parking:** The number of off-street parking spaces required in connection with any particular land use shall be no fewer than the amount set forth by Article 39 of the Escondido Zoning Code. Bachelor and studio units require one parking space per unit and one bedroom units require 1.5 parking spaces per unit. Guest parking is required at a rate of one space for each four units. However, to encourage hotel or motel conversion to group quarters, single-room occupancy units, or multi-family housing units, the draft ordinance recommends reducing the amount of parking required. Parking restrictions and their ensuing construction costs would make hotel or motel conversions infeasible or difficult to finance. The draft ordinance recommends not more than 0.5 parking spaces required per income-restricted unit, irrespective of the number of habitable rooms for each unit. Furthermore, the requirement to provide guest parking would be waived for income-restricted dwelling units. Market-rate dwelling units would need to comply with the parking requirements as specified in the Zoning Code for multi-family housing development.
- **Open space:** A minimum of 50 square feet per each unit would be required for each SRO unit, rather than the 300 square feet of open space that is required by the Downtown Specific Plan or the 200 square feet of open space required for one-bedroom, multi-family housing by the Zoning Code (Article 6).
- **Regulatory incentives:** The draft ordinance allows for expedited processing of Building plans and permits. Projects providing affordable housing, including affordable housing for seniors, will receive expedited processing as currently available.
- **Operational requirements:** Supportive services are an essential component of supportive housing and transitional housing, and are the key to these housing solutions working effectively to assist those experiencing homelessness in maintaining housing stability. However, the draft ordinance does not address the operational aspects of certain structures. There are complicated legal issues around policies that determine the types of households that may occupy housing, including state and federal fair housing laws. With respect to supportive housing services, the public agencies that are providing funding for support services are the most appropriate entities to evaluate the types of supportive services offered to residents or determine if the project should be customized with the needs of the tenants in mind.

Once adopted, no application to construct a new dwelling unit shall be accepted for processing or approved, unless the proposed land use development application is in conformance with the new land use policies. The provisions of the ordinance would only apply to all dwelling units proposed to be constructed, whether by new construction or rehabilitation, after the adoption of the ordinance, unless specifically exempted. The

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draft ordinance presented to the City Council will also include a provision that the ordinance would not apply to land use development applications for which (1) a request for a development permit was filed with and accepted by the Community Development Department, and deemed complete pursuant to Government Code section 65943, prior to adoption of the ordinance, or (2) a preliminary application for a housing development project meeting the criteria of Government Code section 65941.1 was submitted prior to adoption of the ordinance.

D. PROJECT ANALYSIS:

1. General Plan Conformance:

a) Land use and density consistency

How land uses are arranged in a community helps establish a community's identity and character, and many agencies are finding that housing is an essential element in revitalizing downtown districts. A healthy residential component to a downtown area generates customers for commercial uses, and a constant flow of foot traffic supports nearby retailers, services, entertainment, and other businesses that are part of a desirable downtown economy. By incorporating a higher density of residents in the downtown mix, the amount of activity increases, which in turn creates even more vibrancy. By offering investors and affordable housing developers a tool to increase density in areas that are prime for development and supported by existing infrastructure, the City would be supporting smart growth principles. The Zoning Code amendment could help accommodate the City's share of future regional housing needs with a greater mix of housing types and choices, in smart growth locations rather than sprawl, which benefits the City as a whole. Hotels and motels present a unique opportunity to utilize existing structures to respond to immediate housing needs. These buildings are structurally similar to residential buildings, and have the potential to be quickly adapted to provide housing through publicly funded programs.

Many hotels and motels in Escondido are located in commercial areas, and depending on location, the General Plan land use designation or Zoning Map may reference "commercial only" areas, which would thereby restrict residential use of property. Any existing buildings that are not in conformance with the current General Plan or Zoning Map designations (e.g., for residential density) would need to obtain additional planning entitlements.

In general, the goals identified in the Land Use and Community Form Element of the General Plan help foster Escondido's role as the vibrant and dynamic cultural, economic, and recreational hub of inland North San Diego County. The Land Use Element goals and policies that staff believes pertain to the Project are provided in Attachment 1 and may be utilized to assist in determining General Plan consistency.

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There may be different goals and policies that apply; the list need not include all the applicable policies for the Planning Commission to find conformance.

b) Housing Element

In terms of demonstrating consistency with the Housing Element of the General Plan, residential growth requires expanding the existing housing stock by encouraging and securing multi-family housing development. Unlocking housing development opportunities on sites improved as hotels or motels would likely increase access to affordable housing to those vulnerable populations that need it the most. Access to affordable housing improves community members' ability to improve their economic status, reduces poverty and homelessness, and promotes social integration. A strong and affordable housing environment is critical to meeting the goals and policies of the Housing Element (please refer to Attachment 1 for General Plan consistency analysis).

2. Zoning or Specific Plan Conformance:

The purpose of the Zoning Code amendment is to implement various policies within the General Plan that encourage dwelling unit construction or housing accommodation for vulnerable populations. The proposed ordinance was drafted to address many of the common barriers that a property may face when undergoing a conversion to supportive or transitional housing. When converting to supportive housing, transitional housing, single-room occupancy, multi-family housing, or a combination thereof, the project would need to conform both to building codes and underlying zoning. Every building is given an occupancy classification when it is originally built. Transient lodging uses, such as hotels and motels, are typically classified under the building code as an R1 occupancy group, for transient residential uses (occupied for periods of 30 days or less). When being converted to a non-transient residential use such as supportive housing and transitional housing, the building rating undergoes a change in use to the building code's R2 occupancy group classification. That means that a change in occupancy may be required by the Building Division even if there are no plans to make any changes to the building. Often, due to their age, hotels and motels are not in conformance with current zoning or building code regulations. When allowing for adaptive re-use of existing, aging properties, it is important to allow for a certain degree of flexibility in physical requirements. In recognition that each property is unique, the proposed ordinance was drafted to incorporate flexibility wherever possible, while ensuring that a set of minimum requirements are met. However, requiring a discretionary review process prior to approval of conversions of hotels and motels to affordable housing allows for public participation and an opportunity to provide flexibility from development standards, while otherwise complying with procedural or environmental review requirements and ensuring project-specific conditions of approval to reduce potential impacts to residents and businesses within the vicinity of the conversion project. By ensuring the hotel or motel conversion project meets zoning and building code standards of safety, the permit review process acts

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as a system of checks and balances to result in a safer project and reduce the risk of fire, structural collapse, and other issues that might result in costly repairs, injuries, or death.

3. Climate Action Plan Consistency:

The Zoning Code Amendment would not, in and of itself, result in impacts to air quality or greenhouse gas emissions. This Zoning Code amendment proposes a variety of changes to the zoning districts, all to encourage housing production or accommodation. All future development would require project-specific environmental evaluation in order to determine that any potential impacts are less than significant, including adherence to the City's Climate Action Plan Consistency Checklist. At such time that a development proposal is considered, that project would be subject to adopted development guidelines/standards and any impacts identified with the development project would be addressed, specific to the impact. However, hotels and motels present a unique opportunity to utilize existing structures to respond to immediate housing needs. These buildings are structurally similar to residential buildings, and have the potential to be quickly adapted to provide interim housing through publicly funded programs. Therefore, it is anticipated that implementing projects would not exceed the screening threshold and would therefore be exempt from the Climate Action Plan Consistency Checklist.

E. FISCAL ANALYSIS:

In analyzing for potential fiscal impacts of hotel and motel conversions, the Finance Department provided information on the total number of motels and motel rooms in the City; and the transient occupancy tax revenue by business for the previous five fiscal years. The receipt amounts reported show \$1,597,650 in FY2016/17, \$1,682,956 in FY2017/18, \$1,774,663 in FY2018/19, \$1,774,268 in FY2019/20, \$1,833,977 in FY2020/21. This revenue was generated from 16 hotels/motels that remitted transient occupancy tax payment to the City during the last five years. However, it is important to note that Springhill Suites opened May 2019 (and only remitted payment thereafter); and the Palm Tree Lodge shuttered in 2018 and the City America's Best Value converted to a residential care facility on June 4, 2021. The Finance Department won't have the total of transient occupancy tax receipts for FY2020/21 until the first week of August (receipts for the month of June is due July 31). However, the City has collected \$1,246,154 for receipts through March 2021.

It is difficult to assess how many hotels or motels may qualify and be interested in participating in the program, if Hotel Conversion Ordinance is adopted. New land use development applications seeking to convert hotels and motels to group homes or quarters, single-room occupancy, multi-family housing, or a combination thereof, would be subject to a fiscal impact analysis to offset the cost of municipal services associated with new development.

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Supportive housing and transitional housing are two types of affordable housing for persons experiencing homelessness and persons at risk of homelessness. The draft ordinance is designed to respond to existing demand for affordable housing, including supportive housing and transitional housing, by serving an existing population located within the City. The draft ordinance will not induce substantial population growth, as any supportive housing or transitional housing developed as a result of the draft ordinance would provide housing for the homeless and target populations that currently exist within the City.

F. ENVIRONMENTAL STATUS:

The California Environmental Quality Act ("CEQA") Guidelines list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The ordinance allows for the conversion of existing hotels and motels to supportive housing, transitional housing, single-room occupancy, multi-family housing, or a combination thereof. As such, the ordinance is categorically exempt from further environmental review pursuant to CEQA Guidelines section 15301 (Existing Facilities). The ordinance constitutes new policies and procedures that would involve negligible or no expansion of an existing use, including small additions to existing structures. Projects would be eligible to make minor physical alterations to the interior of the existing structure, for example by adding kitchenettes to individual units or by converting existing floor area to supportive service and case management areas. Alterations may result in the creation of additional floor area or units, but in an amount not to exceed 10% of the floor area. Any physical alterations of this nature would be authorized to remain at the time that the building reverts to the previous use.

Any individual project utilizing the ordinance, upon its adoption, may be subject to further environmental review. Appropriate CEQA and/or National Environmental Policy Act (NEPA) documents may be prepared after a specific project scope is defined but prior to the City's approval of the project itself, including review and approval of any related funding agreements/commitments or entitlements.

The CEQA Notice of Exemption prepared for the project (included as Attachment 4 to the Planning Commission Agenda Report) demonstrates that the Zoning Code amendment qualifies for the exemption and does not have a significant effect on the environment. Additionally, none of the exceptions to the categorical exemption identified in CEQA Guidelines section 15300.2 apply, and the City expressly finds there is no unusual circumstance that could result in a potential significant impact to the environment. The proposed ordinance will have no direct or reasonably foreseeable indirect environmental impacts.

G. PUBLIC INPUT:

None.

Attachment "1"

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H. CONCLUSION AND RECOMMENDATION:

Pursuant to Government Code section 65853 and Section 33-1262 of Article 61 of the Escondido Zoning Code (Administration and Enforcement Ordinance), the Planning Commission has the authority and duty to review and consider amendments to the Zoning Code, which requires a Planning Commission recommendation to City Council. No other discretionary permits are requested or required. Staff recommends that the Planning Commission recommend approval of Planning Case No. PL21-0228 based upon the record before it, including the findings and conditions contained in the attached draft Planning Commission Resolution No. 2021-05 (Attachment 3).

ATTACHMENTS:

1. ~~General Plan Consistency~~
2. ~~Zoning Code Amendment (Strike Out/Underline Format)~~
3. ~~Draft Planning Commission Resolution No. 2021-05~~
4. ~~Notice of Exemption~~

Attachment "2"

From: noreply@escondido.org
To: [Joanne Tasher](#); [Mike Strong](#); [Adam Finestone](#); [Kurt G. Whitman](#); [Jessica Engel](#)
Subject: Form Submission Received - (Community Development Department and related decision-making body Comment Form)
Date: Tuesday, June 22, 2021 3:01:10 PM

From Url: <https://www.escondido.org/public-comment-form>
From IP Address: 184.189.119.110

Email james@jwhalen.net
Meeting type Planning Commission
Meeting Date 6/22/2021
Planning Case # PL 21-0228
Subject / Proposition S Constraint Analysis and Hotel Conversion Ordinance
Position In Favor
First and Last Name James Whalen
Escondido Resident False
Street Address 2851 Camino Del Rio South
City San Diego
State Ca
Zip 92108

Comments We represent various property owners in the City of Escondido and are writing in support today of item #1 on the agenda. The policy clarification regarding Proposition S is a welcome move in the right direction. We thank the staff for the opportunity to comment on this item and appreciate your dedication to the City of Escondido.

A form has been submitted, click the link below to view the submission:
<https://www.escondido.org/FormWizard/ViewSubmission.aspx?mid=5324&pageid=3185&rid=09133541-eae7-49cf-beea-44d542ed5855>

Planning Commission
Hearing Date: June 22, 2021
Effective Date: June 23, 2021

PLANNING COMMISSION RESOLUTION NO. 2021-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, RECOMMENDING APPROVAL TO AMEND ARTICLE 4 OF CHAPTER 25 OF THE ESCONDIDO MUNICIPAL CODE AND ARTICLES 1 AND 63 OF THE ESCONDIDO ZONING CODE TO ALLOW THE CONVERSION OF HOTELS AND MOTELS TO HOUSING.

APPLICANT: City of Escondido

CASE NO: PL 21-0228

WHEREAS, in recent years, there have been considerable discussions throughout the State of California regarding the housing shortage, which is associated with rising housing costs and lack of affordable housing options; and

WHEREAS, the rising housing costs and lack of affordable housing options have led to a rise in homelessness in the region, including within the City of Escondido; and

WHEREAS, the conversion of existing hotels and motels to affordable housing requires substantially less time and cost than new development of affordable housing; and

WHEREAS, the conversion of existing hotels and motels to affordable housing allows for the creation of new housing through adaptive reuse of existing buildings, thereby substantially maintaining the existing scale and character of neighborhoods; and

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WHEREAS, Proposition S was adopted by voters in 1998 and requires voter approval of specified future changes to the Escondido General Plan. General Plan changes, subject to Proposition S, include increasing residential densities, changing or increasing the residential land use categories, or changing any residential designation to a commercial or industrial designation on any property designated as Rural, Estate, Suburban, or Urban. Thus, voter approval is required for amendments that would increase residential densities, but also deters the loss of residential land when associated with an amendment to commercial or industrial; and

WHEREAS, pursuant to CEQA and the CEQA Guidelines (Title 14 of California Code of Regulations, Section 15000 et. seq.), the City is the Lead Agency for the Project, as the public agency with the principal responsibility for approving the proposed Project; and

WHEREAS, the Planning Division studied the Application, performed necessary investigations, prepared a written report, and hereby recommends approval of the Project as depicted in Exhibit "B," which is attached hereto and made a part hereof by this reference as though fully set forth herein; and

WHEREAS, City staff provided public notice of the application in accordance with City and State public noticing requirements; and

WHEREAS, on June 22, 2021, the Planning Commission held a duly noticed public hearing as prescribed by law, at which time the Planning Commission received and considered the reports and recommendation of the Planning Division and gave all persons full opportunity to be heard and to present evidence and testimony regarding the

Project. Evidence was submitted to and considered by the Planning Commission, including, without limitation:

- a. Written information including plans, studies, written and graphical information, and other material, submitted by the Applicant;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated June 22, 2021, with its attachments as well as City staff's recommendation on the Project, which is incorporated herein as though fully set forth herein; and
- d. Additional information submitted during the public hearing; and

WHEREAS, the public hearing before the Planning Commission was conducted in all respects as required by the Escondido Municipal Code and the rules of this Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Escondido:

1. Record and Basis for Action. The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

2. The proposed Municipal Code and Zoning Code Amendments are exempt from CEQA, pursuant to Class 1 Categorical Exemption (CEQA Guidelines Section 15301) because it would involve new/revised policies and procedures that would involve negligible or no expansion of an existing use, including small additions to existing

structures. Projects seeking to implement the amended provisions would be subject to separate review under the CEQA.

3. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and in its behalf, the Planning Commission makes the following substantive findings and determinations, attached hereto as Exhibit "A," relating to the information that has been considered. In accordance with the Findings of Fact and the foregoing, the Planning Commission reached a recommendation on the matter as hereinafter set forth.

4. That, considering the Findings of Fact and applicable law, the Planning Commission hereby makes a motion to recommend City Council approval of said amendments, attached as Exhibit "B."

5. The intent of Proposition S is to focus on current residential zones, rather than rezones from non-residential to residential. A rezone from a non-residential zone to a residential zone does not trigger Proposition S. Proposition S does not act as a cap on the number of housing units constructed or permits that can be approved either annually or for some other time period. It also does not limit the population of the city.

6. The Planning Commission supports policy direction to direct the Director of Community Development to create a process to expedite Building plan intake and permit plan check review if the hotel or motel conversion results in deed-restricted affordable housing.

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PASSED, ADOPTED AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 22nd day of June, 2021, by the following vote, to wit:

AYES: COMMISSIONERS: Barba, Doan, Paul, Rainey,
Ramirez, Serrato, and Weiler.
NOES: COMMISSIONERS: None.
ABSTAINED: COMMISSIONERS: None.
ABSENT: COMMISSIONERS: None.



KATHARINE BARBA, Chair
Escondido Planning Commission

ATTEST:



MIKE STRONG, Secretary of the
Escondido Planning Commission

I hereby certify that the foregoing Resolution was passed at the time and by the vote above stated.



Joanne Tasher, Minutes Clerk
Escondido Planning Commission

EXHIBIT "A"

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FATORS TO BE CONSIDERED / FINDINGS OF FACT

Environmental Determinations:

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) ("CEQA"), and its implementing regulations (14 C.C.R. § 15000 et seq.) ("CEQA Guidelines"), the City of Escondido ("City") is the Lead Agency for the project ("Project"), as the public agency with the principal responsibility for approving the Project.
2. The Project qualifies for an exemption from further environmental review pursuant to CEQA Guidelines section 15301 (Existing Facilities) because the Zoning Code Amendment would involve new policies and procedures that would involve negligible or no expansion of an existing use, including small additions to existing structures. Existing hotels and motels could convert to other uses, like supportive housing, transitional housing, single-room occupancy, multi-family housing, or combination thereof, rather than temporary dwelling accommodation for transient guests. Hotels and motels present a unique opportunity to utilize existing structures to respond to immediate housing need. These buildings are structurally similar to residential buildings, and have the potential to be quickly adapted to provide housing through publicly-funded programs.
3. The Planning Commission has independently considered the full administrative record before it, which includes but is not limited to the June 22, 2021 Planning Commission Staff Report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any of the above-described exemption requirements has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

Proposition S Determinations:

1. The City is facing a statewide challenge of providing an adequate supply of affordable housing. It is in the public interest for a local government agency to accommodate development while protecting the general welfare of the community, through a regulatory framework/environment. At the same time, government regulations can potentially constrain the supply of housing available in a community if the regulations limit the opportunities to develop housing, impose requirements that unnecessarily increase the cost to develop housing, or make the development process so arduous as to discourage housing developers.

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2. The State of California requires that cities and counties adopt a comprehensive long-term General Plan for the physical, social, and economic growth of the agency (Government Code section 65300). The Housing Element is one of the required elements of the General Plan (Government Code section 65302) and must address the existing and projected housing needs of all economic segments of the city or county. The State of California requires that the Housing Element include an analysis of housing needs, available resources, governmental and non-governmental constraints, and policies and programs related to the maintenance, improvement, and development housing.
3. Actual or potential constraints to the provision of housing affect the development of new housing and the maintenance of existing units for all income levels. State Housing Element law (Government Code sections 65583(a)(5 and 6)) requires cities and counties to review both governmental and non-governmental constraints to the maintenance and production of housing for all income levels. Since local governmental actions can restrict the development and increase the cost of housing, State law requires the Housing Element to “address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing” (Government Code section 65583(c)(3)). In addition, as appropriate, the Housing Element must discuss efforts to remove governmental constraints relating to the provisions of supportive housing, transitional housing, single-room occupancy, and multi-family housing.
4. Given the City’s relatively built-out character, most of the goals and policies in the existing General Plan continue to represent the City’s position on growth and development issues. The scarcity of land with adequately zoned capacity is a significant contributor to increased land prices and housing development costs. On a regional basis, a lack of adequately zoned sites exacerbates the already significant deficit of housing affordable to lower income households.
5. Growth control ordinances or policies are designed to limit the amount or timing of residential development. Since growth control policies, by definition, constrain the production of housing, local governments must analyze whether or not local growth control policies limit the ability to meet the Regional Housing Needs Allocation (“RHNA”). While not a form of growth control, Proposition S does require voter approval of specified future changes to the Escondido General Plan. General Plan changes, subject to Proposition S, include increasing residential densities, changing or increasing the residential land use categories, or changing any residential designation to a commercial or industrial designation on any property designated as Rural, Estate, Suburban, or Urban.
6. Proposition S applies to the intensification of land uses in residential areas of the City. Specifically, under Policy E 2.3: “Permitted land uses *in the residential areas of the City* shall be intensified only when the voters approve such changes.”
7. Recognizing Proposition S as a potential constraint, the 2012 Housing Element included a program to monitor the potential impacts of Proposition S to determine it regulated the

use of land within Escondido like other types of growth management measures. The same monitoring program is included in the draft 2021-2029 Housing Element.

8. Pursuant to Government Code Section 65583, all cities must accommodate their RHNA allocations in their Housing Elements by adopting land use plans that accommodate the minimum amounts of housing unit goals and RHNA allocations. An effective Housing Element provides the necessary conditions for conserving, preserving and producing an adequate supply of housing affordable at a variety of income levels and provides a vehicle for establishing and updating housing and land-use strategies to reflect changing needs, resources, and conditions. Among other things, the Housing Element establishes a jurisdiction's strategy to plan for and facilitate the development of housing over the eight-year planning period by providing an inventory of land adequately zoned or planned to be zoned for housing and programs to implement the strategies.
9. SANDAG adopted its RHNA in July 2020 for the 6th Housing Element planning cycle, which covers an eight-year planning period (April 2021 through April 2029). Escondido's share of regional future housing needs is a total of 9,607 new units for the period of April 15, 2021, to April 15, 2029. This allocation is divided into various income categories, of which 3,113 must be reserved for households in the low- and very low-income category. The overall RHNA allocation process reflects a need for cooperation between both public and private sectors to expand housing opportunities that will allow for new housing development that benefits everyone in the community, such as a greater mix of housing types and choices. It allows local governments to maintain control over where and what type of development should occur in their communities, while allowing the private sector to meet market demand. While the Housing Element must contain a variety of community statistics to frame future housing needs, pursuant to Government Code section 65583, all cities must accommodate their RHNA allocations in their Housing Elements by adopting land use plans that accommodate the minimum amounts of housing unit goals and RHNA allocations.
10. In preparing the draft 2021-2029 Housing Element, which is now available for public review, the City examined the residential development capacity under the existing General Plan, zoning, and specific plans, and has demonstrated adequate capacity to accommodate the City's RHNA for the 6th Housing Element planning cycle.
11. Proposition S does not act as a cap on the number of housing units constructed or permits that can be approved either annually or for some other time period. It also does not limit the population of the city.
12. The intent of Proposition S is to focus on current residential zones, rather than rezones from nonresidential to residential. A rezone from a non-residential zone to a residential zone does not trigger Proposition S.

13. The City has the authority to create community facilities, assessment, or service districts to offset impacts to ongoing municipal services pursuant to other California statutes, including but not limited to the Mello-Roos Community Facilities District Act, the Improvement Act of 1911, the Municipal Improvement Act of 1913, the Improvement Bond Act of 1915, the Landscaping and Lighting Act of 1972, the Benefit Assessment Act of 1982, and the Parking and Business Improvement Area Law of 1989. The City's General Plan, including its goals and policies related to Public Facility Financing, Public Facility Deficiencies, Complete Streets, Fire Protection, Police Services, and Parks and Recreation, require new development to contribute fees or establish other funding mechanisms so that the City can adequately operate and maintain municipal facilities and equipment and ensure ongoing levels of municipal services. The Planning Commission finds that nothing in this Proposition S constraints analysis and resulting determination(s) shall be construed to exempt any person or applicant for land use development from providing adequate public facilities necessary to serve new growth, or portion of the costs of providing such public facilities; and providing a funding mechanism to offset the anticipated on-going costs of municipal services required to serve new residential development.

Improperly managed residential growth within the City could adversely affect the City's capacity to provide adequate facilities and services to accommodate that growth. In particular, improperly managed growth could result in an overburdening of the City's sewage treatment facility, increased traffic congestion on streets and freeways, inadequate levels of police and fire protection, adverse impacts on water resources and drainage systems, etc.

Should a development project not be subject to the Services CFD, the City desires to continue its policy of ensuring that the development project otherwise offsets its impacts to municipal services required for the project through the payment of other lawful fees or exactions. Pursuant to its continued efforts to address the City's general fund budget deficit and to act in the best interests of the City's residents and taxpayers, the City desires to reaffirm its policy for all residential development projects to offset the impacts to municipal services required for such projects.

Zoning Code Amendment Determinations:

1. In recent years, there have been considerable discussions throughout the State of California regarding the housing shortage, which is associated with rising housing costs and lack of affordable housing options. The rising housing costs and lack of affordable housing options have led to a rise in homelessness in the region, including within the City of Escondido. People experiencing homelessness are more likely to successfully transition to permanent housing when provided with easily accessible support services such as health, substance abuse, education, job training, and case management, in addition to affordable housing.

2. The conversion of existing hotels and motels to affordable housing requires substantially less time and cost than new development of affordable housing. The conversion of existing hotels and motels to affordable housing allows for the creation of new housing through adaptive reuse of existing buildings, thereby substantially maintaining the existing scale and character of residential neighborhoods.
3. With the enactment of Senate Bill 2 (SB 2, Statutes of 2017), State law requires cities and counties to treat transitional housing and supportive housing as a residential use and allow transitional and supportive housing in all zones that allow residential uses, subject only to those restrictions that apply to other residential uses of the same type in the same zone.

Transitional housing is defined by section 50801 of the Health and Safety Code. Residents of transitional housing are usually connected to supportive services designed to assist households in achieving greater independence and a permanent, stable living situation. Transitional housing can take several forms, including group quarters with beds, single family homes, and multi-family apartments; and typically offers case management and support services to help return people to independent living (often six months to two years). Transitional housing can be provided through group quarters with beds, single family homes, single-occupancy units, and multi-family units. Transitional housing is a time-limited housing intervention that provides homeless individuals and families with the interim stability and support to successfully move into and maintain permanent housing, typically within a period of 6 to 24 months. This housing solution is often most suitable for individuals and families who are experiencing homelessness for economic reasons, and require safe and affordable shelter on an interim basis while they stabilize and seek a more long-term housing solution.

Supportive housing is defined by section 50675.14 of the Health and Safety Code. Supportive housing, with no limit on stay, links the provision of housing and social services for the vulnerable populations, like the homeless, people with disabilities, and a variety of other target populations. Similar to transitional housing, supportive housing can take several forms, including group quarters with beds, single family homes, and multi-family units. Supportive housing provides indefinite rental assistance and supportive services to assist homeless persons or target populations achieve housing stability.

Both transitional housing and supportive housing incorporate supportive services such as individual case management, mental health treatment, addiction therapy and vocational training.

4. With the adoption of Proposition 2 at the November 6, 2018, statewide general election, the voters expressly approved of the development of permanent supportive housing pursuant to the No Place Like Home Program (Part 3.9 (commencing with Section 5849.1) of Division 5 of the Welfare and Institutions Code). Pursuant to Government Code section 65656, the Legislature further finds and declares that the provision of adequate supportive housing to help alleviate the severe shortage of housing opportunities for people

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experiencing homelessness and of necessary services to the target population described in Section 50675.14 of the Health and Safety Code. One way that the Legislature is seeking to develop permanent supportive housing in accordance with programs such as the No Place Like Home Program is by removing zoning barriers that would otherwise inhibit that development.

5. Hotels and motels present a unique opportunity to utilize existing structures to respond to immediate housing need. These buildings are structurally similar to residential buildings, and have the potential to be quickly adapted to provide housing through publicly-funded programs. Today, individual rooms in hotels and motels are often used as a form of transient guest housing accommodation, and there is increasing interest in converting entire properties to transitional housing and/or supportive housing.
6. The term "Single-room occupancy" (SRO) is recommended to be added to the set of definitions for the Zoning Code as this unit type is most likely to be the product of hotel or motel conversions. While SRO dwellings are typically a more affordable type of housing, it doesn't necessarily mean that they're income restricted. In recent years, changing demographics and preferences have led to the development of market-rate SROs for those who simply prefer to live alone without the burden of maintaining amenities like kitchen and/or bathroom facilities. Market-rate projects could be a good fit for single professionals who spend the majority of their time outside of their homes, or for seniors who still live independently but wish to downsize.
7. To qualify for a hotel or motel conversion to housing, which may include group homes or quarters, SRO units, or multi-family housing, the proposed housing development would have to comply with applicable, objective General Plan, Zoning, and subdivision standards. It is the responsibility of the applicant for a building permit or other license, authorization or permit issued by the City to ensure that any construction, alteration, or conversion of property for hotel or motel use conforms to the General Plan and other planning and zoning laws.
8. Supportive housing and transitional housing shall be treated as comparable to any other residential unit to satisfy the overriding goal to integrate homeless persons or target populations in all communities, consistent with Government Code section 65008(2)(d) ([prohibits imposition of different requirements on a residence intended for occupancy by a protected class or by persons of very low-, low-, moderate-, or middle-income, other than those generally imposed upon other residences].) Any identified concerns can be addressed by the same occupancy limits and zoning enforcement tools that are used for other residential projects.
9. The terms and limitations of the proposed ordinance and allowance to convert hotels and motels, do not act as an override and must be read and applied consistent with other statutory requirements such as CEQA. Appropriate CEQA documents would be prepared

after a specific project scope is defined but prior to consideration of approval of any land use development application.

10. The proposed ordinance is consistent with the General Plan goals and policies related to housing choices and diversity, adequate and affordable housing, infill development, smart growth, and neighborhood character. The proposed ordinance would be consistent with the goals and policies of the General Plan because they address they advance a number of land use goals and policies. Goal 2 et. seq. policies of the Land Use and Community Form Element addresses the need for regulations that clearly and effectively implement land use development goals and objectives. This Project is based on establishing new standards for hotel and motel conversions to reflect current values. The proposed ordinance is also consistent with Policy 4.2 of the same element for neighborhood maintenance and preservation since the Project seeks to focus new housing accommodate in existing commercial areas, served by transit and close to goods and services, thereby protecting residential neighborhoods and community character from the encroachment of higher density uses. The Project also advances goals and policies that enumerate housing opportunities or housing accommodate for a range of households with different income levels.

11. The action to amend the Zoning Code is based on factors pursuant to Section 33-1263 of the Escondido Zoning Code. Cities from time to time make significant efforts to tailor their city's ordinances to create a local community that develops in a way that the local policy-makers desire. Cities use its "police power" to create laws that promote the general health, safety, and welfare of its citizens. The public health, safety, and welfare of the City of Escondido would not be adversely affected by the proposed ordinance because:
 - There is a need for a diversity of housing solutions to address the varying needs of people experiencing homelessness and this Project effectively implements selected long-term objectives related to housing.
 - Transitional housing or supportive housing can take several forms related to hotel or motel conversions, including group homes or quarters with beds, SRO units, or multi-family units.
 - The draft ordinance addresses site and building design issues to ensures land use compatibility is achieved, neighborhoods are preserved, and community character is protected. Land use compatibility and its goals should be promoted through proactive planning and zoning techniques (e.g., focused infill planning, zoning/rezoning, revised regulations, provision of infrastructure) for infill development, reuse, and growth in existing urbanized areas to enhance community character, optimize City investments in infrastructure and community facilities, support increased transit use, promote pedestrian- and bicycle-friendly neighborhoods, increase housing diversity, ensure integrity of historic districts, and enhance retail viability.
 - Hotels and motels and the types of uses that would result from conversions can coexist in relative proximity to each other in a stable fashion over time such that

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no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

- The conversion or closure of a hotel or motel requires a separate permit issued by the Planning Division. Requiring a discretionary review process prior to approval of conversions of hotels and motels allows for public participation and an opportunity to provide flexibility from development standards while imposing project-specific conditions of approval to reduce potential impacts to residents and businesses within the vicinity of a potential hotel or motel conversion.

EXHIBIT "B"

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ZONING CODE AMENDMENT

SECTION I.

Repealing in its entirety, the "qualifying rental agreement" definition in section 25-75 of Chapter 25 Taxation, Article 4 (Transient Occupancy Tax), of the Escondido Zoning Code and adopting in full new text to read as specified below.

Qualifying rental agreement shall mean and is limited to a written contract signed by both the operator and tenant, legally enforceable by either party, for a rental period of not less than 31 consecutive days. "Qualifying rental agreement" shall expressly exclude: (1) any agreement regardless of length of the rental term that may be terminated for any reason by either party or by mutual consent prior to the 31st consecutive day of the tenancy; or (2) any agreement that would constitute a violation of law. Any person who has a written agreement with the operator, entered into within the first 30 days of the person's occupancy, that states that the person will stay for more than 30 consecutive calendar days, must pay TOT for the first 30 days of the person's stay in accordance with this Chapter.

SECTION II.

Add the following new text to Chapter 33 Zoning, Article 1 (General Provisions and Definitions)

Sec. 33-8. Definitions

Single Room Occupancy (SRO) Unit means a living or efficiency unit, as defined by California Health and Safety Code section 17958.1, intended or designed to be used as a primary residence for a period of more than 30 consecutive days. Each SRO unit consists of one combined living and sleeping room with a closet, and may contain either a kitchen or separate private bathroom, but not both. ~~Whichever amenity is not contained within the individual unit,~~ The kitchen or bathroom, if not contained within the individual unit, shall be provided as a common facility within the same structure and shall be shared with the tenants of other SRO units within the same structure. An SRO may include an office for the purpose of managing the SRO units and common facilities. An SRO may include one self-contained dwelling unit with kitchen and bathroom facilities for a caretaker.

SECTION III.

Add the following new definition to Chapter 33 Zoning, Article 63 (Transient Lodging Facilities)

Sec. 33-1341. Definitions

"Hotel Conversion" is any action that converts any building or structure used for transient lodging in which there are five or more transient guest rooms by either (1) a change of use to a commercial, industrial, or other non-residential use; (2) a change of use to a group home or quarters, single-room occupancy (SRO) units, multi-family housing, or a combination thereof, that may be utilized for supportive housing, transitional housing, or other types of housing; (3) a conversion to a condominium, cooperative, or similar form of ownership; or (4) a discontinuance of transient occupancy or closure of transient lodging that changes the use for a purpose other than transient lodging operations. Such a conversion of any of the above may affect an entire building or structure used for transient lodging, or any portion thereof.

SECTION IV.

Chapter 33 Zoning, Article 63 (Transient Lodging Facilities) - Adopting in full new text to read as specified below.

Section 33-1348. Hotel Conversions.

- (a) Purpose. The specific purpose of the hotel conversion procedure is to ensure that any conversion of transient lodging to other uses is preceded by adequate notice, and to allow for the conversion of existing hotels, motels, and other transient lodgings to various types of land uses, while providing for the review of the configuration, design, location, and potential impacts of the proposed use in order to evaluate the suitability of a new or converted use to the site.
- (b) Applicability.
 - (1) Permit required. In addition to any other necessary discretionary land use permit that may be required, a Hotel Conversion Permit (Plot Plan Permit) is required in order to authorize the conversion of hotels, motels, and other transient lodgings to another use, and may be approved for any use classification permitted or conditionally permitted in the base district in any zoning district in which an existing hotel or motel is located. To qualify for a hotel or motel conversion to housing, the land development request or proposed housing development would have to comply with applicable, objective General Plan, zoning, and subdivision standards.
 - (A) No application to construct a new use on the property shall be accepted for processing or approved, unless the proposed land use development application is in conformance with this section and a Hotel Conversion Permit is first obtained.
 - (B) No building permit or other license, authorization, or permit shall be construed to allow any action in contravention of this section, and any license, authorization, or

permit obtained that purports to allow any action in contravention of this section shall be void.

(C) Regulations Non-Exclusive. The provisions of this chapter regulating Hotel Conversions are not intended to be exclusive, and compliance therewith shall not excuse noncompliance with any other provisions of the Municipal Code or any other regulations pertaining to the operation of businesses as adopted by the City Council of the City of Escondido

(2) Zoning Districts. Existing hotels and motels in all zoning districts, as well as those located in Specific Plan areas, may be permitted to be converted provided the conversion is found consistent with all applicable standards provided in this section.

(c) Authority.

(1) The director, or director's designee, shall have the authority to grant, conditionally grant, or deny a hotel conversion Permit application for any use that is permitted in the zoning district. For projects including other discretionary actions that must be approved at a higher level than the director (such as by the Planning Commission or City Council), the design review permit will also be decided upon at that higher level.

(2) The conversion of hotels, motels, and other transient lodgings to any other use that is conditionally permitted in the same zoning district shall be reviewed and considered by the Planning Commission through the issuance of a Major Conditional Use Permit.

(3) A Hotel Conversion Permit application that requires concurrent review and approval of a zone change or other discretionary action at a higher level than the director or Planning Commission shall require the review by the Planning Commission, which shall forward a recommendation to the City Council for final action.

(d) Permit administration. At the time a new hotel conversion is requested in any existing building or structure, a Hotel Conversion Permit application package shall be submitted to the planning division, together with the applicable application fee as established by the City Council.

(1) Application requirements. An application for a hotel conversion shall be filed in compliance with section 33-1315 (Authorization, Procedure, and Modification) in the same manner as a Plot Plan Permit.

(2) Hotel Conversion projects shall be allowed to convert to any land use or activity as provided in any permitted and conditionally permitted Principal Use Matrix in the base district in any zoning district in which an existing hotel or motel is located. Hotel conversion projects shall comply with all applicable requirements of the General Plan, Zoning Code, specific plans, area plans, City design standards, building and safety

- requirements, and other applicable City standards. No hotel conversion project shall be granted a permit unless the following requirements are satisfied:
- (A) Demand analysis and mitigation as specified in section 33-1125 for a change of use to a commercial, industrial, or other non-residential use; for a conversion to a condominium, cooperative, or similar form of ownership; or for other changes of the use for a purpose other than transient lodging operations.
 - (B) Compliance with section 6-457 (Other Fees and Exactions for Public Services), if otherwise applicable, for a change of use to group home or quarters, SRO units, multi-family housing, or combination thereof that may be utilized for supportive housing, transitional housing, or other types of housing provisions.
 - (C) The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.
 - (D) The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
 - (E) The design, location, operating characteristics, and size of the proposed use, including any proposed increase in floor area, room/unit count, or height is consistent with the provisions of this ordinance and the implementation of which would be compatible with the existing land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.
- (3) Project review, notice, and hearing.
- (A) Each application shall be analyzed to ensure the application is consistent with the purpose and intent of this section.
 - (i) Expedited Processing of Plans and Permits. Projects providing affordable housing, including affordable housing for seniors and/or target populations, will receive expedited processing as currently available.
 - (B) City staff shall submit a staff report and recommendation to the decision-maker for consideration on a Hotel Conversion Permit.
 - (C) The applicant shall be provided with a list of applicable conditions. In approving a Hotel Conversion Permit, the applicable review authority may impose conditions (e.g., landscaping and maintenance, lighting, off-site improvements, parking, performance guarantees, property maintenance, signs, surfacing, time limits, traffic circulation) deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by this section, and to preserve the public health, safety, and general welfare.
 - (i) The City Council may find that there is substantial evidence to support a finding that the imposition of conditions would result in an extreme economic hardship for the applicant for an affordable housing project, including affordable housing projects for seniors and/or target populations. An extreme economic hardship does not exist where the cost of implementing the conditions would merely deny the applicant the maximum profits that could be realized from the hotel conversion.

- (ii) If the City Council determines that the conditions would result in extreme economic hardship for the applicant, the City Council may waive or modify any conditions that would otherwise be necessary to enable the City Council to make the findings required. Such conditions may be waived or modified only to the extent minimally necessary to alleviate such extreme economic hardship.
- (4) Findings and Decision. The applicable review authority may approve, conditionally approve, or disapprove an application for a Hotel Conversion Permit. The review authority may approve a Hotel Conversion Permit only after first finding that the hotel or motel proposed for conversion was legally constructed and is currently a legal or legally nonconforming use and the project represents successful implementation of this section, and complies with all other applicable provisions of local and state law.
 - (i) For hotel conversion projects under the purview of the director, the director's written decision and conditional letter of approval shall be filed in the Planning Division and a copy provided to the applicant at the address shown on the application. The applicant must sign and return the conditional letter of approval, thereby agreeing to the conditions of approval, prior to submittal of applications for construction permits.
 - (ii) For hotel conversion projects under the purview of the Planning Commission or the City Council, the applicable review authority shall conduct a public hearing on an application for a Hotel Conversion Permit before the approval or disapproval of the Permit.
- (5) Post approval procedures. The procedures relating to appeals, changes, expiration, performance guarantees, and revocation that are identified in the Zoning Code shall apply following the decision on a Hotel Conversion Permit application.
- (e) Development Standards and Land Use Regulations. Development regulations shall be those of the base district in any zoning district in which an existing hotel or motel is located to ensure that hotel conversions may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. Exceptions to the development standards and land use regulations of any zoning district as enumerated in this subsection shall be provided to incentivize the reuse of hotel, motels, and other transient lodgings for group home or quarters, SRO units, multi-family housing, or combination thereof. When there are General Plan, Zoning Map, or specific plan amendments contemplated or under study as part of the hotel conversion request, the City may apply additional terms, limitations, or conditions to the application request so that the use more closely aligns with applicable, objective General Plan and zoning standards.
- (1) Minimum lot size. There shall be no applicable minimum lot width, depth, or total lot size for hotel and motel conversions.

- (2) Residential density. The resulting number of residential units after the conversion shall be no greater than ~~75%~~ of the number of guest rooms in the existing hotel or motel.
- (3) General unit size and building requirements.
 - (A) The general building and occupancy standards required in connection with group homes or quarters shall be not less than the amount set forth by Article 6 (Residential Zones) of the Zoning Code
 - (B) The net area of a SRO unit may range from a minimum of 150 square feet to a maximum of 400 square feet, with the average unit size being no greater than 345 square feet.
 - (C) Multi-family units shall meet the general building requirements of Article 6 (Residential Zones) of the Zoning Code. The minimum size of a residential unit resulting from a hotel or motel conversion shall be the same as the minimum size of a SRO.
- (4) General occupancy requirements ~~shared~~ for group homes or quarters with beds, SRO units, or multi-family units.
 - (A) Common open spaces shall be designed to accommodate appropriate furnishings and shall be furnished for use by residents. Appropriate furnishings for indoor spaces may include such items as lounge chairs or couches, tables with chairs, writing desks, and televisions. Outdoor furnishings may include such items as outdoor benches; tables with chairs; barbecues; and shade coverings like arbors, patio covers, garden shelters, or trellises.
 - (B) Laundry facilities must be provided within units or elsewhere on-site. If laundry facilities are provided as a shared provision, a minimum of two washers and two dryers must be provided in a separate room. Additional washers and dryers must be provided for any development that has more than 20 units at the ratio of one washer and one dryer for every 20 units or portion thereof.
 - (C) Common bathrooms must be located on any floor with units that do not have full bathrooms. Common bathrooms shall be either single occupant use with provisions for privacy or multi-occupant use with separate provisions for men and women. Common bathrooms shall have shower or bathtub facilities at a ratio of one such bathroom for every 10 units. Each shared shower or bathtub facility shall be provided with an interior lockable door.
 - (D) Complete common cooking facilities/kitchens must be provided if any unit within the project does not have a kitchen. At least one complete common cooking facility/kitchen shall be provided within the project for every 20 units or portion thereof. One complete common cooking facility/kitchen shall be provided on any floor where units without kitchens are located.
- (5) Floor area ratio. The resulting floor area, as defined in 'Floor Area, Gross' for "all other districts" after conversion shall no more than 110% of the existing floor area of the hotel or motel being converted. Floor area added solely for the purpose of complying

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- with the Building Code or life safety requirements shall not be counted for purposes of calculating the floor area ratio.
- (6) Site coverage. There shall be no maximum site coverage applicable for hotel and motel conversions.
 - (7) Height. Any increase in height resulting from hotel and motel conversions shall comply with the maximum height set forth in the underlying zoning district. The conversion of any existing hotel or motel to affordable housing pursuant to this subsection shall not result in loss of legally nonconforming status with regard to building height.
 - (8) Setbacks. Hotel and motel conversions shall not be subject to the setback requirements of the underlying zoning district. The conversion of any existing hotel or motel to affordable housing pursuant to this subsection shall not result in loss of legally nonconforming status with regard to setbacks.
 - (9) Common areas and open space. All hotel and motels conversion shall include common areas with amenities such as seating, tables, barbecues, recreation areas or other related amenities. The size and nature of these common areas shall be approved by the reviewing authority pursuant to a Hotel Conversion Permit.
 - (A) Not less than 50 square feet of usable common areas and open space area shall be provided for each SRO unit. Group homes or quarters and multi-family units shall meet the general building and occupancy standards for open space areas.
 - (B) Shared bathrooms, laundry rooms, or kitchens shall not be considered as open space areas.
 - (10) Landscaping. Minimum landscaped areas shall not be applicable to hotel and motel conversions. Additional landscaping screening shall be provided as necessary to visually buffer the proposed development from surrounding streets and properties, particularly residential properties, and may consist of any combination of landscaping, fencing, or other suitable method. Notwithstanding the foregoing, the maximum height of walls and fences between the front property line and the occupancy frontage for hotel and motel conversions may be increased to six feet, provided that such walls and fences are at least 50% open and are set back a minimum of three feet from the front property line. The reviewing authority may approve deviations from any wall and fence requirements as part of the issuance of a Hotel Conversion Permit. A decorative masonry wall six feet in height shall be constructed along any common property line between the subject property and any adjoining property containing a single-family use.
 - (11) Parking.

- (A) The number of off-street parking spaces required in connection with any particular land use shall be not less than the amount set forth by Article 39 of the Zoning Code unless modified herein.
- (i) ~~Market rate dwelling SRO units shall comply with the parking requirements as specified~~ provide a minimum of one parking space per unit.
 - (ii) The parking ~~provided~~ required for restricted group homes or quarters, SRO units, or multi-family dwelling units to be sold or rented to lower income households or target populations shall not exceed 0.5 parking spaces per unit.
 - (iii) If utilized for supportive housing development, consistent with Supportive Housing Law (Government Code sections 65650 – 65656), if the supportive housing is located within 1/2 mile of a public transit stop, no minimum parking requirements shall be applied for the units occupied by supportive housing residents, pursuant to Government Code section 65654.
- (B) Guest parking requirements.
- (i) Market rate SRO units shall provide one guest parking space for every eight SRO units (0.125 guest parking spaced per unit).
 - (ii) The requirement to provide guest parking is waived for ~~only the restricted, lower-income affordable dwelling units.~~ Restricted SRO units or multi-family units with more than 30 converted guest rooms shall not be eligible for this waiver provision for the portion of units that exceeds 30 units; and shall provide one guest parking space for every eight SRO units (0.25 0.125 guest parking spaces per restricted dwelling SRO unit), with a minimum of one guest parking space per project and a maximum of 15 stalls for guest parking.
- (C) With the exception of projects that allow only senior residents, projects that have less than one automobile parking space per unit shall provide one easily accessible space for storing and locking a bicycle per unit. For projects that provide one or more parking spaces per unit, at least one bicycle storage space for every three units shall be provided.
- (12) Signs. All hotel and motel conversions shall comply with the residential signage provisions of Article 66 (Signs) of the Zoning Code.
- (13) Lighting. All hotel and motel conversions shall comply with the provisions of Article 35 (Outdoor Lighting) of the Zoning Code.
- (14) Affordability. If required as a component of the land use development request, there are two different approaches to maintaining long-term affordability that require signing an Affordable Housing Agreement: 1) the applicant agrees to maintain the designated dwelling unit as affordable for at least 45 years for for-sale units and 55 years for rental units; or 2) the applicant agrees to participate in a “shared equity purchase program.” The decision on which approach to use is up to the developer, except where state or federal standards applying to a given project require specific affordability periods. Under the long-term affordability program, the housing must

remain affordable for at least 45 years for for-sale units and 55 years for rental units, from the original date of sale or rental. Affordability terms are secured by an affordable housing agreement, which shall be in a form approved by the City Attorney and recorded on the property prior to or concurrent with the initial occupancy (for rental units) or sale of the property.

SECTION V. Clerical Tasks.

The City Clerk be hereby authorized and directed to change any chapter numbers, article numbers, section and page numbers in the event that the adoption of this Municipal Code and Zoning Code amendments reveals that there is a conflict, in order to avoid confusion and possible accidental repeal of existing provisions.

PL 21-0228: Proposition S Constraint Analysis and Hotel Conversion Ordinance
General Plan Consistency Analysis

To ensure consistency with the General Plan, a review was done of the existing General Plan for any relevant goals and policies. Goals and policies in the General Plan that are not applicable to the Zoning Code Amendment were not included.

- Community Character Policy 1.3 Focus development into areas where land use changes achieve the community's long-term goals. Facilitate development that is consistent with the build out vision for each area through incentive programs and efficient administrative and discretionary approval processes for plot plans, Planned Developments, Area Plans, Specific Plans, and Zoning Overlays.
- Community Character Policy 1.5 The city should maintain its single-family residential development pattern, except in locations such as the downtown, along major transportation corridors, and around commercial and public activity centers, where higher densities are more appropriate.
- Community Character Policy 1.8 Require development projects to locate and design buildings, construct energy and water efficient infrastructure, reduce greenhouse gas emissions, enhance community livability and economic vitality, and implement other practices contributing to sustainable resources.
- Community Character Policy 1.9 Require that development in downtown, at transit stations, and other key districts accommodate a mix of land uses and configure uses to promote walkability, bicycling, and transit uses, reducing the need for the automobile.
- Land Use Zoning Policy 2.4 Consider locational and operational characteristics of existing and proposed land uses, as well as the surrounding zoning patterns, when establishing zoning and overlay designations to ensure compatibility and appropriateness.
- Residential Development Policy 3.7 No permits shall be approved for the development of any lot which is not consistent with the density restrictions of the General Plan...
- Neighborhood Maintenance & Preservation Policy 4.2 Residential neighborhoods shall be protected from the encroachment of incompatible activities or land uses such as heavy service commercial businesses which may have a negative impact on the residential living environment.

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- Neighborhood Maintenance & Preservation Policy 4.2 Residential neighborhoods shall be protected from the encroachment of incompatible activities or land uses such as heavy service commercial businesses which may have a negative impact on the residential living environment.
- Housing Policy 1.1 Expand the stock of all housing while preserving the health, safety, and welfare of residents, and maintaining the fiscal stability of the city.
- Housing Policy 1.3 Channel residential growth to areas where the concurrent provision of services and facilities, including schools, parks, fire and police protection, and street improvements can be assured.
- Housing Policy 1.4 Encourage a compact, efficient urban form that conserves land and other natural and environmental resources, and that promotes transit, supports nearby commercial establishments, and takes advantage of infrastructure improvements installed to accommodate their intended intensities.

In general, the goals identified in the Land Use / Community Form Element foster Escondido's role as an urban center. For example, Community Character Policy 1.3 focuses development into areas where land use changes achieve the community's long-term goals. It also states that the City should facilitate development that is consistent with the build out vision for each area through incentive programs. By targeting housing accommodation incentives in the urban center, the City should be able to maintain its single-family residential development pattern elsewhere, which is desired under Community Character Policy 1.5, Land Use Zoning Policy 3.7, and Neighborhood Maintenance & Preservation Policy 4.2.

The proposed ordinance strives to achieve these objectives by increasing the utilization of its land base and allow residential conversion of existing hotels and motels based on market conditions. Most of the businesses that offer lodging as hotels or motels are located along major commercial corridors, such as Centre City Parkway. Increasing growth in infill areas of the City near public transportation hubs will reduce dependence on the use of private automobiles, reduce vehicle miles traveled ("VMT") per household, reduce the use of fossil fuels, improve energy efficiency, reduce carbon dioxide emissions, and help meet air quality standards. This helps address Community Character Policies 1.8 and 1.9.

The proposed Zoning Code Amendment would meet the intent and purposes of the General Plan Framework Element to encourage the creation of housing opportunities for households of all types and incomes, while at the same time promoting livable neighborhoods. In particular, the proposed ordinance would further the intent and purpose of the following relevant goals, objectives, and policies of the Housing Element: Policy 1.1 to expand the stock of all housing, Policy 1.3 to channel growth into areas where there are services and facilities, and Policy 1.4 to encourage compact, efficient urban form that conserves land. The Zoning Code Amendment seeks to more equitably distribute housing opportunities by type and cost accessible to all residents of the City

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by creating incentives and reducing regulatory barriers in appropriate locations in order to promote the adaptive re-use of structures for housing and rehabilitation of existing units.

As made evident by the list of General Plan policies above, the proposed ordinance is in conformance with a range of General Plan policies related to the provision of permanent and transitional housing and services for persons experiencing homelessness. The City's General Plan clearly recognizes the need for programs which remove regulatory barriers to allow for the conversion of existing structures to affordable housing for persons experiencing homelessness. The proposed ordinance responds to the General Plan by providing a streamlined approval process to allow existing motels to be converted to short-term and permanent housing that is linked with supportive services in locations throughout the City.

PL 21-0228: Proposition S Constraint Analysis and Hotel Conversion Ordinance

Zoning Code Amendment (Strikeout Underline Format)

SECTION I.

Modify the following definition in Section 25-75 of Chapter 25 Taxation, Article 4 (Transient Occupancy Tax) of the Escondido Municipal Code

Qualifying rental agreement shall mean and is limited to a written contract signed by both the operator and tenant, legally enforceable by either party, for a rental period of not less than 31~~thirty~~ (~~30~~) consecutive days. "Qualifying rental agreement" shall expressly exclude: (1) any agreement regardless of length of the rental term ~~which that~~ may be terminated for any reason by either party or by mutual consent prior to the ~~thirtieth (30th)~~ 31st consecutive day of the tenancy; or (2) any agreement ~~which that~~ would constitute a violation of law. Any person who has a written agreement with the operator, entered into within the first 30 days of the person's occupancy, that states that the person will stay for more than 30 consecutive calendar days, must pay TOT for the first 30 days of the person's stay in accordance with this Chapter.

SECTION II.

Add the following new text to Chapter 33 Zoning, Article 1 (General Provisions and Definitions)

Sec. 33-8. Definitions

Single Room Occupancy (SRO) Unit means a living or efficiency unit, as defined by California Health and Safety Code section 17958.1, intended or designed to be used, as a primary residence for a period of more than 30 consecutive days. Each SRO unit consists of one combined living and sleeping room with a closet, and may contain either a kitchen or separate private bathroom, but not both. The kitchen or bathroom, if not contained within the individual unit, shall be provided as a common facility within the same structure and shall be shared with the tenants of other SRO units within the same structure. An SRO may include an office for the purpose of managing the SRO units and common facilities. An SRO may include one self-contained dwelling unit with kitchen and bathroom facilities for a caretaker.

SECTION III.

Add the following new definition to Chapter 33 Zoning, Article 63 (Transient Lodging Facilities)

Sec. 33-1341. Definitions

“Hotel Conversion” is any action that converts any building or structure used for transient lodging in which there are five or more transient guest rooms by either (1) a change of use to a commercial, industrial, or other non-residential use; (2) a change of use to a group home or quarters, single-room occupancy (SRO) units, multi-family housing, or a combination thereof, that may be utilized for supportive housing, transitional housing, or other types of housing; (3) a conversion to a condominium, cooperative, or similar form of ownership; or (4) a discontinuance of transient occupancy or closure of transient lodging that changes the use for a purpose other than transient lodging operations. Such a conversion of any of the above may affect an entire building or structure used for transient lodging, or any portion thereof.

SECTION III.

Create a new section in Chapter 33 Zoning, Article 63 (Transient Lodging Facilities)

Section 33-1348. Hotel Conversions.

- (a) Purpose. The specific purpose of the hotel conversion procedure is to ensure that any conversion of transient lodging to other uses is preceded by adequate notice, and to allow for the conversion of existing hotels, motels, and other transient lodgings to various types of land uses, while providing for the review of the configuration, design, location, and potential impacts of the proposed use in order to evaluate the suitability of a new or converted use to the site.

- (b) Applicability.
 - (1) Permit required. In addition to any other necessary discretionary land use permit that may be required, a Hotel Conversion Permit (Plot Plan Permit) is required in order to authorize the conversion of hotels, motels, and other transient lodgings to another use, and may be approved for any use classification permitted or conditionally permitted in the base district in any zoning district in which an existing hotel or motel is located. To qualify for a hotel or motel conversion to housing, the land development request or proposed housing development would have to comply with applicable, objective General Plan, zoning, and subdivision standards.
 - (A) No application to construct a new use on the property shall be accepted for processing or approved, unless the proposed land use development application is in conformance with this section and a Hotel Conversion Permit is first obtained.
 - (B) No building permit or other license, authorization, or permit shall be construed to allow any action in contravention of this section, and any license, authorization, or permit obtained that purports to allow any action in contravention of this section shall be void.
 - (C) Regulations Non-Exclusive. The provisions of this chapter regulating hotel conversions are not intended to be exclusive, and compliance therewith shall not

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excuse noncompliance with any other provisions of the Municipal Code or any other regulations pertaining to the operation of businesses as adopted by the City Council of the City of Escondido

- (2) Zoning Districts. Existing hotels and motels in all zoning districts, as well as those located in Specific Plan areas, may be permitted to be converted provided the conversion is found consistent with all applicable standards provided in this section.

(c) Authority.

- (1) The director, or director's designee, shall have the authority to grant, conditionally grant, or deny a Hotel Conversion Permit application for any use that is permitted in the zoning district. For projects including other discretionary actions that must be approved at a higher level than the director (such as by the Planning Commission or City Council), the design review permit will also be decided upon at that higher level.

- (2) The conversion of hotels, motels, and other transient lodgings to any other use that is conditionally permitted in the same zoning district shall be reviewed and considered by the Planning Commission through the issuance of a Major Conditional Use Permit.

- (3) A Hotel Conversion Permit application that requires concurrent review and approval of a zone change or other discretionary action at a higher level than the director or Planning Commission shall require the review by the Planning Commission, which shall forward a recommendation to the City Council for final action.

(d) Permit administration. At the time a new hotel conversion is requested in any existing building or structure, a Hotel Conversion Permit application package shall be submitted to the planning division, together with the applicable application fee as established by the City Council.

- (1) Application requirements. An application for a hotel conversion shall be filed in compliance with section 33-1315 (Authorization, Procedure, and Modification) in the same manner as a Plot Plan Permit.

- (2) Hotel Conversion projects shall be allowed to convert to any land use or activity as provided in any permitted and conditionally permitted Principal Use Matrix in the base district in any zoning district in which an existing hotel or motel is located. Hotel conversion projects shall comply with all applicable requirements of the General Plan, Zoning Code, specific plans, area plans, City design standards, building and safety requirements, and other applicable City standards. No hotel conversion project shall be granted a permit unless the following requirements are satisfied:

- (A) Demand analysis and mitigation as specified in section 33-1125 for a change of use to a commercial, industrial, or other non-residential use; for a conversion to a

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- condominium, cooperative, or similar form of ownership; or for other changes of the use for a purpose other than transient lodging operations.
- (B) Compliance with section 6-457 (Other Fees and Exactions for Public Services), if otherwise applicable, for a change of use to group home or quarters, SRO units, multi-family housing, or combination thereof that may be utilized for supportive housing, transitional housing, or other types of housing provisions.
 - (C) The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.
 - (D) The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
 - (E) The design, location, operating characteristics, and size of the proposed use, including any proposed increase in floor area, room/unit count, or height is consistent with the provisions of this ordinance and the implementation of which would be compatible with the existing land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.
- (3) Project review, notice, and hearing.
- (A) Each application shall be analyzed to ensure the application is consistent with the purpose and intent of this section.
 - (i) Expedited Processing of Plans and Permits. Projects providing affordable housing, including affordable housing for seniors and/or target populations, will receive expedited processing as currently available.
 - (B) City staff shall submit a staff report and recommendation to the decision-maker for consideration on a Hotel Conversion Permit.
 - (C) The applicant shall be provided with a list of applicable conditions. In approving a Hotel Conversion Permit, the applicable review authority may impose conditions (e.g., landscaping and maintenance, lighting, off-site improvements, parking, performance guarantees, property maintenance, signs, surfacing, time limits, traffic circulation) deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by this section, and to preserve the public health, safety, and general welfare.
 - (i) The City Council may find that there is substantial evidence to support a finding that the imposition of conditions would result in an extreme economic hardship for the applicant for an affordable housing project, including affordable housing projects for seniors and/or target populations. An extreme economic hardship does not exist where the cost of implementing the conditions would merely deny the applicant the maximum profits that could be realized from the hotel conversion.
 - (ii) If the City Council determines that the conditions would result in extreme economic hardship for the applicant, the City Council may waive or modify any conditions that would otherwise be necessary to enable the City Council to make the findings required. Such conditions may be waived or

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modified only to the extent minimally necessary to alleviate such extreme economic hardship.

- (4) Findings and Decision. The applicable review authority may approve, conditionally approve, or disapprove an application for a Hotel Conversion Permit. The review authority may approve a Hotel Conversion Permit only after first finding that the hotel or motel proposed for conversion was legally constructed and is currently a legal or legally nonconforming use and the project represents successful implementation of this section, and complies with all other applicable provisions of local and state law.
- (i) For hotel conversion projects under the purview of the director, the director's written decision and conditional letter of approval shall be filed in the Planning Division and a copy provided to the applicant at the address shown on the application. The applicant must sign and return the conditional letter of approval, thereby agreeing to the conditions of approval, prior to submittal of applications for construction permits.
 - (ii) For hotel conversion projects under the purview of the Planning Commission or the City Council, the applicable review authority shall conduct a public hearing on an application for a Hotel Conversion Permit before the approval or disapproval of the Permit.
- (5) Post approval procedures. The procedures relating to appeals, changes, expiration, performance guarantees, and revocation that are identified in the Zoning Code shall apply following the decision on a Hotel Conversion Permit application.
- (e) Development Standards and Land Use Regulations. Development regulations shall be those of the base district in any zoning district in which an existing hotel or motel is located to ensure that hotel conversions may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. Exceptions to the development standards and land use regulations of any zoning district as enumerated in this subsection shall be provided to incentivize the reuse of hotel, motels, and other transient lodgings for group home or quarters, SRO units, multi-family housing, or combination thereof. When there are General Plan, Zoning Map, or specific plan amendments contemplated or under study as part of the hotel conversion request, the City may apply additional terms, limitations, or conditions to the application request so that the use more closely aligns with applicable, objective General Plan and zoning standards.
- (1) Minimum lot size. There shall be no applicable minimum lot width, depth, or total lot size for hotel and motel conversions.
 - (2) Residential density. The resulting number of residential units after the conversion shall be no greater than the number of guest rooms in the existing hotel or motel.
 - (3) General unit size and building requirements.

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- (A) The general building and occupancy standards required in connection with group homes or quarters shall be not less than the amount set forth by Article 6 (Residential Zones) of the Zoning Code
 - (B) The net area of a SRO unit may range from a minimum of 150 square feet to a maximum of 400 square feet, with the average unit size being no greater than 345 square feet.
 - (C) Multi-family units shall meet the general building requirements of Article 6 (Residential Zones) of the Zoning Code. The minimum size of a residential unit resulting from a hotel or motel conversion shall be the same as the minimum size of a SRO.
- (4) General occupancy requirements for group homes or quarters with beds, SRO units, or multi-family units.
- (A) Common open spaces shall be designed to accommodate appropriate furnishings and shall be furnished for use by residents. Appropriate furnishings for indoor spaces may include such items as lounge chairs or couches, tables with chairs, writing desks, and televisions. Outdoor furnishings may include such items as outdoor benches; tables with chairs; barbecues; and shade coverings like arbors, patio covers, garden shelters, or trellises.
 - (B) Laundry facilities must be provided within units or elsewhere on-site. If laundry facilities are provided as a shared provision, a minimum of two washers and two dryers must be provided in a separate room. Additional washers and dryers must be provided for any development that has more than 20 units at the ratio of one washer and one dryer for every 20 units or portion thereof.
 - (C) Common bathrooms must be located on any floor with units that do not have full bathrooms. Common bathrooms shall be either single occupant use with provisions for privacy or multi-occupant use with separate provisions for men and women. Common bathrooms shall have shower or bathtub facilities at a ratio of one such bathroom for every 10 units. Each shared shower or bathtub facility shall be provided with an interior lockable door.
 - (D) Complete common cooking facilities/kitchens must be provided if any unit within the project does not have a kitchen. At least one complete common cooking facility/kitchen shall be provided within the project for every 20 units or portion thereof. One complete common cooking facility/kitchen shall be provided on any floor where units without kitchens are located.
- (5) Floor area ratio. The resulting floor area, as defined in 'Floor Area, Gross' for "all other districts" after conversion shall no more than 110% of the existing floor area of the hotel or motel being converted. Floor area added solely for the purpose of complying with the Building Code or life safety requirements shall not be counted for purposes of calculating the floor area ratio.
- (6) Site coverage. There shall be no maximum site coverage applicable for hotel and motel conversions.

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- (7) Height. Any increase in height resulting from hotel and motel conversions shall comply with the maximum height set forth in the underlying zoning district. The conversion of any existing hotel or motel to affordable housing pursuant to this subsection shall not result in loss of legally nonconforming status with regard to building height.
- (8) Setbacks. Hotel and motel conversions shall not be subject to the setback requirements of the underlying zoning district. The conversion of any existing hotel or motel to affordable housing pursuant to this subsection shall not result in loss of legally nonconforming status with regard to setbacks.
- (9) Common areas and open space. All hotel and motels conversion shall include common areas with amenities such as seating, tables, barbecues, recreation areas or other related amenities. The size and nature of these common areas shall be approved by the reviewing authority pursuant to a Hotel Conversion Permit.
 - (A) Not less than 50 square feet of usable common areas and open space area shall be provided for each SRO unit. Group homes or quarters and multi-family units shall meet the general building and occupancy standards for open space areas.
 - (B) Shared bathrooms, laundry rooms, or kitchens shall not be considered as open space areas.
- (10) Landscaping. Minimum landscaped areas shall not be applicable to hotel and motel conversions. Additional landscaping screening shall be provided as necessary to visually buffer the proposed development from surrounding streets and properties, particularly residential properties, and may consist of any combination of landscaping, fencing, or other suitable method. Notwithstanding the foregoing, the maximum height of walls and fences between the front property line and the occupancy frontage for hotel and motel conversions may be increased to six feet, provided that such walls and fences are at least 50% open and are set back a minimum of three feet from the front property line. The reviewing authority may approve deviations from any wall and fence requirements as part of the issuance of a Hotel Conversion Permit. A decorative masonry wall six feet in height shall be constructed along any common property line between the subject property and any adjoining property containing a single-family use.
- (11) Parking.
 - (A) The number of off-street parking spaces required in connection with any particular land use shall be not less than the amount set forth by Article 39 of the Zoning Code unless modified herein.
 - (i) Market rate SRO units shall provide a minimum of one parking space per unit.

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- (ii) The parking required for restricted group homes or quarters, SRO units, or multi-family dwelling units to be sold or rented to lower income households or target populations shall not exceed 0.5 parking spaces per unit.
 - (iii) If utilized for supportive housing development, consistent with Supportive Housing Law (Government Code sections 65650 – 65656), if the supportive housing is located within 1/2 mile of a public transit stop, no minimum parking requirements shall be applied for the units occupied by supportive housing residents, pursuant to Government Code section 65654.
 - (B) Guest parking requirements.
 - (i) Market rate SRO units shall provide one guest parking space for every eight SRO units (0.125 guest parking spaced per unit).
 - (ii) The requirement to provide guest parking is waived for restricted, lower income affordable dwelling units. Restricted SRO units or multi-family units with more than 30 converted guest rooms shall not be eligible for this waiver provision for the portion of units that exceeds 30 units; and shall provide one guest parking space for every eight SRO units (0.125 guest parking spaces per SRO unit), with a minimum of one guest parking space per project and a maximum of 15 stalls for guest parking.
 - (C) With the exception of projects that allow only senior residents, projects that have less than one automobile parking space per unit shall provide one easily accessible space for storing and locking a bicycle per unit. For projects that provide one or more parking spaces per unit, at least one bicycle storage space for every three units shall be provided.
- (12) Signs. All hotel and motel conversions shall comply with the residential signage provisions of Article 66 (Signs) of the Zoning Code.
- (13) Lighting. All hotel and motel conversions shall comply with the provisions of Article 35 (Outdoor Lighting) of the Zoning Code.
- (14) Affordability. If required as a component of the land use development request, there are two different approaches to maintaining long-term affordability that require signing an Affordable Housing Agreement: 1) the applicant agrees to maintain the designated dwelling unit as affordable for at least 45 years for for-sale units and 55 years for rental units; or 2) the applicant agrees to participate in a “shared equity purchase program.” The decision on which approach to use is up to the developer, except where state or federal standards applying to a given project require specific affordability periods. Under the long-term affordability program, the housing must remain affordable for at least 45 years for for-sale units and 55 years for rental units, from the original date of sale or rental. Affordability terms are secured by an affordable housing agreement, which shall be in a form approved by the City Attorney and recorded on the property prior to or concurrent with the initial occupancy (for rental units) or sale of the property



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

Notice of Exemption

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

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

Project Title/Case No: Hotel Conversion Ordinance / PL21-0228

Project Location - Specific: CityWide

Project Location - City: Escondido **Project Location - County:** San Diego

Description of Project: An amendment to the Escondido Zoning Code to establish requirements for the conversion of hotels and motels in all zoning districts, as well as those located in specific plans, to supportive housing, transitional housing, single-room occupancy, multi-family housing, or a combination thereof. The project also includes an analysis of the constraints of Proposition S (approved by voters in 1998) as it relates to hotel and motel conversions.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: City of Escondido Planning Division

Telephone: 760-839-4671

Address: 201 N, Broadway, Escondido, CA 92025

Private entity School district Local public Agency State agency Other special district

Exempt Status:

The Zoning Code Amendment is categorically exempt pursuant to CEQA Guidelines section 15301 (Existing Facilities). The determination regarding Proposition S is not a project subject to review pursuant to CEQA Guidelines section 15378(a).

Reasons why project is exempt:

The Zoning Code Amendment establishes procedures and requirements for conversions of existing commercial structures (hotels and motels) into residential uses, and allows minor expansions to said structures. Individual projects undertaken in reliance upon the amendment would be subject to independent review under CEQA. The Proposition S determination does not have the potential to cause direct or reasonably foreseeable indirect changes to the environment.

Lead Agency Contact Person: Adam Finestone

Area Code/Telephone/Extension: 760-839-4671

Signature: _____
Adam Finestone, AICP
City Planner

_____ Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

RESOLUTION NO. 2021-109

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ESTABLISHING A DETERMINATION THAT
PROPOSITION S DOES NOT APPLY TO
CHANGES OF NON-RESIDENTIAL GENERAL
PLAN LAND USE DESIGNATIONS TO
RESIDENTIAL GENERAL PLAN LAND USE
DESIGNATIONS

WHEREAS, Proposition S was adopted by voters in 1998 and requires voter approval of specified future changes to the Escondido General Plan. General Plan changes, subject to Proposition S, include increasing residential densities, changing or increasing the residential land use categories, or changing any residential designation to a commercial or industrial designation on any property designated as Rural, Estate, Suburban, or Urban. Thus, voter approval is required for amendments that would increase residential densities, but also deters the loss of residential land when associated with an amendment to commercial or industrial; and

WHEREAS, in 2012, the voters of Escondido approved Measure N, which increased residential densities associated with General Plan land use designations on approximately 66 acres of land, and changed approximately 458 acres of land from residential land use designations to employment-supporting (non-residential) designations; and

WHEREAS, several projects have been approved by the Escondido City Council since 2012 that have tacitly endorsed the determination that Proposition S is not applicable to projects that involve changes of non-residential General Plan land use designations to residential General Plan land use designations; however, no projects

have been approved that would change residential land use designations to non-residential land use designations; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines (Title 14 of California Code of Regulations, Section 15000 et. seq.), the determination made by this resolution is not considered a Project; and

WHEREAS, over the past several years, the increased cost of housing has been partially driven by the lack of adequate supply; and

WHEREAS, the ability to provide housing for all segments of the population, including low and very low income individuals, seniors, people with disabilities, and those experiencing homelessness, is an essential need that government policy can assist with providing; and

WHEREAS, making a policy determination related to the applicability of Proposition S to future requests to change non-residential General Plan land use designations to residential General Plan land use designations will provide clarity and predictability to applicants seeking entitlements for residential projects; and

WHEREAS, notice of the Planning Commission’s consideration of Proposition S’s applicability to such changes was not required by City and State law. Nonetheless, notice was provided concurrently with the provision of notice for a companion municipal and zoning code amendment; and

WHEREAS, the Planning Division of the Community Development Department completed its review and scheduled a public hearing before the Planning Commission on June 22, 2021, at which time interested persons were given the opportunity to appear and present their views with respect to the determination. Following the hearing, the

Planning Commission adopted Resolution No. 2021-05, which recommended that the City Council make a determination that Proposition S is not applicable to changes in General Plan land use designations from non-residential designations to residential designations; and

WHEREAS, on July 14, 2021, the City Council reviewed and considered all evidence submitted related to the applicability of Proposition S to changes of General Plan land use designations from non-residential designations to residential designations, at a noticed public hearing including, without limitation:

- a. Written information;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The City Council staff report, dated July 14, 2021, which along with its attachments, is incorporated herein by this references as though fully set forth herein;
- d. City Staff and the Planning Commission's recommendations; and
- e. Additional information submitted during the public hearing.

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

1. That the above recitations are true.
2. That the intent of Proposition S is to focus on current residential General Plan land use designations, rather than changes from non-residential designations to residential designations. A change in General Plan land use designation from a non-residential designation to a residential designation does not trigger Proposition S. Proposition S does not act as a cap on the number of housing units constructed or permits

that can be approved either annually or for some other time period. It also does not limit the population of the city.

3. That this determination is not considered a Project under CEQA.

4. That this determination is made based on the substantive findings and determinations attached to this Resolution as Exhibit "A" and incorporated herein by this reference as though fully set forth herein.

PL 21-0228

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Environmental Determinations:

1. The determination related to Proposition S's applicability to changes in land use designations from non-residential to residential land use designations, is not considered a Project as defined by California Environmental Quality Act ("CEQA"). Pursuant to CEQA Guidelines section 15378, a Project includes any action which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Because the determination related to Proposition S is only a statement regarding an existing policy and does not create, change, or otherwise affect any existing policies, it is not considered a Project under CEQA.

Proposition S Determinations:

1. The City is facing a statewide challenge of providing an adequate supply of affordable housing. It is in the public interest for a local government agency to accommodate development while protecting the general welfare of the community, through a regulatory framework/environment. At the same time, government regulations can potentially constrain the supply of housing available in a community if the regulations limit the opportunities to develop housing, impose requirements that unnecessarily increase the cost to develop housing, or make the development process so arduous as to discourage housing developers.
2. The State of California requires that cities and counties adopt a comprehensive long-term General Plan for the physical, social, and economic growth of the agency (Government Code section 65300). The Housing Element is one of the required elements of the General Plan (Government Code section 65302) and must address the existing and projected housing needs of all economic segments of the city or county. The State of California requires that the Housing Element include an analysis of housing needs, available resources, governmental and non-governmental constraints, and policies and programs related to the maintenance, improvement, and development housing.
3. Actual or potential constraints to the provision of housing affect the development of new housing and the maintenance of existing units for all income levels. State Housing Element law (Government Code sections 65583(a)(5 and 6)) requires cities and counties to review both governmental and non-governmental constraints to the maintenance and production of housing for all income levels. Since local governmental actions can restrict the development and increase the cost of

housing, State law requires the Housing Element to "address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Government Code section 65583(c)(3)). In addition, as appropriate, the Housing Element must discuss efforts to remove governmental constraints relating to the provisions of supportive housing, transitional housing, single-room occupancy, and multi-family housing.

4. Given the City's relatively built-out character, most of the goals and policies in the existing General Plan continue to represent the City's position on growth and development issues. The scarcity of land with adequately zoned capacity is a significant contributor to increased land prices and housing development costs. On a regional basis, a lack of adequately zoned sites exacerbates the already significant deficit of housing affordable to lower income households.
5. Growth control ordinances or policies are designed to limit the amount or timing of residential development. Since growth control policies, by definition, constrain the production of housing, local governments must analyze whether or not local growth control policies limit the ability to meet the Regional Housing Needs Allocation ("RHNA"). While not a form of growth control, Proposition S does require voter approval of specified future changes to the Escondido General Plan. General Plan changes, subject to Proposition S, include increasing residential densities, changing or increasing the residential land use categories, or changing any residential designation to a commercial or industrial designation on any property designated as Rural, Estate, Suburban, or Urban.
6. Proposition S applies to the intensification of land uses in residential areas of the City. Specifically, under Policy E 2.3: "Permitted land uses *in the residential areas of the City* shall be intensified only when the voters approve such changes."
7. Recognizing Proposition S as a potential constraint, the 2012 Housing Element included a program to monitor the potential impacts of Proposition S to determine it regulated the use of land within Escondido like other types of growth management measures. The same monitoring program is included in the draft 2021-2029 Housing Element.
8. Pursuant to Government Code Section 65583, all cities must accommodate their RHNA allocations in their Housing Elements by adopting land use plans that accommodate the minimum amounts of housing unit goals and RHNA allocations. An effective Housing Element provides the necessary conditions for conserving, preserving and producing an adequate supply of housing affordable at a variety of income levels and provides a vehicle for establishing and updating housing and land-use strategies to reflect changing needs, resources, and conditions. Among

other things, the Housing Element establishes a jurisdiction's strategy to plan for and facilitate the development of housing over the eight-year planning period by providing an inventory of land adequately zoned or planned to be zoned for housing and programs to implement the strategies.

9. SANDAG adopted its RHNA in July 2020 for the 6th Housing Element planning cycle, which covers an eight-year planning period (April 2021 through April 2029). Escondido's share of regional future housing needs is a total of 9,607 new units for the period of April 15, 2021, to April 15, 2029. This allocation is divided into various income categories, of which 3,113 must be reserved for households in the low- and very low-income category. The overall RHNA allocation process reflects a need for cooperation between both public and private sectors to expand housing opportunities that will allow for new housing development that benefits everyone in the community, such as a greater mix of housing types and choices. It allows local governments to maintain control over where and what type of development should occur in their communities, while allowing the private sector to meet market demand. While the Housing Element must contain a variety of community statistics to frame future housing needs, pursuant to Government Code section 65583, all cities must accommodate their RHNA allocations in their Housing Elements by adopting land use plans that accommodate the minimum amounts of housing unit goals and RHNA allocations.
10. In preparing the draft 2021-2029 Housing Element, which is now available for public review, the City examined the residential development capacity under the existing General Plan, zoning, and specific plans, and has demonstrated adequate capacity to accommodate the City's RHNA for the 6th Housing Element planning cycle.
11. Proposition S does not act as a cap on the number of housing units constructed or permits that can be approved either annually or for some other time period. It also does not limit the population of the city.
12. The intent of Proposition S is to focus on current residential zones, rather than rezones from nonresidential to residential. A rezone from a non-residential zone to a residential zone does not trigger Proposition S.
13. The City has the authority to create community facilities, assessment, or service districts to offset impacts to ongoing municipal services pursuant to other California statutes, including but not limited to the Mello-Roos Community Facilities District Act, the Improvement Act of 1911, the Municipal Improvement Act of 1913, the Improvement Bond Act of 1915, the Landscaping and Lighting Act of 1972, the Benefit Assessment Act of 1982, and the Parking and Business Improvement Area Law of 1989. The City's General Plan, including its goals and policies related to

Public Facility Financing, Public Facility Deficiencies, Complete Streets, Fire Protection, Police Services, and Parks and Recreation, require new development to contribute fees or establish other funding mechanisms so that the City can adequately operate and maintain municipal facilities and equipment and ensure ongoing levels of municipal services. The City Council finds that nothing in this Proposition S constraints analysis and resulting determination(s) shall be construed to exempt any person or applicant for land use development from providing adequate public facilities necessary to serve new growth, or portion of the costs of providing such public facilities; and providing a funding mechanism to offset the anticipated on-going costs of municipal services required to serve new residential development.

Improperly managed residential growth within the City could adversely affect the City's capacity to provide adequate facilities and services to accommodate that growth. In particular, improperly managed growth could result in an overburdening of the City's sewage treatment facility, increased traffic congestion on streets and freeways, inadequate levels of police and fire protection, adverse impacts on water resources and drainage systems, etc.

Should a development project not be subject to the Services CFD, the City desires to continue its policy of ensuring that the development project otherwise offsets its impacts to municipal services required for the project through the payment of other lawful fees or exactions. Pursuant to its continued efforts to address the City's general fund budget deficit and to act in the best interests of the City's residents and taxpayers, the City desires to reaffirm its policy for all residential development projects to offset the impacts to municipal services required for such projects.

ORDINANCE NO. 2021-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING ARTICLE 4 OF CHAPTER 25 OF THE ESCONDIDO MUNICIPAL CODE, AND ARTICLES 1 AND 63 OF THE ESCONDIDO ZONING CODE TO ALLOW THE CONVERSION OF HOTELS AND MOTELS TO HOUSING

APPLICANT: City of Escondido
PLANNING CASE NO.: PL 21-0228

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

SECTION 1. That proper notices of a public hearing have been given and public hearings have been held before the Planning Commission and City Council on this issue.

SECTION 2. The Planning Commission conducted a public hearing on June 22, 2021, 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 July 14, 2021, 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, City Staff recommendation, 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 CEQA, pursuant to Class 1 Categorical Exemption (CEQA Guidelines Section 15301) because it would involve new/revised policies and procedures that would involve negligible or no expansion of an existing use, including small additions to existing structures. Projects seeking to implement the amended provisions would be subject to separate review under the CEQA.

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.

SECTION 11. This Ordinance shall become effective on the 30th day following the date of its adoption.

PL 21-0228

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Environmental Determinations

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) ("CEQA"), and its implementing regulations (14 C.C.R. § 15000 et seq.) ("CEQA Guidelines"), the City of Escondido ("City") is the Lead Agency for the project ("Project"), as the public agency with the principal responsibility for approving the Project.
2. The Project qualifies for an exemption from further environmental review pursuant to CEQA Guidelines section 15301 (Existing Facilities) because the Zoning Code Amendment would involve new policies and procedures that would involve negligible or no expansion of an existing use, including small additions to existing structures. Existing hotels and motels could convert to other uses, like supportive housing, transitional housing, single-room occupancy, multi-family housing, or combination thereof, rather than temporary dwelling accommodation for transient guests. Hotels and motels present a unique opportunity to utilize existing structures to respond to immediate housing need. These buildings are structurally similar to residential buildings, and have the potential to be quickly adapted to provide housing through publicly-funded programs.
3. The City Council has independently considered the full administrative record before it, which includes but is not limited to the July 14, 2021, City Council Staff Report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any of the above-described exemption requirements has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

Municipal and Zoning Code Amendment Determinations:

1. In recent years, there have been considerable discussions throughout the State of California regarding the housing shortage, which is associated with rising housing costs and lack of affordable housing options. The rising housing costs and lack of affordable housing options have led to a rise in homelessness in the region, including within the City of Escondido. People experiencing homelessness are more likely to successfully transition to permanent housing when provided with easily accessible support services such as health, substance abuse, education, job training, and case management, in addition to affordable housing.

2. Hotels and motels exist throughout the City in commercial and residential areas. Through adoption of companion City Council Resolution No. 2021-109, the City Council formally determined that Proposition S is not applicable to the rezoning of nonresidential zoning designations to residential zoning designations. As such, hotels and motels in nonresidential zones are not precluded from conversion to residential uses by Proposition S.
3. The conversion of existing hotels and motels to affordable housing requires substantially less time and cost than new development of affordable housing. The conversion of existing hotels and motels to affordable housing allows for the creation of new housing through adaptive reuse of existing buildings, thereby substantially maintaining the existing scale and character of residential neighborhoods.
4. With the enactment of Senate Bill 2 (SB 2, Statutes of 2017), State law requires cities and counties to treat transitional housing and supportive housing as a residential use and allow transitional and supportive housing in all zones that allow residential uses, subject only to those restrictions that apply to other residential uses of the same type in the same zone.

Transitional housing is defined by section 50801 of the Health and Safety Code. Residents of transitional housing are usually connected to supportive services designed to assist households in achieving greater independence and a permanent, stable living situation. Transitional housing can take several forms, including group quarters with beds, single family homes, and multi-family apartments; and typically offers case management and support services to help return people to independent living (often six months to two years). Transitional housing can be provided through group quarters with beds, single-family homes, single-occupancy units, and multi-family units. Transitional housing is a time-limited housing intervention that provides homeless individuals and families with the interim stability and support to successfully move into and maintain permanent housing, typically within a period of 6 to 24 months. This housing solution is often most suitable for individuals and families who are experiencing homelessness for economic reasons, and require safe and affordable shelter on an interim basis while they stabilize and seek a more long-term housing solution.

Supportive housing is defined by section 50675.14 of the Health and Safety Code. Supportive housing, with no limit on stay, links the provision of housing and social services for the vulnerable populations, like the homeless, people with disabilities, and a variety of other target populations. Similar to transitional housing, supportive housing can take several forms, including group quarters with beds, single-family homes, and multi-family units. Supportive housing provides indefinite rental assistance and supportive services to assist homeless persons or target populations achieve housing stability.

Both transitional housing and supportive housing incorporate supportive services such as individual case management, mental health treatment, addiction therapy and vocational training.

5. With the adoption of Proposition 2 at the November 6, 2018, statewide general election, the voters expressly approved of the development of permanent supportive housing pursuant to the No Place Like Home Program (Part 3.9 (commencing with Section 5849.1) of Division 5 of the Welfare and Institutions Code). Pursuant to Government Code section 65656, the Legislature further finds and declares that the provision of adequate supportive housing to help alleviate the severe shortage of housing opportunities for people experiencing homelessness and of necessary services to the target population described in Section 50675.14 of the Health and Safety Code. One way that the Legislature is seeking to develop permanent supportive housing in accordance with programs such as the No Place Like Home Program is by removing zoning barriers that would otherwise inhibit that development.
6. Hotels and motels present a unique opportunity to utilize existing structures to respond to immediate housing need. These buildings are structurally similar to residential buildings, and have the potential to be quickly adapted to provide housing through publicly-funded programs. Today, individual rooms in hotels and motels are often used as a form of transient guest housing accommodation, and there is increasing interest in converting entire properties to transitional housing and/or supportive housing.
7. The term "Single-room occupancy" (SRO) is recommended to be added to the set of definitions for the Zoning Code because this unit type is most likely to be the product of hotel or motel conversions. While SRO dwellings are typically a more affordable type of housing, it doesn't necessarily mean that they're income restricted. In recent years, changing demographics and preferences have led to the development of market-rate SROs for those who simply prefer to live alone without the burden of maintaining amenities like kitchen and/or bathroom facilities. Market-rate projects could be a good fit for single professionals who spend the majority of their time outside of their homes, or for seniors who still live independently but wish to downsize.
8. To qualify for a hotel or motel conversion to housing, which may include group homes or quarters, SRO units, or multi-family housing, the proposed housing development would have to comply with applicable, objective General Plan, Zoning, and subdivision standards. It is the responsibility of the applicant for a building permit or other license, authorization or permit issued by the City to ensure that any construction, alteration, or conversion of property for hotel or motel use conforms to the General Plan and other planning and zoning laws.
9. Supportive housing and transitional housing shall be treated as comparable to any other residential unit to satisfy the overriding goal to integrate homeless persons

or target populations in all communities, consistent with Government Code section 65008(2)(d) ([prohibits imposition of different requirements on a residence intended for occupancy by a protected class or by persons of very low-, low-, moderate-, or middle-income, other than those generally imposed upon other residences].) Any identified concerns can be addressed by the same occupancy limits and zoning enforcement tools that are used for other residential projects.

10. The terms and limitations of the proposed ordinance and allowance to convert hotels and motels, do not act as an override and must be read and applied consistent with other statutory requirements such as CEQA. Appropriate CEQA documents would be prepared after a specific project scope is defined but prior to consideration of approval of any land use development application.
11. The proposed ordinance is consistent with the General Plan goals and policies related to housing choices and diversity, adequate and affordable housing, infill development, smart growth, and neighborhood character. The proposed ordinance would be consistent with the goals and policies of the General Plan because they address they advance a number of land use goals and policies. Goal 2 et. seq. policies of the Land Use and Community Form Element addresses the need for regulations that clearly and effectively implement land use development goals and objectives. This Project is based on establishing new standards for hotel and motel conversions to reflect current values. The proposed ordinance is also consistent with Policy 4.2 of the same element for neighborhood maintenance and preservation since the Project seeks to focus new housing in existing commercial areas, served by transit and close to goods and services, thereby protecting residential neighborhoods and community character from the encroachment of higher density uses. The Project also advances goals and policies that enumerate housing opportunities or housing for a range of households with different income levels.
12. The action to amend the Zoning Code is based on factors pursuant to Section 33-1263 of the Escondido Zoning Code. Cities from time to time make significant efforts to tailor their city's ordinances to create a local community that develops in a way that the local policy-makers desire. Cities use their "police power" to create laws that promote the general health, safety, and welfare of its citizens. The public health, safety, and welfare of the City of Escondido would not be adversely affected by the proposed ordinance because:
 - There is a need for a diversity of housing solutions to address the varying needs of people experiencing homelessness and this Project effectively implements selected long-term objectives related to housing.
 - Transitional housing or supportive housing can take several forms related to hotel or motel conversions, including group homes or quarters with beds, SRO units, or multi-family units.

- The draft ordinance addresses site and building design issues to ensure land use compatibility is achieved, neighborhoods are preserved, and community character is protected. Land use compatibility and its goals should be promoted through proactive planning and zoning techniques (e.g., focused infill planning, zoning/rezoning, revised regulations, provision of infrastructure) for infill development, reuse, and growth in existing urbanized areas to enhance community character, optimize City investments in infrastructure and community facilities, support increased transit use, promote pedestrian- and bicycle-friendly neighborhoods, increase housing diversity, ensure integrity of historic districts, and enhance retail viability.
- Hotels and motels and the types of uses that would result from conversions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.
- The conversion or closure of a hotel or motel requires a separate permit issued by the Planning Division. Requiring a discretionary review process prior to approval of conversions of hotels and motels allows for public participation and an opportunity to provide flexibility from development standards while imposing project-specific conditions of approval to reduce potential impacts to residents and businesses within the vicinity of a potential hotel or motel conversion.

PL 21-0228

MUNICIPAL AND ZONING CODE AMENDMENT

SECTION I.

Repealing in its entirety, the “qualifying rental agreement” definition in section 25-75 of Chapter 25 Taxation, Article 4 (Transient Occupancy Tax), of the Escondido Zoning Code and adopting in full new text to read as specified below.

Qualifying rental agreement shall mean and is limited to a written contract signed by both the operator and tenant, legally enforceable by either party, for a rental period of not less than 31 consecutive days. “Qualifying rental agreement” shall expressly exclude: (1) any agreement regardless of length of the rental term that may be terminated for any reason by either party or by mutual consent prior to the 31st consecutive day of the tenancy; or (2) any agreement that would constitute a violation of law. Any person who has a written agreement with the operator, entered into within the first 30 days of the person's occupancy, that states that the person will stay for more than 30 consecutive calendar days, must pay TOT for the first 30 days of the person's stay in accordance with this Chapter.

SECTION II.

Add the following new text to Chapter 33 Zoning, Article 1 (General Provisions and Definitions)

Sec. 33-8. Definitions

Single Room Occupancy (SRO) Unit means a living or efficiency unit, as defined by California Health and Safety Code section 17958.1, intended or designed to be used as a primary residence for a period of more than 30 consecutive days. Each SRO unit consists of one combined living and sleeping room with a closet, and may contain either a kitchen or separate private bathroom, but not both. The kitchen or bathroom, if not contained within the individual unit, shall be provided as a common facility within the same structure and shall be shared with the tenants of other SRO units within the same structure. An SRO may include an office for the purpose of managing the SRO units and common facilities. An SRO may include one self-contained dwelling unit with kitchen and bathroom facilities for a caretaker.

SECTION III.

Add the following new definition to Chapter 33 Zoning, Article 63 (Transient Lodging Facilities)

Sec. 33-1341. Definitions

“Hotel Conversion” is any action that converts any building or structure used for transient lodging in which there are five or more transient guest rooms by either (1) a change of use to a commercial, industrial, or other non-residential use; (2) a change of use to a group home or quarters, single-room occupancy (SRO) units, multi-family housing, or a combination thereof, that may be utilized for supportive housing, transitional housing, or other types of housing; (3) a conversion to a condominium, cooperative, or similar form of ownership; or (4) a discontinuance of transient occupancy or closure of transient lodging that changes the use for a purpose other than transient lodging operations. Such a conversion of any of the above may affect an entire building or structure used for transient lodging, or any portion thereof.

SECTION IV.

Chapter 33 Zoning, Article 63 (Transient Lodging Facilities) - Adopting in full new text to read as specified below.

Section 33-1348. Hotel Conversions.

(a) Purpose. The specific purpose of the hotel conversion procedure is to ensure that any conversion of transient lodging to other uses is preceded by adequate notice, and to allow for the conversion of existing hotels, motels, and other transient lodgings to various types of land uses, while providing for the review of the configuration, design, location, and potential impacts of the proposed use in order to evaluate the suitability of a new or converted use to the site.

(b) Applicability.

(1) Permit required. In addition to any other necessary discretionary land use permit that may be required, a Hotel Conversion Permit (Plot Plan Permit) is required in order to authorize the conversion of hotels, motels, and other transient lodgings to another use, and may be approved for any use classification permitted or conditionally permitted in the base district in any zoning district in which an existing hotel or motel is located. To qualify for a hotel or motel conversion to housing, the land development request or

- proposed housing development would have to comply with applicable, objective General Plan, zoning, and subdivision standards.
- (A) No application to construct a new use on the property shall be accepted for processing or approved, unless the proposed land use development application is in conformance with this section and a Hotel Conversion Permit is first obtained.
 - (B) No building permit or other license, authorization, or permit shall be construed to allow any action in contravention of this section, and any license, authorization, or permit obtained that purports to allow any action in contravention of this section shall be void.
 - (C) Regulations Non-Exclusive. The provisions of this chapter regulating Hotel Conversions are not intended to be exclusive, and compliance therewith shall not excuse noncompliance with any other provisions of the Municipal Code or any other regulations pertaining to the operation of businesses as adopted by the City Council of the City of Escondido
- (2) Zoning Districts. Existing hotels and motels in all zoning districts, as well as those located in Specific Plan areas, may be permitted to be converted provided the conversion is found consistent with all applicable standards provided in this section.
- (c) Authority.
- (1) The director, or director's designee, shall have the authority to grant, conditionally grant, or deny a hotel conversion Permit application for any use that is permitted in the zoning district. For projects including other discretionary actions that must be approved at a higher level than the director (such as by the Planning Commission or City Council), the design review permit will also be decided upon at that higher level.
 - (2) The conversion of hotels, motels, and other transient lodgings to any other use that is conditionally permitted in the same zoning district shall be reviewed and considered by the Planning Commission through the issuance of a Major Conditional Use Permit.
 - (3) A Hotel Conversion Permit application that requires concurrent review and approval of a zone change or other discretionary action at a higher level than the director or Planning Commission shall require the review by the Planning Commission, which shall forward a recommendation to the City Council for final action.

- (d) Permit administration. At the time a new hotel conversion is requested in any existing building or structure, a Hotel Conversion Permit application package shall be submitted to the planning division, together with the applicable application fee as established by the City Council.
- (1) Application requirements. An application for a hotel conversion shall be filed in compliance with section 33-1315 (Authorization, Procedure, and Modification) in the same manner as a Plot Plan Permit.
- (2) Hotel Conversion projects shall be allowed to convert to any land use or activity as provided in any permitted and conditionally permitted Principal Use Matrix in the base district in any zoning district in which an existing hotel or motel is located. Hotel conversion projects shall comply with all applicable requirements of the General Plan, Zoning Code, specific plans, area plans, City design standards, building and safety requirements, and other applicable City standards. No hotel conversion project shall be granted a permit unless the following requirements are satisfied:
- (A) Demand analysis and mitigation as specified in section 33-1125 for a change of use to a commercial, industrial, or other non-residential use; for a conversion to a condominium, cooperative, or similar form of ownership; or for other changes of the use for a purpose other than transient lodging operations.
- (B) Compliance with section 6-457 (Other Fees and Exactions for Public Services), if otherwise applicable, for a change of use to group home or quarters, SRO units, multi-family housing, or combination thereof that may be utilized for supportive housing, transitional housing, or other types of housing provisions.
- (C) The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.
- (D) The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
- (E) The design, location, operating characteristics, and size of the proposed use, including any proposed increase in floor area, room/unit count, or height is consistent with the provisions of this ordinance and the implementation of which would be compatible with the existing land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.

- (3) Project review, notice, and hearing.
- (A) Each application shall be analyzed to ensure the application is consistent with the purpose and intent of this section.
 - (i) Expedited Processing of Plans and Permits. Projects providing affordable housing, including affordable housing for seniors and/or target populations, will receive expedited processing as currently available.
 - (B) City staff shall submit a staff report and recommendation to the decision-maker for consideration on a Hotel Conversion Permit.
 - (C) The applicant shall be provided with a list of applicable conditions. In approving a Hotel Conversion Permit, the applicable review authority may impose conditions (e.g., landscaping and maintenance, lighting, off-site improvements, parking, performance guarantees, property maintenance, signs, surfacing, time limits, traffic circulation) deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by this section, and to preserve the public health, safety, and general welfare.
 - (i) The City Council may find that there is substantial evidence to support a finding that the imposition of conditions would result in an extreme economic hardship for the applicant for an affordable housing project, including affordable housing projects for seniors and/or target populations. An extreme economic hardship does not exist where the cost of implementing the conditions would merely deny the applicant the maximum profits that could be realized from the hotel conversion.
 - (ii) If the City Council determines that the conditions would result in extreme economic hardship for the applicant, the City Council may waive or modify any conditions that would otherwise be necessary to enable the City Council to make the findings required. Such conditions may be waived or modified only to the extent minimally necessary to alleviate such extreme economic hardship.
- (4) Findings and Decision. The applicable review authority may approve, conditionally approve, or disapprove an application for a Hotel Conversion Permit. The review authority may approve a Hotel Conversion Permit only after first finding that the hotel or motel proposed for conversion was legally constructed and is currently a legal or legally nonconforming use and the project represents successful implementation of this section, and complies with all other applicable provisions of local and state law.

- (i) For hotel conversion projects under the purview of the director, the director's written decision and conditional letter of approval shall be filed in the Planning Division and a copy provided to the applicant at the address shown on the application. The applicant must sign and return the conditional letter of approval, thereby agreeing to the conditions of approval, prior to submittal of applications for construction permits.
 - (ii) For hotel conversion projects under the purview of the Planning Commission or the City Council, the applicable review authority shall conduct a public hearing on an application for a Hotel Conversion Permit before the approval or disapproval of the Permit.
- (5) Post approval procedures. The procedures relating to appeals, changes, expiration, performance guarantees, and revocation that are identified in the Zoning Code shall apply following the decision on a Hotel Conversion Permit application.
- (e) Development Standards and Land Use Regulations. Development regulations shall be those of the base district in any zoning district in which an existing hotel or motel is located to ensure that hotel conversions may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. Exceptions to the development standards and land use regulations of any zoning district as enumerated in this subsection shall be provided to incentivize the reuse of hotel, motels, and other transient lodgings for group home or quarters, SRO units, multi-family housing, or combination thereof. When there are General Plan, Zoning Map, or specific plan amendments contemplated or under study as part of the hotel conversion request, the City may apply additional terms, limitations, or conditions to the application request so that the use more closely aligns with applicable, objective General Plan and zoning standards.
 - (1) Minimum lot size. There shall be no applicable minimum lot width, depth, or total lot size for hotel and motel conversions.
 - (2) Residential density. The resulting number of residential units after the conversion shall be no greater than the number of guest rooms in the existing hotel or motel.
 - (3) General unit size and building requirements.

- (A) The general building and occupancy standards required in connection with group homes or quarters shall be not less than the amount set forth by Article 6 (Residential Zones) of the Zoning Code
 - (B) The net area of a SRO unit may range from a minimum of 150 square feet to a maximum of 400 square feet, with the average unit size being no greater than 345 square feet.
 - (C) Multi-family units shall meet the general building requirements of Article 6 (Residential Zones) of the Zoning Code. The minimum size of a residential unit resulting from a hotel or motel conversion shall be the same as the minimum size of a SRO.
- (4) General occupancy requirements for group homes or quarters with beds, SRO units, or multi-family units.
- (A) Common open spaces shall be designed to accommodate appropriate furnishings and shall be furnished for use by residents. Appropriate furnishings for indoor spaces may include such items as lounge chairs or couches, tables with chairs, writing desks, and televisions. Outdoor furnishings may include such items as outdoor benches; tables with chairs; barbecues; and shade coverings like arbors, patio covers, garden shelters, or trellises.
 - (B) Laundry facilities must be provided within units or elsewhere on-site. If laundry facilities are provided as a shared provision, a minimum of two washers and two dryers must be provided in a separate room. Additional washers and dryers must be provided for any development that has more than 20 units at the ratio of one washer and one dryer for every 20 units or portion thereof.
 - (C) Common bathrooms must be located on any floor with units that do not have full bathrooms. Common bathrooms shall be either single occupant use with provisions for privacy or multi-occupant use with separate provisions for men and women. Common bathrooms shall have shower or bathtub facilities at a ratio of one such bathroom for every 10 units. Each shared shower or bathtub facility shall be provided with an interior lockable door.
 - (D) Complete common cooking facilities/kitchens must be provided if any unit within the project does not have a kitchen. At least one complete common cooking facility/kitchen shall be provided within the project for every 20 units or portion thereof. One complete common cooking facility/kitchen shall be provided on any floor where units without kitchens are located.
- (5) Floor area ratio. The resulting floor area, as defined in 'Floor Area, Gross' for "all other districts" after conversion shall no more than 110% of the existing

- floor area of the hotel or motel being converted. Floor area added solely for the purpose of complying with the Building Code or life safety requirements shall not be counted for purposes of calculating the floor area ratio.
- (6) Site coverage. There shall be no maximum site coverage applicable for hotel and motel conversions.
- (7) Height. Any increase in height resulting from hotel and motel conversions shall comply with the maximum height set forth in the underlying zoning district. The conversion of any existing hotel or motel to affordable housing pursuant to this subsection shall not result in loss of legally nonconforming status with regard to building height.
- (8) Setbacks. Hotel and motel conversions shall not be subject to the setback requirements of the underlying zoning district. The conversion of any existing hotel or motel to affordable housing pursuant to this subsection shall not result in loss of legally nonconforming status with regard to setbacks.
- (9) Common areas and open space. All hotel and motels conversion shall include common areas with amenities such as seating, tables, barbecues, recreation areas or other related amenities. The size and nature of these common areas shall be approved by the reviewing authority pursuant to a Hotel Conversion Permit.
- (A) Not less than 50 square feet of usable common areas and open space area shall be provided for each SRO unit. Group homes or quarters and multi-family units shall meet the general building and occupancy standards for open space areas.
- (B) Shared bathrooms, laundry rooms, or kitchens shall not be considered as open space areas.
- (10) Landscaping. Minimum landscaped areas shall not be applicable to hotel and motel conversions. Additional landscaping screening shall be provided as necessary to visually buffer the proposed development from surrounding streets and properties, particularly residential properties, and may consist of any combination of landscaping, fencing, or other suitable method. Notwithstanding the foregoing, the maximum height of walls and fences between the front property line and the occupancy frontage for hotel and motel conversions may be increased to six feet, provided that such walls and fences are at least 50% open and are set back a minimum of three feet from the front

property line. The reviewing authority may approve deviations from any wall and fence requirements as part of the issuance of a Hotel Conversion Permit. A decorative masonry wall six feet in height shall be constructed along any common property line between the subject property and any adjoining property containing a single-family use.

(11) Parking.

(A) The number of off-street parking spaces required in connection with any particular land use shall be not less than the amount set forth by Article 39 of the Zoning Code unless modified herein.

- (i) Market rate SRO units shall provide a minimum of one parking space per unit.
- (ii) The parking required for restricted group homes or quarters, SRO units, or multi-family dwelling units to be sold or rented to lower income households or target populations shall not exceed 0.5 parking spaces per unit.
- (iii) If utilized for supportive housing development, consistent with Supportive Housing Law (Government Code sections 65650 – 65656), if the supportive housing is located within 1/2 mile of a public transit stop, no minimum parking requirements shall be applied for the units occupied by supportive housing residents, pursuant to Government Code section 65654.

(B) Guest parking requirements.

- (i) Market rate SRO units shall provide one guest parking space for every eight SRO units (0.125 guest parking spaced per unit).
- (ii) The requirement to provide guest parking is waived for restricted, lower-income affordable dwelling units. Restricted SRO units or multi-family units with more than 30 converted guest rooms shall not be eligible for this waiver provision for the portion of units that exceeds 30 units; and shall provide one guest parking space for every eight SRO units (0.125 guest parking spaces per SRO unit), with a minimum of one guest parking space per project and a maximum of 15 stalls for guest parking.

(C) With the exception of projects that allow only senior residents, projects that have less than one automobile parking space per unit shall provide one easily accessible space for storing and locking a bicycle per unit. For projects that provide one or more parking spaces per unit, at least one bicycle storage space for every three units shall be provided.

(12) Signs. All hotel and motel conversions shall comply with the residential signage provisions of Article 66 (Signs) of the Zoning Code.

- (13) Lighting. All hotel and motel conversions shall comply with the provisions of Article 35 (Outdoor Lighting) of the Zoning Code.
- (14) Affordability. If required as a component of the land use development request, there are two different approaches to maintaining long-term affordability that require signing an Affordable Housing Agreement: 1) the applicant agrees to maintain the designated dwelling unit as affordable for at least 45 years for for-sale units and 55 years for rental units; or 2) the applicant agrees to participate in a "shared equity purchase program." The decision on which approach to use is up to the developer, except where state or federal standards applying to a given project require specific affordability periods. Under the long-term affordability program, the housing must remain affordable for at least 45 years for for-sale units and 55 years for rental units, from the original date of sale or rental. Affordability terms are secured by an affordable housing agreement, which shall be in a form approved by the City Attorney and recorded on the property prior to or concurrent with the initial occupancy (for rental units) or sale of the property.

SECTION V. Clerical Tasks.

The City Clerk is hereby authorized and directed to change any chapter numbers, article numbers, section and page numbers in the event that the adoption of this Municipal Code and Zoning Code amendment reveals that there is a conflict, in order to avoid confusion and possible accidental repeal of existing provisions.

MOBILEHOME RENT REVIEW BOARD

Public Hearing Item No. 8

July 14, 2021

File No. 0697-20-10285

SUBJECT: Short-Form Rent Increase Application for Carefree Ranch Mobilehome Park (File No. 0697-20-10285)

DEPARTMENT: Community Development Department, Housing & Neighborhood Services Division

RECOMMENDATION:

Consider the short-form rent increase application submitted by Carefree Ranch and if approved, adopt Rent Review Board Resolution No. RRB 2021-03.

BACKGROUND:

On June 8, 1988, the voters of the City of Escondido (“City”) approved an initiative Ordinance to enact Mobilehome Rent Control (Proposition K). Under Proposition K, if a park owner wants to increase rent, it must first obtain approval from the Mobilehome Park Rent Review Board (“Board”). As prescribed by the Ordinance, the Escondido City Council sits as the Rent Review Board. To request an increase, the park owner must file an application with the City.

At a public hearing, eleven nonexclusive factors are considered: (1) changes in the Consumer Price Index (“CPI”); (2) the rent charged for comparable mobilehome spaces in Escondido; (3) the length of time since the last rent increase; (4) the cost of any capital improvements related to the spaces at issue; (5) changes in property taxes; (6) changes in any rent paid by the park owner for the land; (7) changes in utility charges; (8) changes in operating and maintenance expenses; (9) the need for repairs other than for ordinary wear and tear; (10) the amount and quality of services provided to the affected tenant; and (11) any lawful existing lease. (Escondido Municipal Code section 29-104(g)). Over time, this application became known as the “Long-form” application.

In 1997, the Board adopted changes to the Guidelines that allow for a “Short-form” application that focuses on the change in the CPI. As of June 24, 2020, a park owner may request up to 90% of the change in the CPI for a maximum of a two-year period in a short-form hearing. The Board must presume an increase up to 90% of the CPI is fair, just and reasonable, but may consider other factors found in Escondido Municipal Code section 29-104(g) to depart downward from that amount. Additionally, a short-form application must apply to 100% of all spaces in the park that are subject to rent control.

INTRODUCTION:

Carefree Ranch (“Park”), located at 211 N. Citrus Avenue, has filed a short-form rent increase application. The Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines. The application

and the staff report have been made available to the Board for review and consideration prior to the hearing.

THE RENT INCREASE APPLICATION:

Carefree Ranch is a senior park with a total of 184 spaces with 56 spaces subject to rent control. The Park is requesting an increase for the 56 rent controlled spaces. The other spaces not included in this application are on long-term leases, occupied as rentals or by management, or are vacant. The amenities available for the residents include a furnished clubhouse with kitchen, a pool with spa, shuffleboard court, a guesthouse, exercise room, library and coin laundry facilities.

PARK OWNER'S REQUEST:

The Park is requesting an increase of 90% of the change in CPI for the period of December 31, 2019, to December 31, 2020. Ninety percent of the change in the CPI for the period of consideration is 1.528%. The average monthly rent for the residents that are affected by this application is \$469.09. The average monthly increase requested for the ten spaces is \$7.17 per space, per month.

This is the twenty-fourth rent increase request filed by this Park since the Ordinance was implemented. The last increase was granted in July 2019 for an average amount of \$14.40 per space, per month.

RESIDENT MEETING AND COMMENTS:

Individual notices were sent to each affected resident notifying them of the rent increase application and the hearing date. The notice included information about a resident meeting scheduled at the Park's clubhouse on June 14. One resident, Park management and City staff attended the meeting. The application and the short-form hearing procedures were discussed with the resident in attendance. Wayne Louth volunteered to act as the resident representative. No code issues were reported during the resident meeting, nor before or at the inspection. Management and the resident representative were encouraged to meet to discuss conditions at the park and resolve any management issues.

CODE ENFORCEMENT INSPECTION:

An inspection of the common areas of the Park by the Code Enforcement Division found three lighting violations and two health and safety violations. A copy of the Code Report ("Report") is attached as Attachment "A." The owner, resident manager and resident representative received a copy of the Report. No rent increase may take effect until all code violations are corrected.

ADDITIONAL FACTORS AFFECTING THE APPLICATION:

In conformance with the Rent Review Board Guidelines, the decision of the Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing. The Notice of

Short-Form Rent Increase Application for Carefree Ranch Mobilehome Park
July 14, 2021
Page 3

Determination will be mailed to the applicant and effected residents immediately upon adoption of the Resolution. The 90-day notice of any rent increase granted may be sent to the residents upon the adoption of the Resolution.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Adam Finestone, City Planner

07/07/21 5:32 p.m.


ATTACHMENTS:

1. Attachment "1" - Code Inspection Report
2. Rent Review Board Resolution No. 2021-03



DATE: JUNE 15, 2021

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE RENT CONTROL BOARD

FROM: TERRY WILSON, CODE ENFORCEMENT MANAGER 

SUBJECT: CAREFREE RANCH MOBILEHOME PARK RENT CONTROL

Carefree Ranch Mobilehome Park was inspected on June 15, 2021, with the lighting inspection conducted the prior evening. The code enforcement inspection is required as part of the mobile home park's rent control application process. Two general park violations and three lighting violations were found and noted in the attached inspection report.

The resident meeting was held June 14, 2021 and was attended by one resident, a park manager and two city staff. The resident, who attended the meeting, accepted the park resident position and he completed the required paperwork. There were no code issues brought forth in the meeting and there were no code enforcement cases in this park during the past year.

Cc: Mike Strong, Director of Community Development
Belinda Rojas, Rent Control Administration



June 15, 2021

MOBILEHOME PARK RENT CONTROL
CODE ENFORCEMENT INSPECTION REPORT

Park Name: Carefree Ranch Mobile Home Park
211 N. Citrus Ave.
Escondido, CA. 92027

Park Owner: Carefree Ranch LLC
C/o Bart J. Thomsen
8 Pinehurst Ln.
Newport Beach, CA. 92660

Park Manager: Jim Younce **Phone:** (760) 207-9727

Inspection Date: 6/15/2021 **Inspector:** Stephen Jacobson

The following report is based on the inspection of the mobile home park conducted under provisions outlined in the California Code of Regulations, Title 25, Division I, Chapter 2 and the Escondido Zoning Code, Article 45. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owners and managers of the par

General Violations:

1. There are overgrown bushes encroaching into the roadway on the south end of the park. **25 CCR 1608 (J)**
2. There are overgrown tree branches blocking the light on the light post by space 231. **25 CCR 1608 (J)**

Carefree Ranch Mobile Home Park
2021 Rent Control Inspection Report
Page 2

Areas of the park requiring illumination per 25 CCR 1108:

(Lighting Inspection conducted the evening of 6-14-2021)

1. Repair or replace the three inoperable park lights by spaces 7, 9 & 11.

RESOLUTION NO. RRB 2021-03

A RESOLUTION OF THE ESCONDIDO
MOBILEHOME RENT REVIEW BOARD
MAKING FINDINGS AND GRANTING A RENT
INCREASE FOR CAREFREE RANCH
MOBILEHOME PARK

(File Number: 0697-20-10285)

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a short-form Rent Increase Application was filed pursuant to Section 12 of the Rent Review Board Guidelines and accepted on May 27, 2021, by Bart Thomsen/Carefree Ranch LLC, the owner of Carefree Ranch Mobilehome Park ("Park"). The Park is located at 211 N. Citrus in Escondido. The rent increase applies to 56 of the 184 spaces in the Park; and

WHEREAS, this is the twenty-fourth rent increase application filed by the Park since the Ordinance became effective in 1988. The last rent increase was granted by the Board at a Rent Review Board Hearing held on July 17, 2019, and formally adopted by Rent Review Board Resolution 2019-03. The increase requested was for 2.783%, or approximately \$14.40 per space, per month; and

WHEREAS, at the time of the current application, the average monthly space rent was \$469.09 for the 56 spaces subject to rent control. The Park owner requested a rent

increase based on 90% of the change in the Consumer Price Index (CPI) for the period of December 31, 2019, through December 31, 2020, in accordance with the Rent Review Board short-form policy guidelines. The application estimated this amount to be an average of \$7.17 (1.528%) per space, per month; and

WHEREAS, a notice of the Park's Rent Increase Application was sent to all affected homeowners. All parties were given notice of the time, date and place of the rent hearing before the Board; and

WHEREAS, on June 15, 2021, a Mobilehome Park Rent Control Code Enforcement Inspection Report ("Inspection Report") was completed. The Inspection Report noted three Lighting and two Health and Safety Code violations in the common areas of the Park; and

WHEREAS, on July 14, 2021, the Board held its public hearing. After an initial presentation, the Board invited testimony from Park ownership, residents of the Park and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members and clarifying questions to the parties and Staff, the Board voted to grant an average rent increase of \$7.17 per space, per month, for the 56 spaces receiving rent increases under this application,

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.
2. That the Board has heard and considered all of the reports and testimony

presented, and has considered the facts as outlined in the short-form Guidelines (“Guidelines”).

3. That following the Guidelines, an increase based on 90% of the change in the Consumer Price Index (CPI) for San Diego County from December 31, 2019, through December 31, 2020, amounted to 1.528%, which averaged \$7.17 per space, per month, for the 56 spaces subject to rent control.

4. The Board concluded that an average increase of \$7.17 per space, per month, is consistent with the Guidelines, and is a fair, just, and reasonable increase in light of the information presented by all parties.

5. That the increase may not be implemented until after the health and safety code violations noted in the Inspection Report have been corrected, signed off, and are in compliance with the various state and local code sections as noted in the Inspection.

6. That the increase may be implemented upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.

CITY COUNCIL STAFF REPORT

Current Business Item No. 9

July 14, 2021

File No. 0600-10, A-3371, A-3372

SUBJECT: Recycled Water Easterly Agriculture Distribution System Project: Bid Award, Consulting Agreements, and Budget Adjustment

DEPARTMENT: Utilities Department, Construction and Engineering Division

RECOMMENDATION:

It is requested that the City Council:

- 1) Adopt Resolution No. 2021-95, authorizing the Mayor to execute a Public Improvement Agreement in the amount of \$5,883,214 with S.C. Valley Engineering, Inc., the lowest responsive and responsible bidder, for construction of the Recycled Water Easterly Agriculture Distribution System Project ("Project"); and
- 2) Adopt Resolution No. 2021-96, authorizing the Mayor to execute a Third Amendment to the Consulting Agreement with Water Synergy, Inc., in the amount of \$126,664, for engineering services during construction of the Project; and
- 3) Adopt Resolution No. 2021-97, authorizing the Mayor to execute a Consulting Agreement in the amount of \$1,172,787 with Reilly Construction Management, Inc., for construction management services for the Project; and
- 4) Approve a budget adjustment in the amount of \$3,000,000.

FISCAL ANALYSIS:

The Project, Capital Improvement Project ("CIP") No. 801507, currently has funds available in the amount of \$5,413,093. A budget adjustment in the amount of \$3,000,000. is requested to fully fund the Project. The total budget for this CIP includes funding for the public improvement agreement for construction, consulting agreements, contingencies for the agreements, construction water, staff time, and other small low dollar value agreements for the Project that do not require Council approval. Any funds remaining after the Project is completed will be returned to the unallocated Wastewater Reserves.

PREVIOUS ACTION:

On May 6, 2015, the City Council adopted Resolution No. 2015-40, authorizing the Director of Utilities to submit Financial Assistance Applications to the State Water Resources Control Board, Division of Financial Assistance, State Revolving Fund ("SRF") for the Recycled Water Easterly Agriculture Distribution System. On September 23, 2015, the City Council adopted Resolution No. 2015-159, authorizing repayment of this loan once the pending applications were approved by the State and fund disbursement was approved by the City Council.

Recycled Water Easterly Agriculture Distribution System Project: Bid Award, Consulting Agreements, and Budget Adjustment

July 14, 2021

Page 2

On June 17, 2015, a consulting agreement with Water Synergy, Inc. was executed for Project design in the amount of \$88,080. On June 4, 2018, a first amendment with Water Synergy, Inc. was executed in the amount of \$9,920. On March 2, 2021, a second amendment with Water Synergy, Inc. was executed for Project design in the amount of \$20,800.

On January 13, 2016, the City Council adopted Resolution No. 2016-10, authorizing an increase to the loan requested from the SRF (from \$3.3 million to \$4.3 million), and authorizing repayment of the increased loan once the pending loan applications were approved by the State.

On December 20, 2018, the Escondido Zoning Administrator adopted the Initial Study/Mitigated Negative Declaration for the Project.

On July 15, 2020, the City Council adopted Resolution No. 2020-56, authorizing the Director of Utilities to execute an Installment Sale Agreement in the amount of \$4.3 million from the SRF for the Recycled Water Easterly Agriculture Distribution System Project.

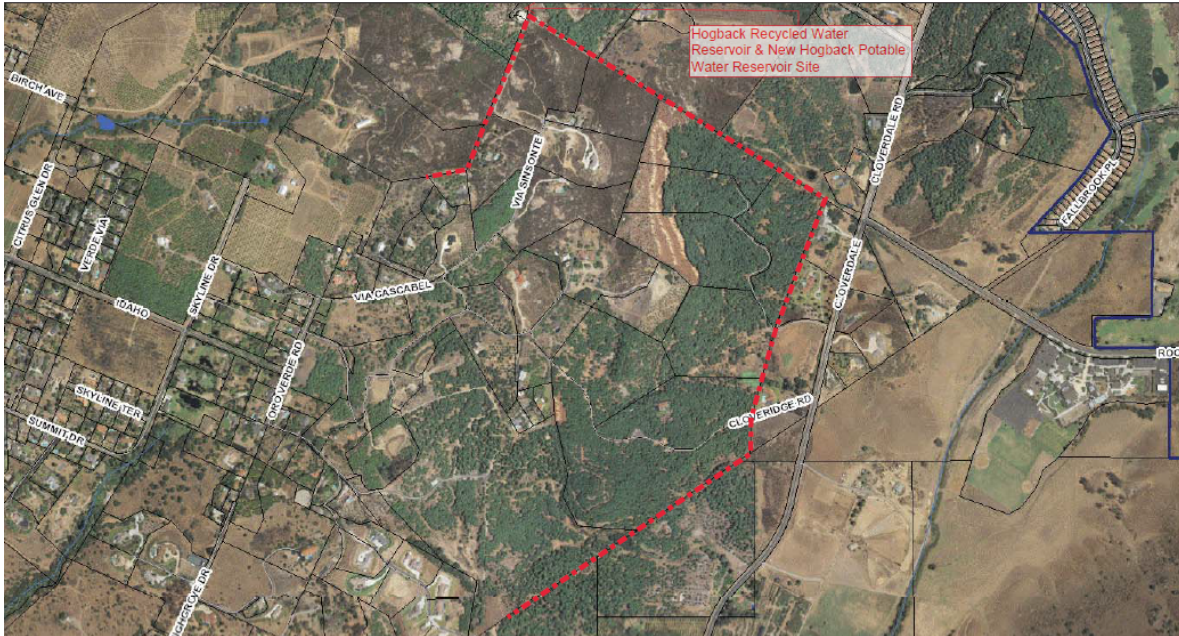
BACKGROUND:

The Project will extend recycled water pipelines from the Hogback Reservoir to the south and east to agricultural growers, connecting growers to the City's recycled water system. The Hogback Reservoir was converted to recycled water with the recently completed Recycled Water Easterly Mains and Tanks Project.

The Project will construct and install the following:

- approximately 9,400 feet of High Density Polyethylene (HDPE) pipelines ranging from 8-inches to 20-inches in diameter;
- approximately 400 feet of ductile iron pipelines ranging from 10-inches to 20-inches in diameter installed on steel pipe bridges;
- four 3-inch service meter connections;
- six 4-inch service meter connections; and
- a 20-inch pressure reducing valve.

The Project is located within existing easements on private properties in the County of San Diego, in the eastern portion of the City of Escondido's water service area. The pipeline alignment is shown in the map below.



The Engineer's estimate for this project was \$4,200,000.

Competitive bids were opened by the City Clerk on June 17, 2021, with the following results:

1)	S.C. Valley Engineering, Inc., El Cajon, CA	\$5,883,214.00
2)	MNR Construction, Inc., La Verne, CA	\$6,383,880.00
3)	CCL Contracting, Inc., Escondido, CA	\$6,802,038.00
4)	Ortiz Corporation, National City, CA	\$7,961,679.76
5)	J.R. Filanc Construction Company, Inc., Escondido, CA	\$8,292,170.00

Staff has thoroughly reviewed the low bid submitted by S.C. Valley Engineering, Inc., and has determined that they are the lowest responsive and responsible bidder.

The Utilities Department recommends retaining Reilly Construction Management, Inc., a third-party construction manager, to manage the Project under the supervision of City staff. Proposals were solicited from three firms specializing in management of water pipeline construction. Reilly Construction Management, Inc. was selected based on their extensive experience successfully managing similar complex construction projects. The contract for construction management services includes:

- full time construction inspections;
- conducting construction meetings;
- managing construction documentation, including adherence to SRF requirements;
- facilitation of partnering sessions;

Recycled Water Easterly Agriculture Distribution System Project: Bid Award, Consulting Agreements,
and Budget Adjustment

July 14, 2021

Page 4

- geotechnical support and special inspection services, such as welding and material testing;
- biological and cultural monitoring; and
- claim support.

The Utilities Department recommends retaining Water Synergy, Inc. to provide engineering services during the construction phase of this project. As the designer of record, Water Synergy, Inc. has the required technical knowledge and expertise to provide these engineering services for the Project. The contract for engineering services includes:

- responding to contractor requests for information (RFI's);
- responding to design clarifications;
- attending construction field meetings;
- reviewing and approving submittals and shop drawings;
- reviewing change order requests; and
- preparing record drawings.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Angela Morrow, Deputy Director of Utilities / Construction and Engineering

07/07/21 4:51 p.m.

ATTACHMENTS:

1. Attachment "1" – Budget Adjustment
2. Resolution No. 2021-95
3. Resolution No. 2021-95 – Exhibit "A": Bid Award Recycled Water Easterly Agriculture Distribution System Project
4. Resolution No. 2021-96
5. Resolution No. 2021-96 – Exhibit "A": Engineering Services Recycled Water Easterly Agriculture Distribution System Project
6. Resolution No. 2021-97
7. Resolution No. 2021-97 – Exhibit "A": CM Services Recycled Water Easterly Agriculture Distribution System Project

RESOLUTION NO. 2021-95

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE MAYOR TO EXECUTE,
ON BEHALF OF THE CITY, A PUBLIC
IMPROVEMENT AGREEMENT WITH S.C.
VALLEY ENGINEERING, INC., FOR THE
CONSTRUCTION OF THE RECYCLED
WATER EASTERLY AGRICULTURE
DISTRIBUTION SYSTEM PROJECT

WHEREAS, the Escondido City Council authorized an invitation for bids for the construction of the Recycled Water Easterly Agriculture Distribution System Project (the "Project"); and

WHEREAS, the Project will construct new recycled water pipelines from the existing Hogback Reservoir to agricultural growers; install new recycled water meter service connections; a 20-inch pressure reducing valve; and

WHEREAS, the City of Escondido ("City") opened sealed bids for the Project on June 17, 2021; and

WHEREAS, City staff thoroughly reviewed the low bid submitted by S.C. Valley Engineering, Inc., and have determined that it is the lowest responsive and responsible bidder; and

WHEREAS, the Deputy City Manager / Director of Utilities has determined S.C. Valley Engineering, Inc., to be the lowest responsive and responsible bidder and recommends awarding the bid in the amount of \$5,883,214 to S.C. Valley Engineering, Inc.; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to award this contract to S.C. Valley Engineering, Inc.

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

1. That the above recitations are true.
2. That the Mayor and City Council accepts the recommendation of the Deputy City Manager / Director of Utilities.
3. That the Mayor is authorized to execute, on behalf of the City, a Public Improvement Agreement with S.C. Valley Engineering, Inc. in substantially the same format as Exhibit "A" which is attached hereto and incorporated by this reference, subject to final approval as to form by the City Attorney.



CITY OF ESCONDIDO
PUBLIC IMPROVEMENT AGREEMENT

This Public Improvement Agreement ("Agreement") is made and entered into as of this ____ day of _____, 2021 ("Effective Date"),

Between: CITY OF ESCONDIDO
a California municipal corporation
201 N. Broadway
Escondido, CA 92025
Attn: Angela Morrow
760-839-6290
("CITY")

And: S.C. VALLEY ENGINEERING, INC.
a California corporation
656 Front Street
El Cajon CA 92020
Attn: Samuel H. Wathen
619-444-2366
("CONTRACTOR").

(The CITY and CONTRACTOR each may be referred to herein as a "Party" and collectively as the "Parties.")

WHEREAS, the Parties desire to enter into this Agreement for the performance of work relating to the Recycled Water Easterly Agriculture Distribution System Project ("Project"), occurring on the properties located in the County of San Diego and particularly described in Attachment "A" of this Agreement, which is attached hereto and incorporated by this reference (individually referred to herein as "Property" and collectively "Properties"), as further described herein.

NOW, THEREFORE, in consideration of the mutual covenants, promises, terms, and conditions set forth herein, and the mutual benefits derived therefrom, the Parties hereby agree as follows:

1. Project Documents. The Notice Inviting Sealed Bids/Notice to Contractors, Instructions to Bidders, Bid Form, Designation of Subcontractors, Workers' Compensation Certificate, Change Orders, Shop Drawing Transmittals, Information Required of CONTRACTOR, Non-

collusion Affidavit, Insurance Certificates, Guarantees, General Conditions, Supplementary General Conditions, Special Conditions, Plans, Drawings, Specifications, the Agreement, and all modifications, addenda, and amendments thereto ("Project Documents") are incorporated herein by this reference as if fully set forth herein. The Project Documents are complementary, and what is called for by any one shall be as binding as if called for by all.

2. Description and Performance of Work. CONTRACTOR shall furnish all work described in the Project Documents ("Work"). All Work to be performed and materials to be furnished shall be completed in a good workmanlike manner, free from defects, in strict accordance with the plans, drawings, specifications, and requirements set forth in the Project Documents and all provisions of this Agreement.
3. Compensation. In exchange for CONTRACTOR's completion of the Work, the CITY shall pay, and CONTRACTOR shall accept in full, an amount not to exceed the sum of \$5,883,214 ("Contract Price"). CONTRACTOR shall be compensated only for performance of the Work described in this Agreement. No compensation shall be provided for any other work or services without the CITY's prior written consent.
4. Term and Time of Performance. CONTRACTOR shall commence work within 48 hours from the CITY's notice to proceed. CONTRACTOR shall diligently perform and complete the Work with professional quality and technical accuracy within 448 calendar days from the Notice to Proceed ("Completion Date"). Extension of terms or time of performance shall be subject to the CITY's sole discretion.
5. Time Is of the Essence. If the Work is not completed by the Completion Date, it is understood that the CITY will suffer damage. It being impractical and infeasible to determine the amount of actual damage, in accordance with Government Code section 53069.85, the Parties agree that CONTRACTOR shall pay to the CITY as fixed and liquidated damages, and not as a penalty, the sum of \$1,200 per day for each calendar day of delay until the Work is completed and accepted ("Liquidated Damages Amount"). The Liquidated Damages Amount shall be deducted from any payments due to, or that become due to, CONTRACTOR. CONTRACTOR and CONTRACTOR'S surety shall be liable for the Liquidated Damages Amount.
6. Insurance Requirements.
 - a. CONTRACTOR shall procure and maintain, at its own cost, during the entire term of this Agreement, insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the Work, and the results of such Work, by CONTRACTOR, its agents, representatives, employees, or subcontractors. Insurance coverage shall be at least as broad as the following:
 - (1) *Commercial General Liability.* Insurance Services Office ("ISO") Form CG 0001 11188 covering Commercial General Liability on an "occurrence" basis, including products and completed operations, property damage, bodily injury (including emotional distress), sickness, disease, or death of any person other than the CONTRACTOR's employees, and personal and advertising injury, and damages because of injury or destruction of tangible property, including loss of use resulting there from, with limits no less than \$3,000,000 combined single limit coverage per occurrence for bodily injury and property damage; or, if a general aggregate limit is applicable, either: (i) the general aggregate limit shall specifically apply to the project identified in the bid specifications or to the location of such project which is the

subject of these bid specifications with coverage to be no less than \$3,000,000, or (ii) the general aggregate shall be at least \$3,000,000 combined single limit coverage per occurrence for bodily injury and property damage.

- (2) *Automobile Liability.* ISO Form CA 00 01 covering any auto (Code 1), or if CONTRACTOR has no owned autos, hired (Code 8) and non-owned autos (Code 9), including damages because of bodily injury, death of a person, or property damage arising out of the ownership, maintenance, or use of a motor vehicle, all mobile equipment, and vehicles moving under CONTRACTOR's control and engaged in the Work, with limits no less than \$3,000,000 combined single limit per accident for bodily injury and property damage.
 - (3) *Workers' Compensation.* Workers' Compensation as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limits of no less than \$1,000,000 per accident for bodily injury or disease.
 - (4) *Fire Insurance.* Before the commencement of the Work, the CONTRACTOR shall procure, maintain, and cause to be maintained at the CONTRACTOR's expense, fire insurance on all Work subject to loss or damage by fire and the entire structure on which the Work of this Agreement is to be done to the insurable value thereof. The amount of fire insurance shall be subject to approval by the CITY and shall be sufficient to protect the Work against loss or damage in full until the Work is completed and accepted by the CITY. Should the Work being constructed be damaged by fire or other causes during construction, it shall be replaced in accordance with the requirements of the drawings and specifications without additional expense to the CITY.
 - (5) *Builder's Risk/"All Risk" Insurance.* The CONTRACTOR, during the progress of the Work and until final acceptance of the Work by CITY, shall maintain Builder's Risk/"All Risk," course-of-construction insurance satisfactory to CITY issued on a completed value basis of all WORK pursuant to this Agreement. Coverage is to provide extended coverage and insurance against vandalism, theft, malicious mischief, perils of fire, sprinkler leakage, civil authority, sonic boom, earthquake, collapse, flood, wind, lightning, smoke, riot, debris removal (including demolition), and reasonable compensation for the Engineer's services and expenses required as a result of such insured loss upon the Work, including completed Work and Work in progress to the full insurable value thereof. Such insurance shall include the CITY and the City Engineer as an additional named insured and any other person with an insurable interest designated.
 - (6) If CONTRACTOR maintains broader coverage and/or higher limits than the minimums otherwise required by this Agreement, the CITY requires and shall be entitled to the broader coverage and/or the higher limits maintained by CONTRACTOR.
- b. Each insurance policy required by this Agreement must be acceptable to the City Attorney and shall meet the following requirements:
- (1) *Compliance with General Condition Requirements.* Insurance coverage shall comply with and meet all requirements set forth in Article 5.2 of General Conditions

- (2) *Acceptability of Insurers.* Insurance coverage must be provided by an insurer authorized to conduct business in the state of California with a current A.M. Best's rating of no less than A-:VII, or as approved by the CITY.
- (3) *Additional Insured Status.* Both the Commercial General Liability and the Automobile Liability policies must name the CITY (including its officials, officers, agents, employees, and volunteers) specifically as an additional insured under the policy on a separate endorsement page. The Commercial General Liability additional insured endorsement shall be at least as broad as ISO Form CG 20 10 11 85, or if not available, through the addition of *both* CG 20 10, CG 20 26, CG 20 33, or CG 20 38, *and* CG 20 37 if a later edition is used. The Automobile Liability additional insured endorsement shall be at least as broad as ISO Form CA 20 01.
- (4) *Primary Coverage.* CONTRACTOR's insurance coverage shall be primary coverage at least as broad as ISO CG 20 01 04 13 with respect to the CITY, its officials, officers, agents, employees, and volunteers. Any insurance or self-insurance maintained by the CITY, its officials, officers, agents, employees, or volunteers shall be in excess of CONTRACTOR's insurance and shall not contribute with it.
- (5) *Notice of Cancellation.* Each insurance policy shall provide that coverage shall not be canceled, except with prior written notice to the CITY.
- (6) *Subcontractors.* If applicable, CONTRACTOR shall require and verify that all subcontractors maintain insurance meeting all the requirements stated within this Agreement, and CONTRACTOR shall ensure that the CITY (including its officials, officers, agents, employees, and volunteers) is an additional insured on any insurance required from a subcontractor.
- (7) *Waiver of Subrogation.* CONTRACTOR hereby grants to the CITY a waiver of any right to subrogation that any insurer of CONTRACTOR may acquire against the CITY by virtue of the payment of any loss under such insurance. CONTRACTOR agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this subsection shall apply regardless of whether or not the CITY has received a waiver of subrogation endorsement from the insurer. Any Workers' Compensation policy required by this Agreement shall be endorsed with a waiver of subrogation in favor of the CITY for all work performed by the CONTRACTOR, its agents, representatives, employees and subcontractors.
- (8) *Self-Insurance.* CONTRACTOR may, with the CITY's prior written consent, fulfill some or all of the insurance requirements contained in this Agreement under a plan of self-insurance. CONTRACTOR shall only be permitted to utilize such self-insurance if, in the opinion of the CITY, CONTRACTOR's (i) net worth and (ii) reserves for payment of claims of liability against CONTRACTOR are sufficient to adequately compensate for the lack of other insurance coverage required by this Agreement. CONTRACTOR's utilization of self-insurance shall not in any way limit the liabilities assumed by CONTRACTOR pursuant to this Agreement.
- (9) *Self-Insured Retentions.* Self-insured retentions must be declared to and approved by the CITY.

- c. *Verification of Coverage.* At the time CONTRACTOR executes this Agreement, CONTRACTOR shall provide the CITY with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting the insurance coverage required by this Agreement), which shall meet all requirements under this Agreement. The CITY reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by this Agreement, at any time.
- d. *Special Risks or Circumstances.* The CITY reserves the right, at any point during the term of this Agreement, to modify the insurance requirements in this Agreement, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.
- e. *No Limitation of Obligations.* The insurance requirements within this Agreement, including the types and limits of insurance coverage CONTRACTOR must maintain, and any approval of such insurance by the CITY, are not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by CONTRACTOR pursuant to this Agreement, including but not limited to any provisions within this Agreement concerning indemnification.
- f. *Compliance.* Failure to comply with any of the insurance requirements in this Agreement, including but not limited to a lapse in any required insurance coverage during the term of this Agreement, shall be a material breach of this Agreement. Compliance by CONTRACTOR with the requirement to carry insurance and furnish certificates, policies, Additional Insured Endorsement and Declarations Page evidencing the same shall not relieve the CONTRACTOR from liability assumed under any provision of this Agreement, including, without limitation, the obligation to defend and indemnify the CITY and the City Engineer. In the event that CONTRACTOR fails to comply with any insurance requirement set forth in this Agreement, in addition to any other remedies the CITY may have, the CITY may, at its sole option, (i) immediately terminate this Agreement; or (ii) order CONTRACTOR to stop Work under this Agreement and/or withhold any payment that becomes due to CONTRACTOR until CONTRACTOR demonstrates compliance with the insurance requirements in this Agreement.

7. Indemnification, Duty to Defend, and Hold Harmless.

- a. CONTRACTOR (including CONTRACTOR's agents, employees, and subcontractors, if any) shall indemnify, defend, and hold harmless the CITY, its officials, officers, agents, employees, and volunteers from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies, costs, expenses, liabilities, losses, damages, or injuries, in law or equity, including without limitation the payment of all consequential damages and attorney's fees and other related litigation costs and expenses (collectively, "Claims"), of every nature caused by, arising out of, or in connection with CONTRACTOR's (including CONTRACTOR's agents, employees, and subcontractors, if any) Work pursuant to this Agreement or its failure to comply with any of its obligations contained herein, except where caused by the active negligence, sole negligence, or willful misconduct of the CITY.
- b. CONTRACTOR (including CONTRACTOR's agents, employees, and subcontractors, if any) shall indemnify, defend, and hold harmless the CITY, its officials, officers, agents,

employees, and volunteers from and against any and all Claims caused by, arising under, or resulting from any violation, or claim of violation, of the San Diego Municipal Storm Water Permit (Order No. R9-2013-0001, as amended) of the California Regional Water Quality Control Board, Region 9, San Diego, that the CITY might suffer, incur, or become subject to by reason of, or occurring as a result of, or allegedly caused by, any Work performed pursuant to this Agreement.

- c. All terms and provisions within this Section 7 shall survive the termination of this Agreement.

8. Bonds.

- a. CONTRACTOR shall furnish and deliver to the CITY, simultaneously with the execution of this Agreement, the following surety bonds:
 - (1) *Faithful Performance Bond.* CONTRACTOR shall furnish to the CITY a surety bond in an amount equal to the Contract Price as security for faithful performance of this Agreement.
 - (2) *Labor and Materials Bond.* CONTRACTOR shall furnish to the CITY a surety bond in an amount equal to the Contract Price as security for payment to persons performing labor and furnishing materials in connection with the Project.
- b. All bonds furnished to the CITY pursuant to this Agreement shall be in the form set forth herein and approved by the City Attorney.
- c. All bonds shall be executed by sureties that are named in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal bonds and as Acceptable Reinsuring Companies" as published in Circular 570 (amended) by the Audit Staff, Bureau of Government Financial Operations, U.S. Treasury Department. All bonds signed by an agent must be accompanied by a certified copy of such agent's authority to act.
- d. If the surety on any bond furnished by the CONTRACTOR is declared bankrupt or becomes insolvent or its right to do business is terminated in any state where any part of the Work is located, the CONTRACTOR shall, within seven days thereafter, substitute another bond and surety, which must be acceptable to the CITY. No portion of the Work shall be performed without bonds, in a form and issued by a surety acceptable to the City. If one or more of such bonds shall, at any time, not be in full force and effect, CONTRACTOR shall immediately cease performance of the Work until CONTRACTOR is in full compliance with the bonding requirements of this Agreement and California law. All delays and costs incurred or resulting from such occurrence shall be to the exclusive account of CONTRACTOR. Failure of the CONTRACTOR to promptly cure any failure to have the necessary bonds in full force and effect shall be grounds for immediate termination of this Agreement.
- e. All bonds shall be obtained from surety companies that are duly licensed or authorized in the State of California. Such surety companies shall also meet any additional requirements and qualifications as may be provided in the Supplementary General Conditions.

9. Substitution of Securities. This Agreement is subject to California Public Contract Code section 22300, which permits the substitution of securities for any monies withheld by the CITY to ensure performance of this Agreement. At the request and expense of the CONTRACTOR, securities equivalent to the amount withheld shall be deposited with the CITY, or with a state- or federally-chartered bank in this state as the escrow agent, who shall then pay those moneys to CONTRACTOR. Upon satisfactory completion and acceptance of the Work, such securities shall be returned to the CONTRACTOR.
10. Contractor Default. In the event CONTRACTOR, for a period of 10 calendar days after receipt of written demand from the CITY to do so ("Cure Period"), fails to furnish tools, equipment, or labor in the necessary quantity or quality required by this Agreement, or fails to prosecute the Work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within the Cure Period, fails to continue to do so, then the CITY in its sole discretion may exclude the CONTRACTOR from the Property, or any portion thereof, and take exclusive possession of the Property or any portion thereof, together with all material and equipment thereon, and may complete the Work or any portion of the Work, either by (i) furnishing the necessary tools, equipment, labor, or materials; or (ii) letting the unfinished portion of the work, or any portion thereof, to another contractor; or (iii) demanding the surety hire another contractor; or (iv) any combination of such methods. The CITY's procuring of the completion of the Work, or the portion of the Work taken over by the CITY, shall be a charge against the CONTRACTOR and may be deducted from any money due or to become due to CONTRACTOR from the CITY, or the CONTRACTOR shall pay the CITY the amount of such charge, or the portion thereof unsatisfied. The sureties provided for under this Agreement shall become liable for payment if CONTRACTOR fails to pay in full any such cost incurred by the CITY. The permissible charges for any such procurement of the completion of the Work include actual costs and fees incurred to third party individuals and entities (including but not limited to consultants, attorneys, inspectors, and designers) and actual costs incurred by the CITY for the increased dedication of time of the CITY's employees to the Project.
11. Other Legal Requirements Incorporated. Each and every provision of law and clause required by law to be inserted in this Agreement or its attachments shall be deemed to be inserted herein, and this Agreement shall be read and enforced as though such law or clause were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either Party, the Agreement shall forthwith be physically amended to make such insertion or correction, without further changes to the remainder of the Agreement.
12. Merger Clause. This Agreement, together with its attachments or other documents described or incorporated herein, if any, constitutes the entire agreement and understanding of the CITY and CONTRACTOR concerning the subject of this Agreement and supersedes and replaces all prior negotiations, understandings, or proposed agreements, written or oral, except as otherwise provided herein. In the event of any conflict between the provisions of this Agreement and any of its attachments or related documents, if any, the provisions of this Agreement shall prevail.
13. Attorney's Fees and Costs. In any action to enforce the terms and conditions of this Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and costs.
14. Independent Contractor. CONTRACTOR is an independent contractor, and no agency or employment relationship is created by the execution of this Agreement.

15. Amendment. This Agreement shall not be amended except in a writing signed by the CITY and CONTRACTOR, and pursuant to action of the Escondido City Council.
16. Anti-Waiver Clause. None of the provisions of this Agreement shall be waived by the CITY because of previous failure to insist upon strict performance, nor shall any provision be waived because any other provision has been waived by the CITY, in whole or in part.
17. Severability. This Agreement shall be performed and shall be enforceable to the full extent allowed by applicable law, and the illegality, invalidity, waiver, or unenforceability of any provision of this Agreement shall not affect the legality, validity, applicability, or enforceability of the remaining provisions of this Agreement.
18. 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 any action arising from this Agreement shall be conducted only in the state or federal courts of San Diego County, California.
19. Counterparts. This Agreement may be executed on separate counterparts, each of which shall be an original and all of which taken together shall constitute one and the same instrument. Delivery of an executed signature page of this Agreement by electronic means, including an attachment to an email, shall be effective as delivery of an executed original. The Agreement on file with the City is the copy of the Agreement that shall take precedence if any differences exist between or among copies or counterparts of the Agreement.
20. Provisions Cumulative. The foregoing provisions are cumulative to, in addition to, and not in limitation of any other rights or remedies available to the CITY.
21. Business License. CONTRACTOR shall obtain a City of Escondido Business License prior to execution of this Agreement and shall maintain such Business License throughout the term of this Agreement.
22. Compliance with Laws, Permits, and Licenses. CONTRACTOR shall keep itself informed of and comply with all applicable federal, state, and local laws, statutes, codes, ordinances, regulations, rules, and other legal requirements in effect during the term of this Agreement. This shall include, but shall not be limited to, all California Labor Code laws regarding payment of prevailing wages and all OSHA regulations. CONTRACTOR shall obtain any and all permits, licenses, and other authorizations necessary to perform the work under this Agreement. Neither the CITY, nor any elected or appointed boards, officers, officials, employees, or agents of the CITY, shall be liable, at law or in equity, as a result of any failure of CONTRACTOR to comply with this section.
23. Prevailing Wages and Department of Industrial Relations Compliance. Pursuant to California Labor Code section 1770 et seq., CONTRACTOR agrees that a prevailing rate and scale of wages, in accordance with applicable laws, shall be paid in performing this Agreement. CONTRACTOR shall keep itself informed of and comply with all applicable federal, state, and local laws, statutes, codes, ordinances, regulations, rules, and other legal requirements pertaining to the payment of prevailing wages, including but not limited to the keeping of certified payroll records, overtime pay, employment of apprentices, and workers' compensation coverage, as further set forth in the General Conditions. CONTRACTOR shall file the required workers' compensation certificate before commencing work under this Agreement. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. CONTRACTOR shall post all job site notices required by

regulation. CONTRACTOR, as well as any subcontractors, shall be registered pursuant to California Labor Code section 1725.5 to be qualified to bid on, be listed in a bid proposal (subject to the requirements of Public Contract Code section 4104), or engage in the performance of any public works contract subject to the requirements of Division 2, Part 7, Chapter 1 of the California Labor Code. Neither the CITY, nor any elected or appointed boards, officers, officials, employees, or agents of the CITY, shall be liable, at law or in equity, as a result of any failure of CONTRACTOR to comply with this section.

24. Immigration Reform and Control Act of 1986. CONTRACTOR shall keep itself informed of and shall comply with the Immigration Reform and Control Act of 1986 ("IRCA"). CONTRACTOR represents and warrants that all of its employees and the employees of any subcontractor retained by CONTRACTOR who perform any portion of the Work under this Agreement are and will be authorized to perform the Work in full compliance with the IRCA. CONTRACTOR affirms that as a licensed contractor and 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 perform the Work. CONTRACTOR agrees to comply with the IRCA before commencing any portion of the Work, and continuously throughout the performance of the Work and the term of this Agreement.

25. Effective Date. Unless a different date is provided in this Agreement, the effective date of this Agreement shall be the latest date of execution set forth by the names of the signatories below.

IN WITNESS WHEREOF, this Agreement is executed by the Parties or their duly authorized representatives as of the Effective Date:

CITY OF ESCONDIDO

Date: _____

Paul McNamara, Mayor

S.C. VALLEY ENGINEERING, INC.

Date: _____

Signature

Name & Title (please print)

Contractor's License No.

Tax ID/Social Security No.

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY
City of Escondido
Recycled Water Easterly Agriculture
Distribution System

Michael R. McGuinness, City Attorney

BY: _____

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

Attachment "A"

Assessor's Parcel Number ("APN")	Owner	Property Address
241-010-07	SL&C, LLC	2601 Mountain View Drive, Escondido CA 92027
241-041-20	Grangetto Ranches Inc.	2601 Mountain View Drive, Escondido CA 92027
241-041-09	Hillebrecht	2170 Skyline Drive, Escondido CA 92027
241-041-10	Hillebrecht	2170 Skyline Drive, Escondido CA 92027
241-120-20	Wylie Family LP	2410 Cloveridge Road, Escondido CA 92027
241-120-21	Compton Trust	2410 Cloveridge Road, Escondido CA 92027
241-120-22	Wylie Family LP	2410 Cloveridge Road, Escondido CA 92027
241-120-26	Wylie Family LP	2410 Cloveridge Road, Escondido CA 92027
241-120-29	Wylie Family LP	2410 Cloveridge Road, Escondido CA 92027
241-081-01	Rancho Bravo LLC	2165 Cloverdale Road. Escondido, CA 92027
241-140-02	Wohlford Land Co, LLC	2000 Oro Verde Road, Escondido, CA 92027
241-080-53	San Pasqual Bar B Ranch Inc.	14080 Cloverdale Road, Escondido, CA 92027
241-020-10	Patterson Family Trust	1763 Cloverdale Road, Escondido, CA 92027



Bond No.: _____
Premium: _____

FAITHFUL PERFORMANCE BOND

KNOW ALL BY THESE PRESENTS,

WHEREAS, The City Council of the City of Escondido, State of California, and S.C. Valley Engineering, Inc., a California corporation ("Principal"), have entered into that certain Public Improvement Agreement dated _____ ("Agreement," hereby referred to and made a part hereof), whereby Principal has agreed to install and complete certain designated public improvements associated with the Recycled Water Easterly Agriculture Distribution System Project.

WHEREAS, the Principal is required under the terms of the Agreement to furnish a bond for the faithful performance of the Agreement.

NOW, THEREFORE, we, the Principal and _____, a _____ organized and existing under the laws of the State of California and authorized to act as a surety in the State of California ("Surety"), are held and firmly bound unto the City of Escondido, a California municipal corporation ("City") in the penal sum of five million eight-hundred eighty-three thousand two-hundred fourteen dollars and zero cents (\$5,883,214), lawful money of the United States of America, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors, and administrators, jointly and severally, firmly by these presents.

THE CONDITION of this obligation is such that if the Principal, or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions, and provisions in the Agreement and any alteration thereof made as therein provided, on its part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents, and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any manner affect its obligations on this bond, and the Surety hereby waives notice of any such change, extension of time, alteration, or addition to the terms of the Agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, as of this _____ day of _____, 20__.

Name of Principal

By: _____
Signature of Person Signing on Behalf of Principal

Address of Principal

Name of Person Signing on Behalf of Principal

Title of Person Signing on Behalf of Principal

Name of Surety

By: _____
Signature of Person Signing on Behalf of Surety

Address of Surety

Name of Person Signing on Behalf of Surety

Title of Person Signing on Behalf of Surety

(ACKNOWLEDGMENTS OF EXECUTION BY PRINCIPALS AND SURETY MUST BE ATTACHED.)

APPROVED AS TO FORM:

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

BY: _____



Bond No.: _____
Premium: _____

LABOR AND MATERIALS BOND

KNOW ALL BY THESE PRESENTS,

WHEREAS, The City Council of the City of Escondido, State of California, and S.C. Valley Engineering, Inc., a California corporation ("Principal"), have entered into a that certain Public Improvement Agreement dated _____ ("Agreement," hereby referred to and made a part hereof), whereby Principal has agreed to install and complete certain designated public improvements associated with the Recycled Water Easterly Agriculture Distribution System Project.

WHEREAS, under the terms of the Agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Escondido, a California municipal corporation ("City"), to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code.

NOW, THEREFORE, the Principal and _____, a _____ organized and existing under the laws of the State of California and authorized to act as a surety in the State of California ("Surety"), are held firmly bound unto the City and all contractors, subcontractors, laborers, material suppliers, and other persons employed in the performance of the Agreement and referred to in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code in the sum of five million eight-hundred eighty-three thousand two-hundred fourteen dollars and zero cents (\$5,883,214), lawful money of the United States of America, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

If the condition of this bond is fully performed, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition.

City of Escondido
Recycled Water Easterly Agriculture
Distribution System

LABOR AND MATERIAL BOND
PAGE A-00620-1

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, as of this _____ day of _____, 20__.

Name of Principal

By: _____
Signature of Person Signing on Behalf of Principal

Address of Principal

Name of Person Signing on Behalf of Principal

Title of Person Signing on Behalf of Principal

Name of Surety

By: _____
Signature of Person Signing on Behalf of Surety

Address of Surety

Name of Person Signing on Behalf of Surety

Title of Person Signing on Behalf of Surety

(ACKNOWLEDGMENTS OF EXECUTION BY PRINCIPALS AND SURETY MUST BE ATTACHED.)

APPROVED AS TO FORM:

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

BY: _____

CITY OF ESCONDIDO BUSINESS LICENSE

In accordance with Municipal Code Section 16, the successful bidder is required to obtain a City of Escondido Business License prior to execution of contract.

The following information must be submitted to the City Clerk prior to execution of contract:

City of Escondido Business License No. _____

Expiration Date _____

Name of Licensee: S.C. Valley Engineering, Inc.

WORKERS' COMPENSATION INSURANCE CERTIFICATE

If self-insured for Workers' Compensation, the Contractor shall execute the following form as required by the California Labor Code, Sections 1860 and 1861:

I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of the Labor Code, Sections 1860 and 1861, and I will comply with such provisions before commencing the performance of the work of the contract.

Dated: _____

S.C. Valley Engineering, Inc.
Contractor

By: _____
Signature

SAMPLE NOTICE

(Required Under General Conditions, Article 6.1.B)

TO THE PEOPLE ON THIS STREET:

WITHIN THE NEXT FEW DAYS, WORK WILL BE STARTED ON THE FOLLOWING PROJECT:

RECYCLED WATER EASTERLY AGRICULTURE DISTRIBUTION SYSTEM

The work may cause some inconvenience, but will be of permanent benefit.

We shall appreciate your cooperation in the following matters:

1. Please be alert when driving or walking in the construction area.
2. Tools, materials and equipment are attractive to children. For the safety of the children, please keep them away.
3. Please report all inconvenience to the jobsite superintendent, or to Randy Manns, City of Escondido - Utilities Construction Project Manager, 760-839-6290 Ext. 7031. The name and phone number of the contractor are given below.

This work is being performed for the City of Escondido by:

S.C. Valley Engineering, Inc.

(Superintendent Name)

(Phone Number)

We will endeavor to complete this work as rapidly as possible and with a minimum of inconvenience to you.

RESOLUTION NO. 2021-96

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, A THIRD AMENDMENT TO THE CONSULTING AGREEMENT FOR DESIGN PROFESSIONALS WITH WATER SYNERGY, INC. FOR ENGINEERING SERVICES FOR THE RECYCLED WATER EASTERLY AGRICULTURE DISTRIBUTION SYSTEM PROJECT

WHEREAS, the City of Escondido (“City”) desires to construct the Recycled Water Easterly Agriculture Distribution System Project (“Project”); and

WHEREAS, the Project will construct new recycled water pipelines from the existing Hogback Reservoir to agricultural growers; install new recycled water meter service connections; a 20-inch pressure reducing valve; and

WHEREAS, the City desires engineering services during construction of the Project; and

WHEREAS, Water Synergy, Inc. prepared the design plans and specifications, and is the designer of record for the Project; and

WHEREAS, Water Synergy, Inc. has the required technical knowledge and expertise to provide these engineering services during construction; and

WHEREAS, City staff have completed negotiations with Water Synergy, Inc. and the Deputy City Manager / Director of Utilities recommends that the Third Amendment to the Consulting Agreement for Design Professionals (“Agreement”) be approved; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Agreement in an amount not to exceed \$126,664.

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

1. That the above recitations are true.
2. That the Mayor and City Council accepts the recommendation of the Deputy City Manager / Director of Utilities.
3. That the Mayor is authorized to execute, on behalf of the City, a Third Amendment to the Consulting Agreement with Water Synergy, Inc. in substantially the same format as Exhibit "A" which is attached hereto and incorporated by this reference, subject to final approval as to form by the City Attorney.



CITY OF ESCONDIDO
THIRD AMENDMENT TO CONSULTING AGREEMENT

This Third Amendment to Consulting Agreement ("Third Amendment") is made and entered into as of this ____ day of _____, 2021 ("Effective Date"),

Between: CITY OF ESCONDIDO
 a California municipal corporation
 201 N. Broadway
 Escondido, CA 92025
 Attn: Stephanie Roman
 760-839-6290, ext. 7035
 ("CITY")

And: Water Synergy, Inc.
 an Arizona corporation
 P.O. Box 865
 Escondido, CA 92033
 Attn: Doug Brown
 760-533-4086
 ("CONSULTANT").

(The CITY and CONSULTANT each may be referred to herein as a "Party" and collectively as the "Parties.")

WHEREAS, the Parties entered into that certain Consulting Agreement dated June 17, 2015, which was subsequently amended by a First Amendment dated June 4, 2018, and a Second Amendment dated March 2, 2021 (collectively, the "Agreement"), wherein CITY retained CONSULTANT to provide design services relating to the CITY's Recycled Water Easterly Agriculture Distribution System and on-site retrofit of irrigation systems, including preparation of all necessary survey and easement documents, as more specifically described in the Agreement; and

WHEREAS, the Parties desire to amend the Agreement to include additional services as described in Attachment "A" to this Third Amendment, which is attached hereto and incorporated herein by this reference.

NOW, THEREFORE, in consideration of the mutual covenants, promises, terms, and conditions set forth herein, and the mutual benefits derived therefrom, the Parties hereby agree as follows:

1. The CONSULTANT shall furnish all of the Services described in Attachment "A" to this Third

Amendment.

- 2. The CITY will compensate CONSULTANT in an additional amount not to exceed the sum of **\$126,664**, pursuant to the conditions contained in Attachment "A" to this Third Amendment.
- 3. Personnel. The performance of the Services by certain professionals is significant to the CITY. As such, CONSULTANT shall only assign the persons listed on Attachment "B", attached to this Third Amendment and incorporated herein by this reference ("Personnel List"), to perform the Services. CONSULTANT shall not add or remove persons from the Personnel List without the City's prior written consent. If CONSULTANT has not designated a person to perform a component of the Services, CONSULTANT shall not assign such component of the Services to a person without obtaining the City's prior written consent. CONSULTANT shall not subcontract any component of the Services without obtaining the City's prior written consent.
- 4. All other terms of the Agreement not referenced in this Third Amendment shall remain unchanged and in full force and effect. In the event of a conflict between a provision of the Agreement and this Third Amendment, this Third Amendment shall prevail.
- 5. This Third Amendment and the Agreement, together with any attachments or other documents described or incorporated therein, if any, constitute the entire agreement and understanding of the Parties, and there are no other terms or conditions, written or oral, controlling this matter.
- 6. This Third Amendment may be executed on separate counterparts that, upon completion, may be assembled into and shall be construed as one document. Delivery of an executed signature page of this Third Amendment by electronic means, including an attachment to an email, shall be effective as delivery of an executed original.
- 7. Unless a different date is provided in this Third Amendment, the effective date of this Third Amendment shall be the latest date of execution set forth by the names of the signatories below.

IN WITNESS WHEREOF, this Third Amendment is executed by the Parties or their duly authorized representatives as of the Effective Date:

CITY OF ESCONDIDO

Date: _____

Paul McNamara, Mayor

Water Synergy Inc.

Date: _____

Don Bunts, President

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY
MICHAEL R. MCGUINNESS, CITY ATTORNEY

BY: _____

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

ATTACHMENT "A"

Scope of Work

A. General

Water Synergy, Inc., an Arizona corporation ("Consultant") will provide the City of Escondido, a California municipal corporation ("City") with engineering consulting services during the construction phase of the City's Recycled Water Easterly Agriculture Distribution Pipeline Project ("Project").

B. Location

Consultant to provide services at various locations regarding the Project site located in the eastern portion of the City of Escondido. See Exhibit 1 to this Scope of Work, which is attached hereto and incorporated herein by this reference, for the Project site map.

C. Services

Task 1 – Construction Phase

1.1 Submittal Review

Consultant will review submittals for the items that were designed as part of the Project for conformance to the contract plans and specifications. Task 1.1 assumes 43 submittals at four hours per submittal for a total of 172 hours.

1.2 Requests for Information ("RFI")

Consultant will review and respond to RFIs relating to questions that arise during the course of construction for the Project. Task 1.2 assumes 48 RFI's at two hours per RFI for a total of 96 hours.

1.3 Field Engineering

Consultant will perform field engineering, as-needed, based on unforeseen changing conditions discovered during the construction of the Project or from constructability changes. Task 1.3 is budgeted for 96 hours.

1.4 Project Meetings

Consultant will attend the pre-construction meeting for the Project and progress meetings as requested by the City. Task 1.4 assumes 16 three-hour meetings for a total of 48 hours.

1.5 Site Visits

Project site visits will be performed on an as-needed basis and will include an informal observation of the construction activities to confirm the Project is being constructed in general conformance to the contract documents and Project specifications. Project site visits will be coordinated to coincide with the progress meetings between the City and [Entity Name, Entity Type] ("Contractor"). Task 1.5 assumes eight two-hour Project site visits for a total of 16 hours.

Task 2 – Post Construction Phase

2.1 Record Drawings

Consultant will prepare the record drawings for the Project based on the Contractor's red-line set of drawings. Task 2.1 is budgeted for 41 hours.

ATTACHMENT "A" Scope of Work

2.2 Project Wrap-Up

Consultant will finalize and transmit the final Project documents to the City for archiving. Task 2.2 is budgeted for 26 hours.

Task 3 – Recycled Water ("RW") Conversion Assistance

Consultant will prepare RW customer conversion plans ("Retrofit Plans") required to obtain Health Department approval for the use of recycled water at customer's site. Once the Retrofit Plans are approved by the Health Department, Consultant will provide the approved Retrofit Plans and cost estimate to each customer. Task 3 assumes 73.5 hours per customer site to prepare a Retrofit plan and cost estimate for a total of two sites: Sakas (APN 241-010-07) and Patterson (APN 241-020-10).

Task 5 – Additional Optional Services

Task 5 includes additional services authorized by the City on an as-needed basis. Such services may include but are not limited to:

- Responding to additional submittal reviews; and
- Review and respond to additional RFI's.

Task 5 is budgeted for 115 hours.

Task 6 – Project Administration

Consultant to perform administrative services related with the Project management, quality assurance/quality control ("QA/QC"), and coordination to facilitate and expedite document delivery including coordinating staffing requirements, scheduling, budget management, invoicing and reviewing outgoing documents. Task 6 is budgeted for 34 hours.

D. Scheduling

Consultant to schedule specific dates of work in advance by contacting Stephanie Roman at 760-839-6290, ext. 7035, or sroman@escondido.org. Further instructions will be provided upon scheduling.

E. Contract Price and Payment Terms

The contract price shall not exceed **\$126,664**. The contract price includes all labor, materials, equipment, and transportation required to perform the work. Services will be billed as services are performed. Payment will be made after services have been performed and within 30 days of receipt of an invoice for those services.

The hour and cost estimates described in Exhibit 2 to this Scope of Work, which is attached hereto and incorporated herein by this reference, shall remain in effect throughout the term of this Third Amendment.

F. Term

The term of this Third Amendment shall be for **two years**, commencing on the Effective Date of this Third Amendment.

G. Other

Services are based on the following assumptions:

ATTACHMENT "A"

Scope of Work

1. This Third Amendment is for civil engineering services only. Structural, electrical and geotechnical services are not included.
2. The construction of the Project will generally be in conformance with the Project plans and specifications.
3. Questions and issues requiring design intent changes will be forwarded to the design engineer.
4. All inspections will be provided by other contractors or consultants.

ATTACHMENT "B"
Personnel List

Pursuant to Section 3 of the Third Amendment, CONSULTANT shall only assign performance of Services to persons listed below.

1. Don Bunts, Principal, Water Synergy Inc.; and
2. Doug Brown, Senior Engineer, Water Synergy Inc.

CONSULTANT shall not add or remove persons from this Personnel List without the City's prior written consent. If CONSULTANT has not designated a person to perform a component of the Services, CONSULTANT shall not assign such component of the Services to a person without obtaining the City's prior written consent. CONSULTANT shall not subcontract any component of the Services without obtaining the City's prior written consent.

Acknowledged by:

Water Synergy Inc.

Date: _____

Don Bunts, President

EXHIBIT "1" PROJECT SITE

Google Maps Cloverdale Rd & San Pasqual Valley Rd



**CITY OF ESCONDIDO
RWEADS PIPELINE PROJECT-
CONSTRUCTION PHASE ENGINEERING SERVICES
WATER SYNERGY, Inc.
ESTIMATED LEVEL OF EFFORT**

Task	ITEM	Hourly rate	Project Manager		Senior Engineer		Total WSI Labor		Total Cost
			Hrs	Cost	Hrs	Cost	Hrs	Cost	
				\$ 192		\$ 160			
I	SERVICES DURING CONSTRUCTION								
	1.1 Review Submittals		5	\$ 960	170	\$ 27,200	175	\$ 28,160	\$ 28,160
	1.2 Respond to RFI's		5	\$ 960	91	\$ 14,560	96	\$ 15,520	\$ 15,520
	1.3 Field Engineering		5	\$ 960	91	\$ 14,560	96	\$ 15,520	\$ 15,520
	1.4 Project Meetings/Site Visits		5	\$ 960	43	\$ 6,880	48	\$ 7,840	\$ 7,840
II	POST CONSTRUCTION SERVICES								
	2.1 Record Drawings		4	\$ 768	37	\$ 5,920	41	\$ 6,688	\$ 6,688
	2.2 Project Wrap-Up		3	\$ 576	23	\$ 3,680	26	\$ 4,256	\$ 4,256
III	RW CUSTOMER CONVERION ASSITANCE		20	\$ 3,840	127	\$ 20,320	147	\$ 24,160	\$ 24,160
IV	ADDITONAL OPTIONAL SERVICES		12	\$ 2,304	103	\$ 16,480	115	\$ 18,784	\$ 18,784
V	ADMINISTRATION								
	Management and Coordination		3	\$ 576	31	\$ 4,960	34	\$ 5,536	\$ 5,536
	Other Direct Costs (1)						\$ 200	\$ 200	\$ 200
TOTALS			62	\$ 11,904	716	\$ 114,560	778	\$ 126,664	\$ 126,664

RESOLUTION NO. 2021-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, A CONSULTING AGREEMENT WITH REILLY CONSTRUCTION MANAGEMENT, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE RECYCLED WATER EASTELY AGRICULTURE DISTRIBUTION SYSTEM PROJECT

WHEREAS, the City of Escondido (“City”) desires to construct the Recycled Water Easterly Agriculture Distribution System Project (“Project”); and

WHEREAS, the Project will construct new recycled water pipelines from the existing Hogback Reservoir to agricultural growers; install new recycled water meter service connections; a 20-inch pressure reducing valve; and

WHEREAS, the City desires construction management services for the Project; and

WHEREAS, City staff solicited proposals from firms specializing in construction management of water projects; and

WHEREAS, City staff thoroughly evaluated the three proposals received and the proposal from Reilly Construction Management, Inc. was determined to be the best value proposal; and

WHEREAS, Reilly Construction Management, Inc. has the personnel, specialized services and expertise to manage the construction project; and

WHEREAS, City staff have completed negotiations with Reilly Construction Management, Inc. for said construction management services and the Deputy City

Manager / Director of Utilities recommends that the Consulting Agreement (“Agreement”) be approved; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Agreement in an amount not to exceed \$1,172,787.

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

1. That the above recitations are true.
2. That the Mayor and City Council accepts the recommendation of the Deputy City Manager / Director of Utilities.
3. That the Mayor is authorized to execute, on behalf of the City, a Consulting Agreement with Reilly Construction Management, Inc. in substantially the same format as Exhibit “A” which is attached hereto and incorporated by this reference, subject to final approval as to form by the City Attorney.



CITY OF ESCONDIDO
CONSULTING AGREEMENT

This Consulting Agreement ("Agreement") is made and entered into as of this _____ day of _____, 2021 ("Effective Date"),

Between: CITY OF ESCONDIDO
a California municipal corporation
201 N. Broadway
Escondido, CA 92025
Attn: Randy Manns
760-839-6290, ext. 7031
("CITY")

And: Reilly Construction Management, Inc.
a California corporation
3585 Prince St.
Escondido, CA 92025
Attn: Scott Reilly
760-310-9816
("CONSULTANT").

(The CITY and CONSULTANT each may be referred to herein as a "Party" and collectively as the "Parties.")

WHEREAS, the CITY has determined that it is in the CITY's best interest to retain the professional services of a consultant to provide construction management services for the Recycled Water Easterly Agriculture Distribution System project;

WHEREAS, CONSULTANT is considered competent to perform the necessary professional services for the CITY; and

WHEREAS, the CITY and CONSULTANT desire to enter into this Agreement for the performance of the Services described herein.

NOW, THEREFORE, in consideration of the mutual covenants, promises, terms, and conditions set forth herein, and the mutual benefits derived therefrom, the Parties hereby agree as follows:

1. Description of Services. CONSULTANT shall furnish all of the Services described in the Scope of Work, which is attached to this Agreement as Attachment "A" and incorporated herein by this reference ("Services").
2. Compensation. In exchange for CONSULTANT's completion of the Services, the CITY shall pay,

and CONSULTANT shall accept in full, an amount not to exceed the sum of **\$1,172,787**. CONSULTANT shall be compensated only for performance of the Services described in this Agreement. No compensation shall be provided for any other work or services without the CITY's prior written consent. If this Agreement is amended at any time, additional compensation of CONSULTANT contained in any subsequent amendments shall not exceed a cumulative total of 25% of the maximum payment provided for in this Section 2, unless approved by resolution of the City Council.

3. Performance. CONSULTANT shall faithfully perform the Services in a proficient manner, to the satisfaction of the CITY, and in accord with the terms of this Agreement. CONSULTANT shall be responsible for the professional quality, technical accuracy, timely completion, and coordination of all reports and other information furnished by CONSULTANT pursuant to this Agreement, except that CONSULTANT shall not be responsible for the accuracy of information supplied by the CITY.
4. Personnel. The performance of the Services by certain professionals is significant to the CITY. As such, CONSULTANT shall only assign the persons listed on Attachment "B", attached to this Agreement and incorporated herein by this reference ("Personnel List"), to perform the Services. CONSULTANT shall not add or remove persons from the Personnel List without the City's prior written consent. If CONSULTANT has not designated a person to perform a component of the Services, CONSULTANT shall not assign such component of the Services to a person without obtaining the City's prior written consent. CONSULTANT shall not subcontract any component of the Services without obtaining the City's prior written consent.
5. Termination. The Parties may mutually terminate this Agreement through a writing signed by both Parties. The CITY may terminate this Agreement for any reason upon providing CONSULTANT with 10 days' advance written notice. CONSULTANT agrees to cease all work under this Agreement on or before the effective date of any notice of termination. If the CITY terminates this Agreement due to no fault or failure of performance by CONSULTANT, then CONSULTANT shall be compensated based on the work satisfactorily performed at the time of such termination. In no event shall CONSULTANT be entitled to receive more than the amount that would be paid to CONSULTANT for the full performance of the Services.
6. City Property. All original documents, drawings, electronic media, and other materials prepared by CONSULTANT pursuant to this Agreement immediately become the exclusive property of the CITY, and shall not be used by CONSULTANT for any other purpose without the CITY's prior written consent.
7. Insurance Requirements.
 - a. CONSULTANT shall procure and maintain, at its own cost, during the entire term of this Agreement, insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the Services, and the results of such work, by CONSULTANT, its agents, representatives, employees, or subcontractors. Insurance coverage shall be at least as broad as the following:
 - (1) *Commercial General Liability*. Insurance Services Office ("ISO") Form CG 00 01 covering Commercial General Liability on an "occurrence" basis, including products and completed operations, property damage, bodily injury, and personal & advertising injury, with limits no less than \$2,000,000 per occurrence and \$4,000,000 general aggregate.
 - (2) *Automobile Liability*. ISO Form CA 00 01 covering any auto (Code 1), or if CONSULTANT has no owned autos, hired (Code 8) and non-owned autos (Code 9), with limits no less than \$1,000,000 per accident for bodily injury and property damage, unless waived by the CITY and approved in writing by the CITY's Risk and Safety Division.

- (3) *Workers' Compensation.* Worker's Compensation as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limits of no less than \$1,000,000 per accident for bodily injury or disease.
 - (4) *Professional Liability (Errors and Omissions).* Professional Liability (Errors and Omissions) appropriate to CONSULTANT's profession, with limits no less than \$2,000,000 per occurrence or claim and \$2,000,000 aggregate.
 - (5) If CONSULTANT maintains broader coverage and/or higher limits than the minimums otherwise required by this Agreement, the CITY requires and shall be entitled to the broader coverage and/or the higher limits maintained by CONSULTANT.
- b. Each insurance policy required by this Agreement must be acceptable to the City Attorney and shall meet the following requirements:
- (1) *Acceptability of Insurers.* Insurance coverage must be provided by an insurer authorized to conduct business in the state of California with a current A.M. Best's rating of no less than A-VII, or as approved by the CITY.
 - (2) *Additional Insured Status.* Both the Commercial General Liability and the Automobile Liability policies must name the CITY (including its officials, officers, agents, employees, and volunteers) specifically as an additional insured under the policy on a separate endorsement page. The Commercial General Liability additional insured endorsement shall be at least as broad as ISO Form CG 20 10 11 85, or if not available, through the addition of *both* CG 20 10, CG 20 26, CG 20 33, or CG 20 38, *and* CG 20 37 if a later edition is used. The Automobile Liability endorsement shall be at least as broad as ISO Form CA 20 01.
 - (3) *Primary Coverage.* CONSULTANT's insurance coverage shall be primary coverage at least as broad as ISO CG 20 01 04 13 with respect to the CITY, its officials, officers, agents, employees, and volunteers. Any insurance or self-insurance maintained by the CITY, its officials, officers, agents, employees, or volunteers shall be in excess of CONSULTANT's insurance and shall not contribute with it.
 - (4) *Notice of Cancellation.* Each insurance policy shall provide that coverage shall not be canceled, except with prior written notice to the CITY.
 - (5) *Subcontractors.* If applicable, CONSULTANT shall require and verify that all subcontractors maintain insurance meeting all the requirements stated within this Agreement, and CONSULTANT shall ensure that the CITY (including its officials, officers, agents, employees, and volunteers) is an additional insured on any insurance required from a subcontractor.
 - (6) *Waiver of Subrogation.* CONSULTANT hereby grants to the CITY a waiver of any right to subrogation that any insurer of CONSULTANT may acquire against the CITY by virtue of the payment of any loss under such insurance. CONSULTANT agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this subsection shall apply regardless of whether or not the CITY has received a waiver of subrogation endorsement from the insurer. Any Workers' Compensation policy required by this Agreement shall be endorsed with a waiver of subrogation in favor of the CITY for all work performed by the CONSULTANT, its agents, representatives, employees, and subcontractors.
 - (7) *Self-Insurance.* CONSULTANT may, with the CITY's prior written consent, fulfill some or all of the insurance requirements contained in this Agreement under a plan of self-insurance. CONSULTANT shall only be permitted to utilize such self-insurance if, in the opinion of the CITY, CONSULTANT's (i) net worth and (ii) reserves for payment of claims of liability against CONSULTANT are sufficient to adequately compensate for the lack of

other insurance coverage required by this Agreement. CONSULTANT's utilization of self-insurance shall not in any way limit the liabilities assumed by CONSULTANT pursuant to this Agreement.

(8) *Self-Insured Retentions.* Self-insured retentions must be declared to and approved by the CITY.

- c. *Verification of Coverage.* At the time CONSULTANT executes this Agreement, CONSULTANT shall provide the CITY with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting the insurance coverage required by this Agreement), which shall meet all requirements under this Agreement. The CITY reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by this Agreement, at any time.
- d. *Special Risks or Circumstances.* The CITY reserves the right, at any point during the term of this Agreement, to modify the insurance requirements in this Agreement, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.
- e. *No Limitation of Obligations.* The insurance requirements in this Agreement, including the types and limits of insurance coverage CONSULTANT must maintain, and any approval of such insurance by the CITY, are not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by CONSULTANT pursuant to this Agreement, including but not limited to any provisions in this Agreement concerning indemnification.
- f. Failure to comply with any of the insurance requirements in this Agreement, including, but not limited to, a lapse in any required insurance coverage during the term of this Agreement, shall be a material breach of this Agreement. In the event that CONSULTANT fails to comply with any such insurance requirements in this Agreement, in addition to any other remedies the CITY may have, the CITY may, at its sole option, (i) immediately terminate this Agreement; or (ii) order CONSULTANT to stop work under this Agreement and/or withhold any payment that becomes due to CONSULTANT until CONSULTANT demonstrates compliance with the insurance requirements in this Agreement.

8. Indemnification, Duty to Defend, and Hold Harmless.

- a. CONSULTANT (including CONSULTANT's agents, employees, and subcontractors, if any) shall indemnify, defend, and hold harmless the CITY, its officials, officers, agents, employees, and volunteers from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies, costs, expenses, liabilities, losses, damages, or injuries, in law or equity, including without limitation the payment of all consequential damages and attorney's fees and other related litigation costs and expenses (collectively, "Claims"), of every nature caused by, arising out of, or in connection with CONSULTANT's performance of the Services or its failure to comply with any of its obligations contained in this Agreement, except where caused by the active negligence, sole negligence, or willful misconduct of the CITY.
- b. CONSULTANT (including CONSULTANT's agents, employees, and subcontractors, if any) shall indemnify, defend, and hold harmless the CITY, its officials, officers, agents, employees, and volunteers from and against any and all Claims caused by, arising under, or resulting from any violation, or claim of violation, of the San Diego Municipal Storm Water Permit (Order No. R9-2013-0001, as amended) of the California Regional Water Quality Control Board, Region 9, San Diego, that the CITY might suffer, incur, or become subject to by reason of, or occurring as a result of, or allegedly caused by, any work performed pursuant to this Agreement.
- c. All terms and provisions within this Section 8 shall survive the termination of this Agreement.

9. Anti-Assignment Clause. Because the CITY has relied on the particular skills of CONSULTANT in entering into this Agreement, CONSULTANT shall not assign, delegate, subcontract, or otherwise transfer any duty or right under this Agreement, including as to any portion of the Services, without the CITY's prior written consent. Any purported assignment, delegation, subcontract, or other transfer made without the CITY's consent shall be void and ineffective. Unless CONSULTANT assigns this entire Agreement, including all rights and duties herein, to a third party with the CITY's prior 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.
10. Attorney's Fees and Costs. In any action to enforce the terms and conditions of this Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and costs.
11. Independent Contractor. CONSULTANT is an independent contractor, and no agency or employment relationship is created by the execution of this Agreement.
12. Amendment. This Agreement shall not be amended except in a writing signed by the CITY and CONSULTANT.
13. Merger Clause. This Agreement, together with its attachments or other documents described or incorporated herein, if any, constitutes the entire agreement and understanding of the CITY and CONSULTANT concerning the subject of this Agreement and supersedes and replaces all prior negotiations, understandings, or proposed agreements, written or oral, except as otherwise provided herein. In the event of any conflict between the provisions of this Agreement and any of its attachments or related documents, if any, the provisions of this Agreement shall prevail.
14. Anti-Waiver Clause. None of the provisions of this Agreement shall be waived by the CITY because of previous failure to insist upon strict performance, nor shall any provision be waived because any other provision has been waived by the CITY, in whole or in part.
15. Severability. This Agreement shall be performed and shall be enforceable to the full extent allowed by applicable law, and the illegality, invalidity, waiver, or unenforceability of any provision of this Agreement shall not affect the legality, validity, applicability, or enforceability of the remaining provisions of this Agreement.
16. 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 any action arising from this Agreement shall be conducted only in the state or federal courts of San Diego County, California.
17. Counterparts. This Agreement may be executed on separate counterparts, each of which shall be an original and all of which taken together shall constitute one and the same instrument. Delivery of an executed signature page of this Agreement by electronic means, including an attachment to an email, shall be effective as delivery of an executed original. The Agreement on file with the City is the copy of the Agreement that shall take precedence if any differences exist between or among copies or counterparts of the Agreement.
18. Provisions Cumulative. The foregoing provisions are cumulative to, in addition to, and not in limitation of any other rights or remedies available to the CITY.
19. Notice. Any statements, communications, or notices to be provided pursuant to this Agreement shall be sent to the attention of the persons indicated herein, and the CITY and CONSULTANT shall promptly provide the other Party with notice of any changes to such contact information.

20. Business License. CONSULTANT shall obtain a City of Escondido Business License prior to execution of this Agreement and shall maintain such Business License throughout the term of this Agreement.
21. Compliance with Laws, Permits, and Licenses. CONSULTANT shall keep itself informed of and comply with all applicable federal, state, and local laws, statutes, codes, ordinances, regulations, rules, and other legal requirements in effect during the term of this Agreement. CONSULTANT shall obtain any and all permits, licenses, and other authorizations necessary to perform the Services. Neither the CITY, nor any elected or appointed boards, officers, officials, employees, or agents of the CITY, shall be liable, at law or in equity, as a result of any failure of CONSULTANT to comply with this section.
22. Prevailing Wages. If applicable, pursuant to California Labor Code section 1770 et seq., CONSULTANT agrees that a prevailing rate and scale of wages, in accordance with applicable laws, shall be paid in performing this Agreement. CONSULTANT shall keep itself informed of and comply with all applicable federal, state, and local laws, statutes, codes, ordinances, regulations, rules, and other legal requirements pertaining to the payment of prevailing wages. The prevailing rate and scale to be paid shall be the same as the applicable "General Prevailing Wage Determination" approved by the Department of Industrial Relations as of the Effective Date of this Agreement, which are available online at <http://www.dir.ca.gov/oprl/dprevagedetermination.htm> and incorporated into this Agreement by this reference. Neither the CITY, nor any elected or appointed boards, officers, officials, employees, or agents of the CITY, shall be liable, at law or in equity, as a result of any failure of CONSULTANT to comply with this section.
23. Department of Industrial Relations Compliance. This public project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. CONSULTANT shall post all job site notices required by regulation. CONSULTANT, as well as any subcontractors, shall be registered pursuant to California Labor Code section 1725.5 to be qualified to bid on, be listed in a bid proposal (subject to the requirements of Public Contract Code section 4104), or engage in the performance of any public works contract subject to the requirements of Division 2, Part 7, Chapter 1 of the California Labor Code. Neither the CITY, nor any elected or appointed boards, officers, officials, employees, or agents of the CITY, shall be liable, at law or in equity, as a result of any failure of CONSULTANT to comply with this section.
24. Immigration Reform and Control Act of 1986. CONSULTANT shall keep itself informed of and shall comply with the Immigration Reform and Control Act of 1986 ("IRCA"). CONSULTANT represents and warrants that all of its employees and the employees of any subcontractor retained by CONSULTANT who perform any of the Services under this Agreement, are and will be authorized to perform the Services in full compliance with the IRCA. CONSULTANT affirms that as a licensed contractor and 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 perform the Services. CONSULTANT agrees to comply with the IRCA before commencing any Services, and continuously throughout the performance of the Services and the term of this Agreement.
25. Effective Date. Unless a different date is provided in this Agreement, the effective date of this Agreement shall be the latest date of execution set forth by the names of the signatories below.

(SIGNATURE PAGE FOLLOWS)

IN WITNESS WHEREOF, this Agreement is executed by the Parties or their duly authorized representatives as of the Effective Date:

CITY OF ESCONDIDO

Date: _____

Paul McNamara, Mayor

Reilly Construction Management, Inc.

Date: _____

Signature

Name & Title (please print)

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY
MICHAEL R. MCGUINNESS, CITY ATTORNEY

BY: _____

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

ATTACHMENT "A"

Scope of Work

A. General

Reilly Construction Management, Inc., a California corporation ("Consultant") will provide the City of Escondido, a California municipal corporation ("City") with construction management ("CM") services related to the City's Recycled Water Easterly Agriculture Distribution System Project ("Project").

B. Location

Consultant to provide services at the Project site located in the eastern portion of the City of Escondido. See Exhibit 1 to this Scope of Work, which is attached hereto and incorporated by this reference, for the Project site map.

C. Services

Task 1 – Coordination

1. Coordinate with all independent consultants retained by the City for the Project, including: design engineer, third-party Storm Water Pollution Prevention Program ("SWPPP") inspector/auditor, environmental monitoring firm, labor-compliance consultant, community outreach, and any other consulting services required for the duration of the Project;
2. Coordinate all special inspections for the Project that are not required of the Project contractor (e.g. geotechnical inspections and any special inspections that are included as part of CM services). All subcontracts for special inspections must include prevailing wage and labor compliance requirements. Consultant's services relating to special inspections for the Project at further detailed in Task 5, below;
3. Coordinate, review, observe, and document all equipment testing and start-up;
4. Coordinate with City Utilities Engineering and Construction staff as necessary for the Project;
5. Coordinate with City Water Distribution and Hale Avenue Resource Recovery Facility ("HARRF") staff regarding major tie-ins, facility connections, and applicable training;
6. Communicate with the City Water Treatment Plant ("WTP") staff, Recycled Water Distribution staff, and HARRF operations staff regarding construction issues that could potentially affect their respective operations; and
7. Coordinate with the City and the Project contractor prior to any agricultural trees being trimmed or removed. All agricultural trees affected by trimming or removal for the Project must be recorded for future reimbursement to the agricultural growers by the City (under a separate agreement). The Project contractor shall be responsible for reimbursement costs for any trees trimmed or removed without prior approval from the City and applicable third-party property owners.

Task 2 – Inspection

1. Monitor all applicable Project permit conditions (e.g. County Sheriff Blasting permit, and agency encroachment permit conditions) and respective expiration dates for each Project permit. Inform the City and the Project contractor when non-compliance is observed as it relates to Project permit requirements;
2. Monitor and ensure the Project contractor's compliance with all Project specifications and drawings requirements, the City's standard detail drawings, Project encroachment permits, and all other pertinent standards, requirements, and documents associated with the Project; and

ATTACHMENT "A"

Scope of Work

3. Monitor the Project contractor's schedule each week and inform the City of any construction conflicts and issues that could potentially affect the Critical Path Method ("CPM") or designated Project schedule method.

Task 3 – Document Control and Record Keeping

1. Employ and conform to the City's Secure File Transfer Protocol ("SFTP") system, file management plan, and other City-provided forms to prepare, process, and file (in PDF form) all construction phase documents and records, ensuring complete Project records during the course of the Project and at Project completion.
2. Examples of record-keeping include, but are not limited to:
 - a. Preparation of written daily field reports for submittal to the City via the SFTP. Reports must include work performed, labor and equipment utilized, and a discussion of any work not conforming to the plans and specifications. The City will provide Consultant a written daily field report form within 30 days of the Effective Date;
 - b. In accordance with the General Conditions ("GC"), Consultant shall collect the Project contractor's daily reports. After collection, Consultant shall compare the Project contractor's daily reports to Consultants daily inspection reports so any discrepancies can be addressed in a timely manner. Approved reports will be filed on the SFTP;
 - c. Daily photographic documentation of construction activities in digital, date-stamped format. Photo file sizes shall conform to City file requirements. Photos shall be uploaded to the City SFTP on a daily or weekly basis;
 - d. Observe and record all major materials deliveries to the Project site to confirm compliance with the Project specifications and approved shop drawings;
 - e. Review and upload all special inspection reports and geotechnical reports provided by those firms contracted through Consultant pursuant to Task 1 and Task 5;
 - f. Review and upload to the SFTP all Project documents, reports, and correspondence, including shop drawings, submittals, requests for information ("RFI"), SWPPP inspection reports, permit documents, environmental monitoring reports and training documentation, labor-compliance monitoring reports and correspondence, community complaints and documentation of contact and resolution, geotechnical and materials testing reports, and special inspections;
 - g. During the Project's construction phase, review and update Project red line drawings and Project contractor red line drawings, and provide final reviews and approval of the Project contractor's red line drawings at Project completion. Submit final, Consultant-approved Project contractor red line drawings to the City Field Engineering Inspector;
 - h. Prepare quarterly CM reports, including detailed descriptions of work completed, schedule status, submittals status, RFI status, design revision status, progress payment and overall contract status, and Project photographs representing key construction activities. The quarterly reports will be prepared in a City-approved format including color copies of six or more digital photographs with captions of work performed. Electronic copies of the quarterly reports shall be accessible to the City via the City's SFTP site;
 - i. Ensure all necessary funding-related documents are collected and uploaded to the City's SFTP, including Disadvantaged Business Entrepreneur ("DBE") documentation and reporting, American Iron and Steel ("AIS") certifications, proper signage documentation, and copies of subcontracts. Funding specific requirements are noted in the Project construction contract documents and must be closely observed and followed;
 - j. Ensure all Project records meet the highest quality assurance/quality control standards. Questionable audit results can negatively impact the City's future funding

ATTACHMENT "A"

Scope of Work

opportunities. Most Project documentation is considered public record and is potentially subject to a high-level of scrutiny.

3. The City will provide Consultant a CM manual, including a detailed file plan. The City does not object to Consultant using their own proprietary file management system; however, all documents produced in that file management system, as well as documents received from the Project contractor, must be saved as PDFs and filed on the City's SFTP site on a regular (daily or weekly) basis, so that the City's Utility Construction Management staff has access to all project related documents at all times.

Task 4 – Project Management

1. Ensure adherence to this Agreement, the Project contractor's contract documents, and the Project plans and specifications;
2. Attend a pre-Project meeting with the City's CM staff and labor compliance consultant to review Project documentation requirements;
3. Attend the pre-construction meeting and participate as the construction manager (after introductions by the Utilities Construction Project Manager);
4. Organize and facilitate a pre-construction partnering session with the Project contractor to discuss any potential design related issues, preliminary RFIs, or other items that might help expedite, ease, or promote a positive construction start;
5. Schedule and conduct weekly or bi-weekly progress meetings. Attendees for the meeting shall include the Project contractor, the City, and other stakeholders as necessary. Prepare and distribute draft meeting minutes, via email, in a timely manner. Distribute and file on the SFTP final meeting minutes in PDF;
6. Schedule and conduct any special meetings, as necessary. Prepare meeting minutes, similar to regular progress meetings as described in Task 4(5), above;
7. Manage, route, and track all submittals and RFIs, to the City's design engineer. Coordinate with the City's design engineer, as needed, on all change orders, field orders, and time and material requests;
8. At the City's request, provide professional opinions to the City relating to field construction issues, determining entitlement of compensation to the Project contractor for differing site conditions, change in scope items, negotiate all change order work, mitigating construction claims resolutions, and providing appropriate responses to the Project contractor regarding such issues, on behalf of the City;
9. Clearly document all details and calculations in written field orders and change orders, ensuring good results for future audits by various funding entities;
10. Ensure the Project contractor's adherence to Project schedule and notify all parties of issues that might impact the CMP;
11. Review the Project contractor's monthly progress payment estimates and confirm that percentages and quantities of work completed align with the amounts requested for payment. Provide a thorough review for accuracy and comparison with actual work completed. Meet with the City's Field Engineering Inspector to discuss the progress pay application and ensure that all check list items are complete, including labor-compliance issues, prior to submittal to the City. Make appropriate recommendations to the City on payment issues;
12. Track preliminary notices forwarded by City staff, collect and file appropriate releases from contractor, and ensure all appropriate and necessary releases are on file upon Project completion;
13. Facilitate an intermediary Partnering Session, if deemed necessary during construction of the Project;
14. Conduct and coordinate preliminary and final walk-throughs for the punch lists, start up and testing, and closeout. Ensure all deliverables have been reviewed, approved, and delivered

ATTACHMENT "A"

Scope of Work

- to the appropriate City staff, including Operation and Maintenance ("O&M") manuals and any other training documentation;
15. Provide claim support through final resolution. Mitigate existing issues and resolve all future issues at the lowest level possible to avoid claims; and
 16. Submit detailed monthly CM services invoices, and include a Burn Rate spreadsheet with each invoice for budget tracking. A sample spreadsheet will be provided.

Task 5 – Subcontract Management – Special Inspection Services

1. Consultant to include and manage the following as part of the CM services:
 - a. Scheduling testing for geotechnical support and special inspection services, as needed. Geotechnical support and special inspection services shall include, but are not limited to:
 - i. Inspection of trench backfill and compaction testing during pipeline construction and site grading;
 - ii. Materials sampling and testing during installation of cast-in-place concrete for bridge support structures;
 - iii. Subgrade, aggregate base and asphaltic concrete in cases where the construction has caused damage to road surfaces, private driveways or other;
 - iv. Laboratory testing of imported material, compaction testing of trench backfill, concrete cylinder testing, proctor test, aggregate base conformance to the Project specifications for asphalt and concrete; and
 - v. Submitting field reports and lab test reports to the CM.
2. As part of the CM fee schedule, a line item allowance of \$50,000 has been added for Geotechnical and special inspection services. This allowance is based on a time and materials basis, not to exceed \$50,000 without written authorization from the City.
3. As part of the CM fee schedule, a line item allowance of \$449,000 has been added for biological and cultural monitoring during pre-construction and construction phase of the Project. This allowance is based on a time and materials basis, not to exceed \$449,000 without written authorization from the City.
4. Consultant is responsible for ensuring compliance with all prevailing wage laws and requirements for their firm and any subcontractors and subconsultants. Prevailing wage laws and requirements must be listed in all subcontracts. Consultant and all of their subcontractors and subconsultants are required to submit prevailing wage documentation to the City's labor compliance consultant for compliance monitoring for covered classifications.

D. Rates

The contract price shall not exceed **\$1,172,787**. Consultant shall submit monthly invoices to the City, and the City shall pay Consultant for invoiced services within 30 days of receipt of an invoice.

The following rates for services shall remain in effect throughout the term of this Agreement:

Task No.	Task Description	Total Cost
1	Coordination	\$82,920
2	Inspection	\$284,400
3	Document Control/Record Keeping	\$104,720
4	Project Management	\$140,120
5	Subcontract Management	\$499,000
Other	Mark up on Task 5	\$61,627
	Total	\$1,172,787

ATTACHMENT "A"

Scope of Work

Consultant's rates for services are calculated on a "time and materials" basis in accordance with Exhibit 2 to this Scope of Work, which is attached hereto and incorporated by this reference. Exhibit 2 includes costs for vehicle mileage, computers, computer software, printers, reproduction, prints, plotting and record mapping copies, digital cameras, digital video cameras, cell phones and cell phone service, broadband service, delivery service, mail, office supplies, technical reference materials, training, and personal protection equipment ("PPE") including hard hats, safety boots, work gloves, safety glasses and other PPE, as required and will not be separately reimbursed. Office space is not included.

E. Term

The term of this Agreement shall be from the Effective Date of the Agreement through **March 31, 2023**.

Consultant acknowledges that the term of this Agreement may extend over multiple City fiscal years, and that work and compensation under this Agreement is contingent on the City Council appropriating funding for and authorizing such work and compensation for those fiscal years. This Agreement may be terminated at the end of the fiscal year for which sufficient funding is not appropriated and authorized. The City is not obligated to pay Consultant for any amounts not duly appropriated and authorized by City Council.

ATTACHMENT "B" Personnel List

Pursuant to Section 4 of the Agreement, CONSULTANT shall only assign performance of Services to persons listed below.

1. Scott Reilly, Construction Manager/Resident Engineer, scott@reillycm.com, Reilly Construction Management, Inc.;
2. Danny Robinson, Field Inspector, danny@reillycm.com, Reilly Construction Management, Inc.;
and
3. Kate Dokmo, Document Control Specialist, kate@reillycm.com, Reilly Construction Management, Inc.

CONSULTANT shall not add or remove persons from this Personnel List without the City's prior written consent. If CONSULTANT has not designated a person to perform a component of the Services, CONSULTANT shall not assign such component of the Services to a person without obtaining the City's prior written consent. CONSULTANT shall not subcontract any component of the Services without obtaining the City's prior written consent.

Acknowledged by:

Date: _____

Scott Reilly, Owner, Reilly Construction
Management, Inc.

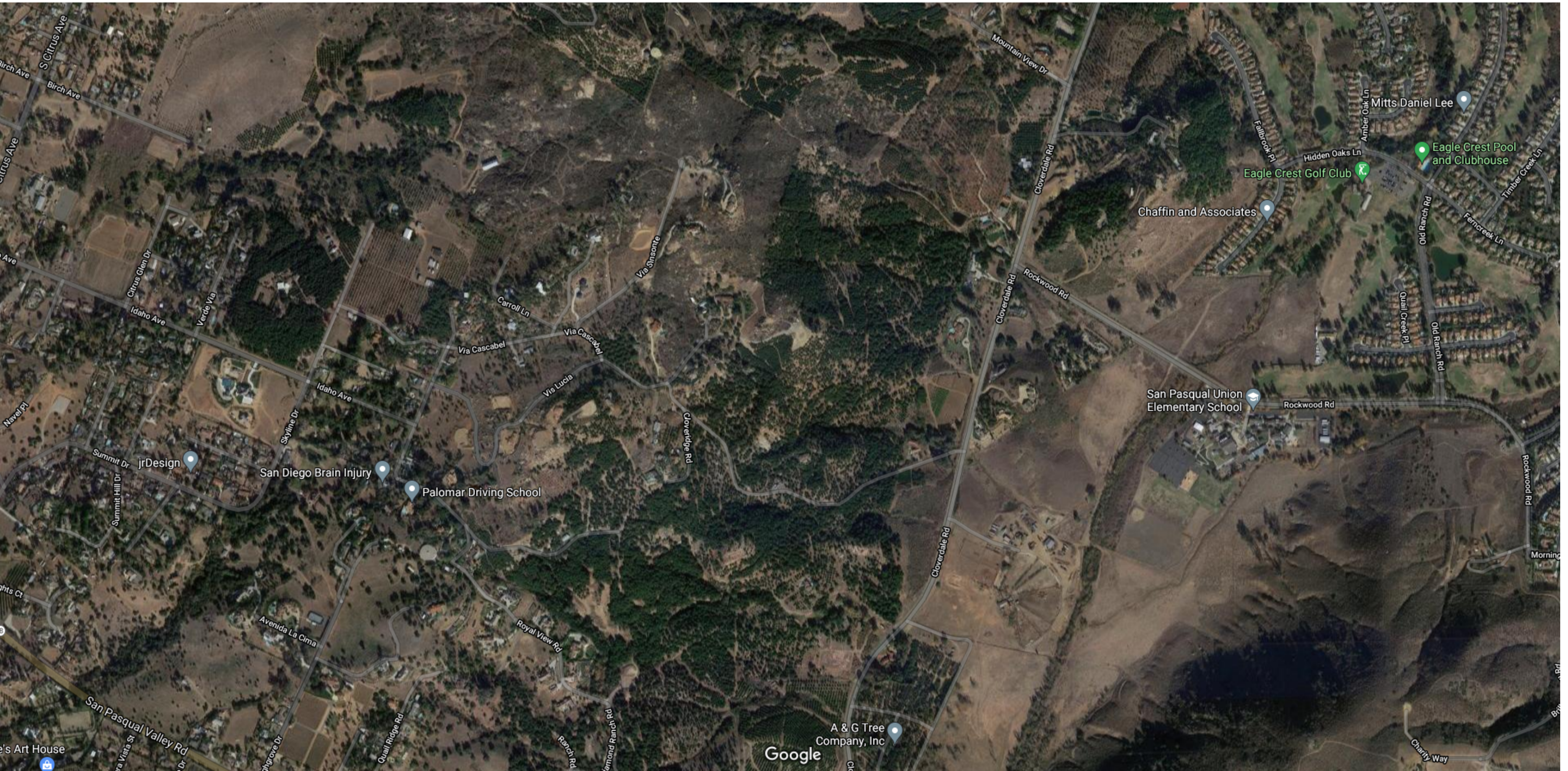


Exhibit 2

Recycled Water Easterly Agriculture Distribution System Project			2021							2022													
					July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	
			(Working Days/Month)		21	22	21	20	20	21	20	19	23	21	21	22	20	23	21	20	20	21	
Staff Name	Labor Category	Hours	Dollars																				
Scott Reilly, CCM	CM/RE	\$170.00	1228	\$208,760	24	24	60	60	60	80	80	80	80	80	80	80	80	80	60	60			
Danny Robinson	Field Inspector	\$150.00	2316	\$347,400	8	8	100	100	160	168	160	152	184	168	168	176	160	184	168	160	76	16	
Kate Dokmo	Document Control	\$100.00	560	\$56,000	20	20	30	30	40	40	40	40	40	40	30	30	30	30	20	20	30		
Sub-Total				\$612,160																			
Key Personnel - Labor Total			4104		52	52	190	190	260	288	280	272	304	288	278	286	270	294	278	260	156	106	
Other Team Members																							
Helix Environmental Planning (Environmental Consultant Services)			\$449,000																				
Construction Testing Engineers (geotechnical services)			\$50,000																				
Subtotal ODCs			\$499,000																				
G&A on ODCs			5.00%	\$24,950																			
ODC Profit			7.00%	\$36,677																			
Grand Total			\$1,172,787																				

Schedule
 CM/Inspection assumed award/start July/Aug 2021, (approx 2 months f/preconstruction services)
 Contract Duration is 448 Calendar Days (Assumed Contractor Award August 2021, Assume NTP Sept 2021)
 Estimated Completion Date is assumed November 2022 (15 months)
 Reilly CM to provide CM, administration/record keeping, field observation/Inspection
 Assume one month post construction/project close out in Dec 2022

Engineer's construction estimate for the Project is \$4,200,000

Contruction Management Personnel

Name	Title	Role
Scott Reilly, CCM	Construction Manager.Resident Engineer	City's one point contact performing all construction management duties and providing support to the Field Inspector and Document Control Specialist.
Danny Robinson	Field Inspector	Provide daily onsite inspection and document control.
Kate Dokmo	Document Control	Manage project documents and submittals.

Task #	Task Description	Total Cost
1	Coordination Efforts	\$82,920
2	Inspection Requirements	\$284,400
3	Document Control	\$104,720
4	Project Management	\$140,120
5	Special Inspections (not to exceed)	\$499,000
Other	5% G&A and 7% Profit on ODC's Markup on Task 5	\$61,627
TOTAL T&M Cost		\$1,172,787



CITY COUNCIL STAFF REPORT

Current Business Item No. 10

July 14, 2021

File No. 0130-10

SUBJECT: Designation of Voting Delegate – League of California Cities Conference

DEPARTMENT: City Clerk's Office

RECOMMENDATION:

It is requested that the City Council designate the Voting Delegate and up to two alternates for the League of California Cities Annual Conference ("Conference") in Sacramento, California on September 22-24, 2021.

FISCAL ANALYSIS:

Costs to attend this conference are included in the City Council's Training / Meeting budget.

BACKGROUND:

The Conference is scheduled for September 22-24, 2021 in Sacramento, California. At the Annual Business Meeting the League membership considers and takes action on resolutions that establish League policy. In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate. The City Council may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Attached to this Staff Report is the Voting Delegate Form.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Zack Beck, City Clerk

07/07/21 4:52 p.m.

ATTACHMENTS:

1. Attachment "1" – Voting Delegate Packet



Council Action Advised by August 31, 2021

June 16, 2021

TO: City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference & Expo – September 22-24, 2021**

Cal Cities 2021 Annual Conference & Expo is scheduled for September 22-24, 2021 in Sacramento. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly) on Friday, September 24. At this meeting, Cal Cities membership considers and acts on resolutions that establish Cal Cities policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to Cal Cities office no later than Wednesday, September 15. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note: Our number one priority will continue to be the health and safety of participants. We are working closely with the Sacramento Convention Center to ensure that important protocols and cleaning procedures continue, and if necessary, are strengthened. Attendees can anticipate updates as the conference approaches.

- **Action by Council Required.** Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration will open mid-June at www.cacities.org. In order to cast a vote, at least one voter must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.
- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but

only between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Sacramento Convention Center, will be open at the following times: Wednesday, September 22, 8:00 a.m. – 6:00 p.m.; Thursday, September 23, 7:00 a.m. – 4:00 p.m.; and Friday, September 24, 7:30 a.m.– 11:30 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League's office by Wednesday, September 15. If you have questions, please call Darla Yacub at (916) 658-8254.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form



CITY: _____

**2021 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to Cal Cities office by Wednesday, September 15, 2021. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

To vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____

Email _____

Mayor or City Clerk _____
(circle one) (signature)

Date _____ Phone _____

Please complete and return by Wednesday, September 15, 2021 to:

Darla Yacub, Assistant to the Administrative Services Director

E-mail: dyacub@cacities.org

Phone: (916) 658-8254



Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



FUTURE CITY COUNCIL AGENDA ITEMS

Updated July 8, 2021

*AGENDA ITEMS AND CITY COUNCIL MEETING DATES ARE SUBJECT TO CHANGE.
CHECK WITH THE CITY CLERK'S OFFICE AT (760) 839-4617*

July 21, 2021

5:00 p.m.

CONSENT CALENDAR

Community Facilities District (CFD) 2000-01 (Hidden Trails) Annual Special Tax Levy

(C. Holmes)

It is requested that the City Council adopt Resolution No. 2021-75, setting the Special Tax Levy for Community Facilities District (CFD) No. 2000-01 (Hidden Trails). A special tax is levied annually on real property within the Community Facilities District No. 2000-01 and is collected through the County of San Diego Assessor's Office. The proceeds from the special tax are used to meet debt service obligations from the issuance of bonds for the District.

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

(C. Holmes)

It is requested that the City Council adopt Resolution No. 2021-76, setting the Special Tax Levy for Community Facilities District (CFD) No. 2006-01 (Eureka Ranch). A special tax is levied annually on real property within the Community Facilities District No. 2006-01 and is collected through the County of San Diego Assessor's Office. The proceeds from the special tax are used to meet debt service obligations from the issuance of bonds for the District.

Community Facilities District (CFD) 2020-02 (The Villages) Annual Special Tax Levy

(C. Holmes)

It is requested that the City Council adopt Resolution No. 2021-78, setting the Special Tax Levy for Community Facilities District (CFD) No. 2020-02 (The Villages). A special tax is levied annually on real property within the Community Facilities District No. 2020-02 and is collected through the County of San Diego Assessor's Office. The proceeds from the special tax are used to meet debt service obligations from the issuance of bonds for the District.

<p>Community Facilities District (CFD) 2020-01 (Public Services) Annual Special Tax Levy (C. Holmes)</p> <p><i>It is requested that the City Council adopt Resolution No. 2021-77, setting the Special Tax Levy for Community Facilities District (CFD) No. 2020-01 (Public Services). A special tax is levied annually on real property within the Community Facilities District No. 2020-01 and is collected through the County of San Diego Assessor's Office. The proceeds from the special tax are used to provide public services including public safety, maintenance, administration, community development and services provided by the City.</i></p>
<p>Resolution Establishing the Property Tax Rate and Fixed Charge Assessments for Bonded Indebtedness for Fiscal Year 2021-2022 (C. Holmes)</p> <p><i>It is requested that the City Council adopt Resolution No. 2021-79 establishing the property tax rate and fixed charge assessments for bonded indebtedness for the Fiscal Year 2021-22. Each year, a property tax rate is established to generate an amount of revenue from the property tax base that is sufficient to pay the General Obligation Bond debt service (principal and interest) for the current tax year.</i></p>
<p>Amendment and Novation Agreement and Authorization to Examine Sales and Use Tax Records from the California Department of Tax and Fee Administration (C. Holmes)</p> <p><i>It is requested that the City Council adopt Resolution No. 2021-101, Authorizing the Examination of Sales and Use Tax Records, and approve the amendment and novation agreement with Municipal Resource Consultants and MuniServices, LLC. The Amendment and Novation agreement updates the records of the California Department of Tax and Fee Administration, and updates the authorized designated list of City employees by title that will be allowed to examine sales and use tax records of the California Department of Tax and Fee Administration.</i></p>
<p>Specific Alignment Plan for Grand Avenue from Escondido to Juniper for the Grand Avenue Vision Plan (PL21-0055) (J. Procopio)</p> <p><i>It is requested that City Council approve Resolution No. 2021-108 to adopt a specific alignment plan for Grand Avenue from Escondido Blvd. to Juniper St. for the Grand Avenue Phase I Vision project.</i></p>
<p>Street Light Pole and LED Fixture Procurement for the Grand Avenue Vision Project – Phase I (J. Procopio)</p> <p><i>It is requested that City Council adopt Resolution No. 2021-104 to authorize the City Manager to issue a purchase order to procure twenty-four (24) street light poles and LED light fixtures for the Grand Avenue Phase I Vision project in advance of the construction project.</i></p>
<p>Notice of Completion for the Storm Drain Lining and Rehabilitation Project – Phase 2 (J. Procopio)</p> <p><i>It is requested that City Council adopt Resolution No. 2021-105 to approve and accept the public improvements and authorize staff to file a Notice of Completion for the Storm Drain Lining and Rehabilitation Project - Phase 2. The project rehabilitated twenty-one (21) corrugated metal pipelines totaling over ½-mile in length.</i></p>

	<p>Payment to SDG&E for Final Design and Relocation of Distribution and Transmission Electric Facilities for the Citracado Parkway Extension Project (J. Procopio)</p> <p><i>It is requested that the City Council adopt Resolution No. 2021-106 authorizing payment to San Diego Gas and Electric for relocation of SDG&E's existing transmission and distribution electric facilities that are in conflict with the Citracado Parkway Extension Project ("Project"). SDG&E has received bids for the work and expects to complete the relocation during August/September 2021.</i></p>
<p>PUBLIC HEARINGS</p>	
<p>CURRENT BUSINESS</p>	
	<p>Declaration of Vacancy – Historic Preservation Commission (Z. Beck)</p> <p><i>It is requested that the City Council declare a vacancy on the Historic Preservation Commission, per Sec. 33-791 of the Escondido Municipal Code.</i></p>
	<p>Sign Regulations (C. Martinez)</p> <p><i>At the June 9, 2021 City Council Meeting, Councilmember Martinez requested that an item be placed on the Future Agenda to discuss sign regulations in the City of Escondido.</i></p>
	<p>2021-2022 Planning Commission Work Plan (A. Finestone)</p> <p><i>It is requested that the City Council receive a report and presentation on a work plan developed by the Planning Commission for 2021 and 2022 as an advisory body to the City Council, and direct Planning Division staff to work with the Planning Commission on the items identified in the work plan.</i></p>
<p>FUTURE AGENDA ITEMS</p>	

July, 28, 2021 NO MEETING (Summer Break)

August 4, 2021 NO MEETING (Summer Break)



July 14, 2021

CITY MANAGER'S WEEKLY ACTIVITY REPORT

- Please refer to the City's website at <https://www.escondido.org/latest-news-from-the-city-managers-office.aspx>