NOVEMBER 18, 2020
VIDEO CONFERENCE
5:00 P.M. Closed Session; 6:00 P.M. Regular Session
201 N. Broadway, Escondido, CA 92025

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

COVID-19 PUBLIC SERVICE ANNOUNCEMENT

Pursuant to Governor Newsom's Executive Orders, including N-25-20 and N-29-20: Certain Brown Act requirements for the holding of a public meeting have been temporarily suspended and members of the Escondido City Council and staff will participate in this meeting via teleconference. In the interest of reducing the spread of COVID-19, members of the public are encouraged to submit their agenda and non-agenda comments online at the following link: https://www.escondido.org/agenda-position.aspx. Council Chambers will be closed.

Public Comment: To submit comments in writing, please do so at the following link: https://www.escondido.org/agenda-position.aspx. If you would like to have the comment read out loud at the meeting (not to exceed three minutes), please write "Read Out Loud" in the subject line.

Depending on the volume and/or similarity of public comments, and pursuant to the City Council Rules of Procedure, the Mayor or Presiding Councilmember may limit the number of comments to be read and/or limit the amount of time each comment may be read. It is in the interests of members of the public who desire that their statement be read out loud to be mindful of this potential limitation when drafting their comment. The entirety of all comments received from the public will be made a part of the record of the meeting.

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

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.

November 18, 2020
5:00 p.m. Meeting
Mitchell Room
Escondido City Council

CALL TO ORDER

ROLL CALL: Diaz, 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 LEGAL COUNSEL-- EXISTING LITIGATION (Government Code § 54956.9(d)(1))

a. **Case Name:** Angelique Arenas v. City of Escondido
Case No.: San Diego Superior Court No. 37-2019-00037327-CU-PA-NC

b. **Case Name:** KB Home Coastal, Inc. v. City of Escondido
Case No.: San Diego Superior Court No. 37-2020-00025968-CU-WM-NC

c. **Matter Name:** North County Environmental Resources Project
Decision of Director of Planning & Development Services

Matter Number: County of San Diego, Planning & Development Services
PDS 2008**-**3910-0808012 (E.R. No.)
PDS 2008-3500-08-015 (Site Plan No.)
Hilltop Group, Inc. (Permittee)

II. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION (Government Code § 54956.9(d)(4))

a. One Matter

ADJOURNMENT

November 18, 2020
6:00 P.M. Meeting

Escondido City Council

CALL TO ORDER

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

FLAG SALUTE

ROLL CALL: Diaz, Martinez, Morasco, McNamara

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:

- 346808 – 347008 dated October 21, 2020
- 347009 – 347232 dated October 28, 2020
- 347233 – 347417 dated November 4, 2020

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

3. APPROVAL OF MINUTES: Regular Meetings of October 21, 2020 and October 28, 2020

4. BID AWARD FOR THE LED STREET LIGHT RETROFIT PROJECT - PHASE 2 -

Request the City Council approve rejecting the bid protest submitted by HMS Construction, awarding the bid to Baker Electric Inc. determined to be the lowest responsive and responsible bidder, and authorizing the Mayor and City Clerk to execute a Public Improvement Agreement in the amount of $257,644 for the Multi Neighborhood Street Light L.E.D. Retrofit Project – Phase 2.

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

RESOLUTION NO. 2020-158

5. ANNEXING PROPERTY TO CITYWIDE SERVICES COMMUNITY FACILITIES DISTRICT 2020-1 -

Request the City Council approve annexing two properties with proposed projects containing 21-units into the Citywide Services CFD 2020-1. Each property owner has provided a signed form consenting to the annexation.

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

RESOLUTION NO. 2020-160

6. NOTICE OF COMPLETION FOR PRADERA (TRACT 889, TRACT 894, SUB13-0033, SUB13-0011) NORTH OF LEHNER AVENUE TO STANLEY AVENUE, EAST OF ASH STREET TO CONWAY DRIVE -

Request the City Council approve the public improvements and authorize staff to file a Notice of Completion for the Pradera Tract 889, Tract 894, SUB13-0003, SUB13-0010, and SUB13-0011.

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

RESOLUTION NO. 2020-157

7. APPROVAL OF PAYMENT TO SDG&E FOR DESIGN AND MATERIALS NECESSARY FOR RELOCATION OF UTILITIES FOR THE CITRACADO PARKWAY EXTENSION PROJECT –

Request the City Council approve authorizing additional payment in the amount of $174,300 as required by the Electric Transmission Facility Relocation Agreement with SDG&E for design and pre-order of materials necessary to relocate transmission electric lines in conflict with the upcoming Citracado Parkway Extension Project.

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

8. **REQUEST FOR AUTHORIZATION TO PROCESS AN ANNEXATION AND GENERAL PLAN AMENDMENT OF FIVE PARCELS ON NORTH IRIS LANE -**
Request the City Council provide direction to initiate an application for an Annexation and General Plan Amendment and how it affects a site containing five parcels totaling 7.7 gross acres, and reflects an intent to process a residential subdivision on this site.

Staff Recommendation: **Provide Direction (Community Development Department: Mike Strong)**

9. **HOUSING AND COMMUNITY INVESTMENT STUDY - AWARD OF CONTRACT TO HARRIS & ASSOCIATES FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE HOUSING ELEMENT UPDATE AND EAST VALLEY SPECIFIC PLAN –**
Request the City Council approve authorizing the City Manager to enter into an agreement for professional services with Harris & Associates in a not-to-exceed amount of $249,775 for the preparation of an EIR to support the HCIS.

Staff Recommendation: **Provide Direction (Community Development Department: Mike Strong)**

RESOLUTION NO. 2020-165

10. **FOURTH AMENDMENT TO THE CONSULTING AGREEMENT FOR THE LAKE WOHLFORD DAM REPLACEMENT PROJECT -**
Request the City Council approve and authorize the Mayor to execute a Fourth Amendment to the Consulting Agreement with Black & Veatch Corporation for the Lake Wohlford Dam Replacement Project.

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

RESOLUTION NO. 2020-162

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.)

11. **ADOPTION OF ORDINANCE REDUCING CAMPAIGN CONTRIBUTION LIMITS FOR MAYOR AND COUNCILMEMBERS AND RELATED CAMPAIGN CONTROL AMENDMENTS -**
Approved on October 21, 2020 with a vote of 3/1 (Morasco - No)

ORDINANCE 2020-27 (Second Reading and Adoption)

12. **ORDINANCE AMENDING ESCONDIDO MUNICIPAL CODE CHAPTER 2, ADMINISTRATION, ARTICLE 2, CITY COUNCIL, SECTION 2-24 FOR THE SELECTION OF A DEPUTY MAYOR -**
Approved on October 21, 2020 with a vote of 4/0

ORDINANCE NO. 2020-28 (Second Reading and Adoption)

13. **ORDINANCE TO AMEND ESCONDIDO MUNICIPAL CODE CHAPTER 16, ARTICLE 3, BUSINESSES LICENSED FOR REVENUE AND REGULATION, BY ADDING DIVISION 6, TOBACCO RETAILER LICENSE -**
Approved on October 28, 2020 with a vote of 4/0

ORDINANCE NO. 2020-29R (Second Reading and Adoption)

PUBLIC HEARINGS

14. **ADOPTION OF PROPOSED ADJUSTMENTS TO CITY USER FEES -**
Request the City Council approve proposed changes to City User Fees.

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

RESOLUTION NO. 2020-88

15. **FISCAL YEAR 2020-2021 HUD ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT AND BUDGET ADJUSTMENT -**
Request the City Council approve to amend the US Housing & Urban Development FY 2020-2021 Annual Action Plan authorizing new Community Development Block Grant activities.

Staff Recommendation: **Approval (Community Development Department: Mike Strong)**

RESOLUTION NO. 2020-154

16. **MASTER AND PRECISE DEVELOPMENT PLAN, TENTATIVE SUBDIVISION MAP, AND GRADING EXEMPTION – NUTMEG HOMES RESIDENTIAL PROJECT - SOUTH PORTION (SUB 20-0007) -**
Request the City Council approve a Master and Precise Development Plan to develop the south portion of the Nutmeg Homes site with up to 97 townhome units. In addition, approve a Tentative Subdivision Map and Grading Exemption for this development.

Staff Recommendation: **Approval (Community Development Department: Mike Strong)**

a) RESOLUTION NO. 2020-152 b) ORDINANCE 2020-30 (First Reading and Introduction)

CURRENT BUSINESS

17. **APPROVAL FOR USE OF THE PROP 68 PER CAPITA GRANT IN THE AMOUNT OF $271,303 TO FUND A "JOHN MASSON MEMORIAL BIKE PARK" IN JESMOND DENE PARK AND A BUDGET ADJUSTMENT -**
Request the City Council approve the application(s) for Prop 68 Per Capita grant funds, and authorize the Deputy City Manager/Director of Communications and Community Services or her designee to complete and submit all documents necessary for the completion of the grant scope(s); and approve the naming of the proposed bike park, the John Masson Memorial Bike Park in honor of late Councilmember John Masson.

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

RESOLUTION NO. 2020-151

18. **WASHINGTON PARK SKATE SPOT UPDATE -**
Request the City Council receive and file the current skate spot report and presentation.

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

19. **UNCLASSIFIED SERVICE SCHEDULE, SALARY PLANS, AND BUDGET ADJUSTMENT -**
Request the City Council approve to amend and re-establish the salary schedule for the Unclassified and Management groups and the Part-Time Hourly Compensation Plan, approve the budget adjustment for a new Building Development Technician, and receive and file update regarding classification and compensation study of full-time positions.

Staff Recommendation: **Approval (Human Resources Department: Jessica Perpetua; Community Development Department: Mike Strong)**

a) RESOLUTION NO. 2020-140 b) RESOLUTION NO. 2020-141

20. **RE-CAP OF COUNCIL TENURE AND LEAVING OFFICE COMMENTS: COUNCILMEMBER DIAZ-**
Request the City Council receive an overview and summary of Councilmember Diaz's career with the City of Escondido.

Staff Recommendation: **None (Councilmember: Olga Diaz)**

FUTURE AGENDA

21. **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**
November 25	-	-	No Meeting (Thanksgiving)	-
December 2	-	-	No Meeting	-
December 9	Wednesday	6:00 p.m.	Installation Ceremony	Council Chambers
December 16	Wednesday	5:00 & 6:00 p.m.	Regular Meeting	Council Chambers

TO ADDRESS THE COUNCIL

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

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

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

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

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

- Online at http://www.escondido.org/meeting-agendas.aspx
- In the City Clerk's Office at City Hall
- Placed in the Council Chambers (See: City Clerk/Minutes Clerk) immediately before and during the Council meeting.

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

LIVE BROADCAST

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

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

The City Council is scheduled to meet the first four Wednesdays of the month at 5:00 in Closed Session and 6:00 in Open Session.
(Verify schedule with City Clerk's Office)
Members of the Council also sit as the Successor Agency to the Community Development Commission, Escondido Joint Powers Financing Authority, and the Mobilehome Rent Review Board.

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

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

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

ESCONDIDO
City of Choice

Consent Item No. 1 **November 18, 2020**

A F F I D A V I T S

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ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Consent Item No. 2 **November 18, 2020** **File No. 0400-40**

SUBJECT: Approval of Warrants

DEPARTMENT: Finance Department

RECOMMENDATION:

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

346808 – 347008 dated October 21, 2020
347009 – 347232 dated October 28, 2020
347233 – 347417 dated November 4, 2020

FISCAL ANALYSIS:

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

October 15 – October 21, 2020, is $ 2,452,646.71
October 22 – October 28, 2020, is $ 1,631,707.40
October 29 – November 4, 2020, is $ 2,102,426.01

BACKGROUND:

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

CITY OF ESCONDIDO

October 21, 2020
5:30 p.m. Meeting
Mitchell Room
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 5:30 p.m. on Wednesday, October 21, 2020 in the Mitchell Room at City Hall with Mayor McNamara presiding.

ATTENDANCE:

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

ORAL COMMUNICATIONS

None.

CLOSED SESSION: (COUNCIL/RRB)

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE
(Government Code 54956.9(d)(2))
Claim No. 5231

ADJOURNMENT

Mayor McNamara adjourned the meeting at 5:55 p.m.

_____ _____

MAYOR CITY CLERK

CITY OF ESCONDIDO

October 21, 2020
6:00 P.M. Meeting

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 6:00 p.m. on October 21, 2020 via Video Conference and in the City Council Chambers at City Hall with Mayor McNamara presiding.

MOMENT OF REFLECTION
Zack Beck, City Clerk led the Moment of Reflection

FLAG SALUTE
Paul McNamara, Mayor, led the Flag Salute

PRESENTATIONS
Annual Earth Day and Water Awareness Poster Contests

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

Also present were: Jeffrey Epp, 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

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))
Claim No. 5231
No reportable action under the Brown Act.

ORAL COMMUNICATIONS

Christopher Bout – Expressed concern regarding the electrical grid.

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.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz 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:

- 345737 – 345953 dated September 16, 2020
- 345954 – 346221 dated September 23, 2020
- 346222 – 346422 dated September 30, 2020
- 346423 – 346600 dated October 7, 2020

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

3. APPROVAL OF MINUTES: Regular Meetings of September 16, 2020 and September 23, 2020

4. FIRST AMENDMENT TO SPECTRASITE COMMUNICATIONS LEASE AGREEMENT FOR THE PROPERTY LOCATED AT 1029 HUBBARD HILL -

Request the City Council approve authorizing the Real Property Manager to execute documents necessary to extend the SpectraSite Communications lease agreement at 1029 Hubbard Hill, Escondido for an additional two (2) years, to allow additional time to identify a tenant (or sublessee). (File No. 0600-10)

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

RESOLUTION NO. 2020-132

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.)

5. ORDINANCE FOR THE CORONAVIRUS (COVID-19) EMERGENCY BUSINESS RECOVERY STRATEGY -

Approved on September 16, 2020 with a vote of 4/0

ORDINANCE NO. 2020-23 (Second Reading and Adoption)

6. MUNICIPAL CODE AMENDMENT ORDINANCE -

Approved on September 23, 2020 with a vote of 3/1, Morasco voting no

ORDINANCE NO. 2020-24 (Second Reading and Adoption)

7. ZONE CHANGE, MASTER AND PRECISE DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND SPECIFIC ALIGNMENT PLAN FOR CARVANA AUTO DEALERSHIP (PL20-0447) -

Approved on September 23, 2020 with a vote of 4/0

ORDINANCE NO. 2020-25 (Second Reading and Adoption)

PUBLIC HEARINGS

8. TENTATIVE SUBDIVISION MAP, CONDITIONAL USE PERMIT, PLOT PLAN AND NON-EMERGENCY DEMOLITION PERMIT FOR A 42-UNIT CONDOMINIUM DEVELOPMENT, AND ANNEXATION INTO COMMUNITY SERVICES DISTRICT 2020-1 – SUB 19-0010, PHG 19-0050 AND ENV 19-0007 -

Request the City Council approve a Tentative Subdivision Map, Condominium Permit and Plot Plan for the development of a 42-unit condominium development located at 2608 S. Escondido Boulevard, along with a Non-Emergency Demolition Permit for the demolition of an adobe structure classified as a significant historic resource. In conjunction with this action, it is requested that the City Council adopt Resolution No. 2020-147 annexing 1.75-acres of territory to Community Facilities District No. 2020-1 of the City of Escondido. (File No. 0850-20)

Staff Recommendation: **Approval (Community Development Department: Mike Strong)**

a) RESOLUTION NO. 2020-146 b) RESOLUTION NO. 2020-147

Alexa Clausen – Expressed opposition to the project.

Brad Solley – Expressed support for the project.

Bruce Coons – Expressed opposition to the project.

Carol Cornelius – Expressed opposition to the project.

Carol Rea – Expressed opposition to the project.

Dominic (Mick) Calarco – Expressed opposition to the project.

Don Scott Zech – Expressed support for the project.

Erik and Christine Zedelmayer – Expressed opposition to the project.

Gayle Powers – Expressed opposition to the project.

James Spann – Expressed support for the project.

Maria Weir Werth – Expressed opposition to the project.

Ritesh Patel – Expressed support for the project.

Thomas Stube – Expressed opposition to the project.

Vicente Rossi – Expressed opposition to the project.

William Ingraham – Expressed support for the project.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve a Tentative Subdivision Map, Condominium Permit and Plot Plan for the development of a 42-unit condominium development located at 2608 S. Escondido Boulevard, along with a Non-Emergency Demolition Permit for the demolition of an adobe structure classified as a significant historic resource. In conjunction with this action, adopt Resolution No. 2020-147 annexing 1.75-acres of territory to Community Facilities District No. 2020-1 of the City of Escondido. Approved unanimously.

CURRENT BUSINESS

9. ESCONDIDO'S PUBLIC FACILITIES FEE, PARK DEVELOPMENT FEE, TRAFFIC IMPACT FEE, AND DRAINAGE FACILITIES FEE -

Request the City Council consider a two percent inflationary adjustment to the Public Facilities, Park Development, Traffic Impact, and Drainage Facilities Fees. After considering public input, and in compliance with state government code, a separate public hearing to adopt the resolution enacting the proposed fees will be held on October 28, 2020. (File No. 0480-45)

Staff Recommendation: **Approval (City Manager's Office: Jay Petrek)**

NO COUNCIL ACTION REQUIRED

10. ADOPTION OF ORDINANCE REDUCING CAMPAIGN CONTRIBUTION LIMITS FOR MAYOR AND COUNCILMEMBERS AND RELATED CAMPAIGN CONTROL AMENDMENTS -

Request the City Council consider and introduce Ordinance No. 2020-27 amending Article 7 of Chapter 2 of the Municipal Code to reduce the maximum personal contributions from $4,300 for city councilmember and mayoral candidates and make additional changes to the City's Campaign Control Ordinance. (File No. 0680-10)

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

ORDINANCE NO. 2020-27 (First Reading and Introduction)

Danielle Polson – Expressed support for this item.

Laura Hunter – Expressed support for this item.

Pamela Heatherington – Expressed support for this item.

Rick Paul – Expressed support for this item.

Vinh An Le – Expressed support for this item.

Penn Warner Diehl – Expressed support for this item.

MOTION: Moved by Councilmember Diaz and seconded by Deputy Mayor Martinez to introduce Ordinance No. 2020-27 amending Article 7 of Chapter 2 of the Municipal Code to reduce the maximum personal contributions from $4,300 for city councilmember to $1000 and reduce the maximum personal contributions from $4,300 to $1,750 for Mayoral and City Treasurer candidates and make additional changes to the City's Campaign Control Ordinance. Approved 3-1 (Morasco – No)

11. ORDINANCE AMENDING ESCONDIDO MUNICIPAL CODE CHAPTER 2, ADMINISTRATION, ARTICLE 2, CITY COUNCIL, SECTION 2-24 FOR THE SELECTION OF A DEPUTY MAYOR -

Request the City Council consider and introduce Ordinance No. 2020-28 amending Section 2-24 in Article 2 of Chapter 2 of the Escondido Municipal Code to change the selection process for the appointed Deputy Mayor. (File No. 0680-10)

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

ORDINANCE NO. 2020-28 (First Reading and Introduction)

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to introduce Ordinance No. 2020-28 amending Section 2-24 in Article 2 of Chapter 2 of the Escondido Municipal Code to change the selection process for the appointed Deputy Mayor. Approved unanimously.

12. APPOINTMENT TO PLANNING COMMISSION –

Request the City Council ratify the Mayor's appointment of Nathan Serrato to fill an unscheduled vacancy on the Planning Commission, term to expire on March 31, 2022. (File No. 0120-10)

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

MOTION: Moved by Deputy Mayor Martinez and seconded by Councilmember Diaz to appoint Nathan Serrato to fill an unscheduled vacancy on the Planning Commission, term to expire on March 31, 2022. Approved 3-1 (Morasco – No)

13. DISCUSSION OF 2015/2016 SAN DIEGO COUNTY GRAND JURY REPORT ON CITIZEN OVERSIGHT OF POLICE CONDUCT -

Request the City Council discuss the report that the 2015/2016 San Diego County Civil Grand Jury published, making recommendations to multiple local law enforcement agencies to establish citizen review boards to investigate complaints against law enforcement officers. (File No. 0250-82)

Staff Recommendation: **None (Deputy Mayor Consuelo Martinez)**

Laura Hunter – Expressed support for a Police Oversight Commission.

Danielle Polson – Expressed support for a Police Oversight Commission.

Joe Houde – Expressed support for a Police Oversight Commission.

Pen Diehl – Expressed support for a Police Oversight Commission.

Vinh An Le – Expressed support for a Police Oversight Commission.

NO COUNCIL ACTION REQUIRED

FUTURE AGENDA

FUTURE AGENDA -

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

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

COUNCIL MEMBERS SUBCOMMITTEE REPORTS 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 at 9:35 p.m.

_____ _____

MAYOR CITY CLERK

CITY OF ESCONDIDO

October 28, 2020
5:30 p.m. Closed Session
Mitchell Room
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 5:30 p.m. on Wednesday, October 28, 2020 in the Mitchell Room at City Hall with Mayor McNamara presiding.

ATTENDANCE:

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

ORAL COMMUNICATIONS

None.

CLOSED SESSION: (COUNCIL/RRB)

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

a). **Case name:** Clement L. Harris v. City of Escondido

Case No.: WCAB No: ADJ12970005

b). **Case name:** Raquel Figueroa v. City of Escondido

Case No.: 37-2019-00009752-CU-PO-NC

ADJOURNMENT

Mayor McNamara adjourned the meeting at 5:55 p.m.

_____ _____

MAYOR CITY CLERK

October 28, 2020
6:00 P.M. Meeting

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 6:00 p.m. on October 28, 2020 via Video Conference and in the City Council Chambers at City Hall with Mayor McNamara presiding.

MOMENT OF REFLECTION
Zack Beck, City Clerk led the Moment of Reflection

FLAG SALUTE
Paul McNamara, Mayor, led the Flag Salute

PROCLAMATION
Cynthia Weir, California Center for the Arts Escondido

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

Also present were: Jeffrey Epp, 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

COUNCIL ACTION: The City Council voted unanimously to settle in the amount of $71,000.

ORAL COMMUNICATIONS

Katherine Fromm – Expressed concern about historic preservation in Escondido.

Laura Hunter – Expressed support for campaign finance reform in Escondido.

CONSENT CALENDAR

MOTION: Moved by Councilmember Diaz and seconded by Deputy Mayor 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:

- 346601 – 346807 dated October 14, 2020

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

3. APPROVAL OF MINUTES: None Scheduled

4. SIXTH AMENDMENT TO THE CONSULTING AGREEMENT FOR THE CITRACADO PARKWAY IMPROVEMENT PROJECT -

Request the City Council approve authorizing a Sixth Amendment to the Consultant Agreement with Brian F. Smith and Associates, Inc. for Archeological Services for the Citracado Parkway Extension Project. On August 1, 2012, the City Council approved Phases I and II of archeological work necessary for the Citracado Pkwy project totaling $971,000. Two subsequent amendments totaling $619,438 were approved by the City Council to process the large volume of artifacts discovered, prepare a National Historic Preservation Act Section 106 study and screen culturally sensitive soils within the project footprint. This contract amendment, in the amount of $399,000, completes pre-grading services including screening of all soils, cataloging of encountered cultural materials and Native American monitoring. (File No. 0600-10, A-3058)

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

RESOLUTION NO. 2020-149

5. BID AWARD AND PUBLIC IMPROVEMENT AGREEMENT FOR CONSTRUCTION OF HALE AVENUE RESOURCE RECOVERY FACILITY STORM WATER TREATMENT SYSTEM RETROFIT PROJECT -

Request the City Council approve executing a Public Improvement Agreement with the lowest responsive and responsible bidder for construction of the Hale Avenue Resource Recovery Facility Storm Water Treatment System Retrofit Project. The contract is being awarded to Shaw Equipment Rentals, Inc. for a sum not to exceed $207,357. (File No. 0600-10, A3339)

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

RESOLUTION NO. 2020-150

6. TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2020 -

Request the City Council receive and file the July through September 2020 Treasurer's Report. (File No. 0490-55)

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

PUBLIC HEARINGS

7. DEVELOPMENT IMPACT FEE INFLATIONARY INCREASE AND BUDGET ADJUSTMENT -

Request the City Council approve adopting Resolution No. 2020-125 involving a two percent inflationary increase for Development Impact Fees collected for Public Facilities, Park Development, Traffic Impact, and Drainage Facilities anticipated to serve new development and to approve a budget adjustment of $100,000 to fund consultant services to prepare a Comprehensive Development Impact Fee analysis. (File No. 0480-45)

Staff Recommendation: **Approval (City Manager's Office: Jay Petrek)**

RESOLUTION NO. 2020-125

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to adopt Resolution No. 2020-125 involving a two percent inflationary increase for Development Impact Fees collected for Public Facilities, Park Development, Traffic Impact, and Drainage Facilities anticipated to serve new development and to approve a budget adjustment of $100,000 to fund consultant services to prepare a Comprehensive Development Impact Fee analysis. Approved unanimously.

8. **AMENDMENT TO CHAPTER 16 OF THE ESCONDIDO MUNICIPAL CODE TO ESTABLISH A TOBACCO RETAIL LICENSE AND REGULATIONS REGARDING LICENSING AND ADOPTION OF TOBACCO RETAIL LICENSE FEES (PLANNING CASE NO. PL20-0600) -**

Request the City Council approve introducing Ordinance No. 2020-29 and establish a tobacco retail license and regulations regarding licensing; adopt Resolution No. 2020-148 to amend the Business License fee schedule to include fee rates and charges to administer the tobacco retail license program. The request also includes the adoption of the environmental determination prepared for the project. (File No. 0680-50)

Staff Recommendation: **Approval (Community Development Department: Mike Strong)**

a) RESOLUTION NO. 2020-148 b) ORDINANCE NO. 2020-29

MOTION: Moved by Councilmember Diaz and seconded by Deputy Mayor Martinez to introduce Ordinance No. 2020-29 and establish a tobacco retail license and regulations regarding licensing; adopt Resolution No. 2020-148 to amend the Business License fee schedule to include fee rates and charges to administer the tobacco retail license program. The request also includes the adoption of the environmental determination prepared for the project. Approved unanimously.

CURRENT BUSINESS

9. **ECONOMIC UPDATE -**

Request the City Council receive an update on the current economic environment and revenue generating ideas. (File No. 0490-10)

Staff Recommendation: **None (City Treasurer's Office: Douglas W. Shultz)**

10. **PROPOSED RATE INCREASE FROM ESCONDIDO DISPOSAL, INC. FOR ANNUAL CPI INCREASE TO SOLID WASTE AND RECYCLING RATES, AND FEES FOR RESIDENTIAL AND COMMERCIAL COLLECTIONS -**

Request the City Council approve the requested annual residential and commercial solid waste and recycling rates/fees adjustments pursuant to the terms provided in the City's adopted Solid Waste Disposal and Recycling Franchise Agreement with Escondido Disposal, Inc. (File No. 0600-10, A-2340)

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

RESOLUTION NO. 2020-130

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to approve the requested annual residential and commercial solid waste and recycling rates/fees adjustments pursuant to the terms provided in the City's adopted Solid Waste Disposal and Recycling Franchise Agreement with Escondido Disposal, Inc. Approved unanimously.

FUTURE AGENDA

FUTURE AGENDA -

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

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

COUNCIL MEMBERS SUBCOMMITTEE REPORTS 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

Mayor McNamara adjourned the meeting at 7:25 p.m.

_____ _____

MAYOR CITY CLERK

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Consent Item No. 4 **November 18, 2020** **File No. 0470-32, A-3346**

SUBJECT: Bid Award for the L.E.D. Street Light Retrofit Project – Phase 2

DEPARTMENT: Engineering Services Department, Design/Capital Improvement Section

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-158 rejecting the bid protest submitted by HMS Construction, awarding the bid to Baker Electric Inc. determined to be the lowest responsive and responsible bidder, and authorizing the Mayor and City Clerk to execute a Public Improvement Agreement in the amount of $257,644 for the Multi Neighborhood Street Light L.E.D. Retrofit Project – Phase 2.

FISCAL ANALYSIS:

The adopted Capital Improvement Project (CIP) budget includes $330,541 in Community Development Block Grant (CDBG) funds for this project. In addition, General Street Funds programmed in the Fiscal Year (FY) 20-21 CIP budget for Street Light Retrofit projects are adequate to pay for the estimated $12,100 in street lights that are not eligible for CDBG funding.

PREVIOUS ACTION:

The City Council approved the one-year Housing and Urban Development (HUD) Action Plans for FY 2016-2017, FY 2017-2018, and FY 2018-2019 committing a combined $537,677 in CDBG funds for LED lighting retrofits in CDBG eligible areas.

BACKGROUND:

This Project features retrofitting 947 non-LED street light and safety light fixtures with new LED luminaries within the CDBG areas located north of El Norte Parkway and east of Broadway; south of State Route 78 and west of Interstate 15; and east of Ash St and north of Valley Parkway.

On October 29th, 2020, four sealed bids were received in response to the advertised request for bids for this Project. The bid results are listed below:

Baker Electric Inc.	$257, 644.00
Clear Blue Energy Corp.	$308, 659.14
HMS Construction	$320, 000.00
Advanced Lightning Services Inc.	$400, 109.33

A bid protest was submitted by HMS Construction on November 3, 2020, claiming, in part, that Baker Electric Inc.'s (Baker) bid was not responsive and Baker was not a responsible bidder. As to

responsiveness, HMS Construction's pointed out that Baker failed to sign its bid book in blue ink. This discrepancy is deemed a waivable irregularity as the remainder of Baker's bid materially conforms to the terms of the bid package. HMS Construction further asserted that Baker lacked the requisite experience and license to be considered as responsible bidder. Baker holds a Class A General Engineering license that qualifies the company to work in roadways and requires that it demonstrate proficiency in implementing traffic control. In addition, Baker has provided evidence of its successful completion of more complex projects similar in nature and scope for other public agencies, including those in the public right-of-way. Staff recommends that the bid protest submitted by HMS Construction be rejected.

Staff recommends that the bid submitted by Baker be considered the lowest responsive and responsible bid, and that the contract base bid and additive alternate bid items be awarded in the amount of $257,644.00 to Baker Electric Inc.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Julie Procopio, Director of Engineering Services
11/10/20 1:59 p.m.

ATTACHMENTS:

1. Resolution No. 2020-158
2. Resolution No. 2020-158-Exhibit "A" Public Improvement Agreement with Baker Electric Inc.

RESOLUTION NO. 2020-158

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AWARDING A BID TO BAKER ELECTRIC, INC. AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY, A PUBLIC IMPROVEMENT AGREEMENT FOR THE MULTI NEIGHBORHOOD GROUP STREET LIGHT L.E.D. RETROFIT PROJECT – PHASE 2

WHEREAS, the City Council has allocated funding for the Multi Neighborhood Street Lighting L.E.D. Retrofit Project – Phase 2; and

WHEREAS, a notice inviting bids for said improvements was duly published; and

WHEREAS, pursuant to said notice, four (4) sealed bids for the Project were opened and evaluated on October 29, 2020; and

WHEREAS, a bid protest was submitted by HMS Construction on November 3, 2020, claiming that the two lowest bidders (Baker Electric Inc. and Clear Blue Energy Corp.) were not responsive and responsible bidders as they failed to strictly comply with the bid specifications and lacked experience necessary to complete the project; and

WHEREAS, Baker Electric has appropriate licensing and experience to qualify as a responsible bidder and the discrepancies listed in HMS Construction's bid protest as to responsiveness are waivable irregularities that do not materially affect Baker Electric's bids; and

WHEREAS, Staff recommends that the bid protest submitted by HMS Construction be rejected and that Baker Electric, Inc. be determined to be the lowest responsive and responsible bidder; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to award this contract to Baker Electric, Inc. in the amount of $257,644.00.

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 bid protest submitted by HMS Construction is rejected.

2. That the Mayor and the City Clerk are authorized to execute, on behalf of the City, a Public Improvement Agreement with Baker Electric, Inc. in a substantially similar form to that which is attached and incorporated to this Resolution as Exhibit “A” and subject to final approval as to form by the City Attorney.

PUBLIC IMPROVEMENT AGREEMENT

This "Agreement", dated the _____ day of _____, 20____, in the County of SAN DIEGO, State of California, is by and between **THE CITY OF ESCONDIDO** (hereinafter referred to as "CITY"), and _____ (hereinafter referred to as "CONTRACTOR").

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

1. The complete contract includes all of the Project Documents described in the General Conditions, which are incorporated by reference. The Project Documents are complementary, and what is called for by any one shall be as binding as if called for by all.

2. CONTRACTOR shall perform, within the time set forth in Paragraph 4 of this Agreement, everything required and reasonably inferred to be performed, and shall provide and furnish all the labor, materials, necessary tools, expendable equipment, and all utility and transportation services as described in the complete contract and required for construction of

MULTI NEIGHBORHOOD STREET LIGHT L.E.D. RETROFIT PROJECT - PHASE 2

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

3. CITY shall pay to the CONTRACTOR, as full consideration for the faithful performance of the contract, subject to any additions or deductions as provided in the Project documents, the sum of _____ Dollars ($_____).

4. The CONTRACTOR shall commence construction no later than 40 working days (allowing lead time for material delivery) after a Notice to Proceed is issued, and shall complete all the Work and improvements within FORTY-FIVE (45) working days. The CONTRACTOR shall provide a submittal for approval by the CITY one week after the issuance to the Notice to Proceed. The CONTRACTOR shall provide order confirmation within two weeks of the submittal approval.

5. Time is of the essence. If the work is not completed in accordance with Paragraph 4 above, it is understood that the CITY will suffer damage. It being impractical and infeasible to determine the amount of actual damage(s), in accordance with Government Code Section 53069.85, it is agreed that CONTRACTOR shall pay to CITY as fixed and liquidated damages, and not as a penalty, the sum(s) indicated in the LIQUIDATED DAMAGES SCHEDULE below for each calendar day of delay until work is completed and accepted. This amount shall be deducted from any payments due to or to become due to CONTRACTOR. CONTRACTOR and CONTRACTOR'S surety shall be liable for the amount thereof. Time extensions may be granted by the CITY as provided in the General Conditions.

   Liquidated damages schedule:

   If the overall project is delayed **one (1) calendar day or more**, the rate shall be $500/day.

Acknowledged: _____
Initials of Principal

6. In the event CONTRACTOR, for a period of **ten (10) calendar days** after receipt of written demand from CITY to do so, fails to furnish tools, equipment, or labor in the necessary quantity or quality, or to prosecute said work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within said **ten (10) calendar days**, fails to continue to do so, then the CITY may exclude the CONTRACTOR from the premises, or any portion thereof, and take possession of said premises or any portion thereof, together with all material and equipment thereon, and may complete the work contemplated by this Agreement or any portion of said work, either by furnishing the tools, equipment, labor or material necessary, or by letting the unfinished portion of said work, or the portion taken over by the CITY to another contractor, or demanding the surety hire another contractor, or by any combination of such methods. In any event, the procuring of the completion of said work, or the portion thereof 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 said charge, or the portion thereof unsatisfied. The sureties provided for under this Agreement shall become liable for payment should CONTRACTOR fail to pay in full any said cost incurred by the CITY. The permissible charges for any such procurement of the completion of said work should 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 CITY for the increased dedication of time of CITY employees to the Project.

7. To the fullest extent permitted by law, the CONTRACTOR agrees to and does hereby agree to fully defend, indemnify and hold the CITY, its governing board, officers, agents, Project design team members (architect and consulting engineers), consultants, attorneys, and employees harmless of and from each and every claim, assertion, action, cause of action, arbitration, suit, proceedings, or demand made, and every liability, loss, judgment, award, damage, or expense, of any nature whatsoever (including attorneys' fees, consultant costs), which may be incurred by reason of:

   (a) Asserted and/or actual liability arises from claims for and/or damages resulting from damages for:

      (1) Death or bodily injury to persons.

(2) Injury to, loss or theft of tangible and/or intangible property/ e.g. economic loss.
(3) Any other loss, damage or expense arising under either (1) or (2) above, sustained by the CONTRACTOR upon or in connection with the work called for in this Project, except for liability resulting from the sole active negligence, or willful misconduct of the CITY.

(b) Any injury to or death of any person(s) or damage, loss or theft of any property caused by any act, neglect, default or omission of the CONTRACTOR, or any person, firm, or corporation employed by the CONTRACTOR, either directly or by independent contract, arising out of, or in any way connected with the work covered by this Agreement, whether said injury or damage occurs on or off City property.

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

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

8. CONTRACTOR shall take out, prior to commencing the work, and maintain, during the life of this contract, and shall require all subcontractors, if any, of every tier, to take out and maintain:

(a) General Liability and Property Damage Insurance as defined in the General Conditions in the amount with a combined single limit of not less that **$3,000,000 per occurrence**.

(b) Course of Construction / Builder's Risk Insurance. See Article 5.2 of General Conditions.

(c) Insurance Covering Special Hazards: The following special hazards shall be covered by rider or riders to the above-mentioned public liability insurance or property damage insurance policy or policies of insurance, or by special policies of insurance in amounts as follows:

(1) Automotive and truck where operated in amounts as above

(2) Material hoist where used in amounts as above

(d) Workers' Compensation Insurance.

(e) Each insurance policy required above must be acceptable to the City Attorney, as follows:

(1) Each policy must name the CITY specifically as an additional insured under the policy on a separate endorsement page, with the exception of the workers' compensation and the Errors and Omissions policies.

(2) Each policy must provide for written notice within no more than thirty (30) days if cancellation or termination of the policy occurs. Insurance coverage must be provided by an A.M. Best's A-rated, class V carrier or better, admitted in California, or if non-admitted, a company that is not on the Department of Insurance list of unacceptable carriers.

(3) All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.

(f) In executing this Agreement, CONTRACTOR agrees to have completed insurance documents on file with the CITY within 14 days after the date of execution. Failure to comply with insurance requirements under this Agreement will be a material breach of this Agreement, resulting in immediate termination at CITY's option.

9. This Agreement is subject to California Public Contract Code Section 22300, which permits the substitution of securities for any monies withheld by the City under this Agreement, and permits the CONTRACTOR to have all payments of earned retentions by the City paid to an escrow agent at the expense of the CONTRACTOR.

10. Each and every provision of law and clause required by law to be inserted in this Agreement or its attachments shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either party the Agreement shall forthwith be physically amended to make such insertion or correction, without further changes to the remainder of the Agreement.

11. The complete contract as set forth in Paragraph 1 of this Agreement constitutes the entire Agreement of the parties. No other agreements, oral or written, pertaining to the work to be performed, exists between the parties. This Agreement can be modified only by an amendment in writing, signed by both parties and pursuant to action of the Escondido City Council.

12. CONTRACTOR shall comply with those provisions of the Labor Code requiring payment of prevailing wages, keeping of certified payroll records, overtime pay, employment of apprentices, and workers' compensation coverage, as further set forth in the General Conditions, and shall file the required workers' compensation certificate before commencing work. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. CONTRACTOR shall post any job site notices required by regulation.

13. The terms "Project Documents" and/or "Contract Documents" where used, shall refer to those documents included in the definition set forth in the General Conditions made a part hereof.

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

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

By: _____
Zack Beck, City Clerk

By: _____
Paul McNamara, Mayor

APPROVED AS TO FORM:

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

By: _____

CONTRACTOR

By: _____
Signature

_____
Print Name

_____
Title

By: _____
Signature*

_____
Print Name

_____
Title

(Second signature required only for corporation)

By: _____
Signature**

_____
Print Name

_____
Title

(CORPORATE SEAL OF CONTRACTOR, if corporation)

_____
Contractor's License No.

_____
Tax ID/Social Security No.

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

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

SECTION A-00610 - FAITHFUL PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENT,

That _____ ("Contractor") and _____ ("Surety") are held and firmly bound unto the CITY OF ESCONDIDO ("Owner") in the sum of _____ _____ Dollars, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Contractor has been awarded and is about to enter into a contract with Owner to perform all work required under the Bid Schedule(s) of the Owner's specifications entitled,

MULTI NEIGHBORHOOD STREET LIGHT L.E.D. RETROFIT PROJECT - PHASE 2

WHEREAS, the provisions of the Contract are incorporated by reference into this Faithful Performance Bond and shall be part of Surety's obligation hereunder.

NOW THEREFORE, if Contractor shall perform all the requirements of said contract required to be performed on his part, at the times and in the manner specified herein, then this obligation shall be null and void, otherwise, it shall remain in full force and effect.

PROVIDED, that

(1) Any alterations in the work to be done or the materials to be furnished, which may be made pursuant to the terms of the Contract, shall not in any way release Contractor or Surety thereunder;

(2) Any extensions of time granted under the provisions of Contract shall not release either Contractor or Surety from their respective obligations to Owner;

(3) Notice of any such alterations or extensions of the Contract is hereby waived by Surety;

(4) Any payments (including progress payments) made on behalf of Owner to Contractor after the scheduled completion of the work to be performed pursuant to the Contract shall not release either Contractor or Surety from any obligations under the Contract or this Faithful Performance Bond, or both, including any obligation to pay liquidated damages to Owner; and

(5) To the extent Owner exercises its rights pursuant to this Bond, Owner shall be entitled to demand performance by the surety and be further entitled to recover, in addition to all other remedies afforded by law, its reasonably incurred costs to complete the work, attorney’s fees and consultant costs, as well as actual costs incurred by OWNER for the

increased dedication/commitment of time of OWNER employees to the Project. These costs shall be in addition to the penal sum of the bond.

SIGNED AND SEALED, this _____ day of_____, 20___.

_____	_____
Contractor	Surety
	_____
	Address
	_____
	Phone No.

(SEAL)

BY _____	_____
Signature	Signature

(SEAL AND NOTARIAL ACKNOWLEDGEMENT OF SURETY)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
ELYSE DAYRIT, City Attorney

By: _____

SECTION A-00620 - LABOR AND MATERIAL BOND

KNOW ALL MEN BY THESE PRESENT,

That _____ as Contractor, and _____ as Surety, are held and firmly bound unto the CITY OF ESCONDIDO, hereinafter called Owner, in the sum of _____ dollars, for the payment of which sum well and truly to be made, we bind ourselves our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, said Contractor has been awarded and is about to enter into the annexed contract with said Owner to perform all work required under the Bid Schedule(s) of the Owner's specifications entitled,

MULTI NEIGHBORHOOD STREET LIGHT L.E.D. RETROFIT PROJECT - PHASE 2

NOW THEREFORE, if said Contractor, or subcontractor, fails to pay for any materials, equipment, or other supplies, or for rental of same, used in connection with the performance of work contracted to be done, or for amounts due under applicable State law for any work or labor thereon, or for amounts due under the Unemployment Insurance Code, or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the Contractor and its subcontractors pursuant to Section 13020 of the Unemployment Insurance Code with respect to such labor, said Surety will pay for the same in an amount not exceeding the sum specified above, and, in the event suit is brought upon this bond, a reasonable attorney's fee to be fixed by the court. This bond shall inure to the benefit of any persons, companies or corporations entitled to file claims under applicable State law.

PROVIDED, that any alterations in the work to be done or the materials to be furnished, which may be made pursuant to the terms of said contract, shall not in any way release either said Contractor or said Surety thereunder, nor shall any extensions of the time granted under the provisions of said contract release either said Contractor or said surety, and notice of such alterations or extensions of the contract is hereby waived by said Surety.

SIGNED AND SEALED, this _____ day of_____, 20___.

_____	_____
Contractor	Surety
	_____
	Address
	_____
	Phone No.
(SEAL)	
BY _____	_____
Signature	Signature

(SEAL AND NOTARIAL ACKNOWLEDGEMENT OF SURETY)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
ELYSE DAYRIT, City Attorney

By: _____

SECTION A-00630 - 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 _____

_____

SECTION A-00660 - 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:_____ _____

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:

MULTI NEIGHBORHOOD STREET LIGHT L.E.D. RETROFIT PROJECT - PHASE 2

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 Foreman on the job, or to the City of Escondido Field Engineering Inspection Office, 839-4664. The name and phone number of the contractor are given below.

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

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

_____

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Consent Item No. 5 **November 18, 2020** **File No. 0850-20**

SUBJECT: Annexing Property to Citywide Services Community Facilities District (CFD) 2020-1

DEPARTMENT: Engineering Services Department

RECOMMENDATION: It is requested that the City Council adopt Resolution No. 2020-160 annexing two projects containing 21-units into the Citywide Services CFD 2020-1. Each property owner has provided a signed form consenting to the annexation.

FISCAL ANALYSIS:

The projected general fund budget deficit totals $200 Million over the next 20 years, not including effects of the ongoing COVID-19 pandemic.

On January 15, 2020, the City Council was provided the results of the Keyser Marston Fiscal Impact Analysis ("KMA") concluding that the cost to provide municipal services to new residential development exceeds revenue by $536 to $783 for each new residential unit per year.

PREVIOUS COUNCIL ACTION:

On June 12, 2019, the City Council directed staff to investigate all options to address the structural budget deficit, including evaluating the feasibility of a Citywide Services CFD to ensure the budget deficit does not grow as the City develops.

On January 15, 2020, the City Council adopted Resolution No. 2020-2, directing staff to prepare documents necessary to consider the formation of a CFD to offset ongoing municipal costs of services resulting from new development (Services CFD).

On April 8, 2020, the City Council adopted Resolution No. 2020-24 declaring its intent to establish Community Facilities District ("CFD") No. 2020-1, a Citywide Services CFD to fund municipal services required for new development and setting a public hearing date of May 13, 2020.

On May 13, 2020, the City Council held a duly noticed public hearing and adopted Resolution No. 2020-44 (Resolution of Formation) establishing CFD 2020-1, the Citywide Services CFD.

On September 16, 2020, the City Council adopted Resolution No. 2020-115 annexing five projects with 66 units into CFD 2020-1 creating the second zone of the Service CFD (Zone 2020-2).

On September 23, 2020, the City Council reviewed the annexation of projects under entitlement review and directed staff to continue to require projects entitled after May 13, 2020 to offset the

ongoing costs to provide municipal services by annexing to the Services CFD or through another acceptable funding mechanism.

On October 21, 2020, the City Council adopted Resolution No. 2020-147 annexing a 42-unit project located at 2608 S. Escondido Blvd. into CFD 2020-1 and creating the third zone of the Services CFD (Zone 2020-03).

BACKGROUND:

The goal of the Citywide Services CFD is to make new development revenue neutral such that existing residents do not subsidize development. Staff has recommended that each new residential unit permitted after May 13, 2020 offset the ongoing costs of providing public services. Annexing into the Services CFD, after approval by the City Council, is an efficient way to allow property owners to fund the costs of providing ongoing public services to their project and avoids widening of the structural budget deficit as a result of new development.

Zone 2020-4 will be the fourth Zone of the Citywide Services CFD that is comprised of two projects totaling 21-units. The following projects have provided forms consenting to the annexation of the property into the Citywide Services CFD.

Zone 2020-4 Annexation Table Detailing Special Tax Rates Applicable for FY 2020/21:

Annexation Table Detailing Special Tax Rates Applicable for FY 2020/21:

Project/Address	Land Use Category	Units	Annual Special Tax Per Unit*	FY 2020/21 Special Tax Revenue
664 N. Fig Street	(3) 18 to less than 30 DU/Acre	15	$725.00	$10,875.00
350 N. Juniper	(3) 18 to less than 30 DU/Acre	6	$725.00	$4,350.00
			Cumulative Total:	**$15,225.00**

** For FY 2020/21 in accordance with the RMA for CFD 2020-1 (Services)*

Annual Levy: Prior to July 30th of each year, the special tax levy will be set by the City Council for all properties within CFD 2020-1. The special tax for CFD 2020-1 will escalate at the maximum rate of inflation as determined by the Consumer Price Index (CPI) and at a minimum rate of two percent (2%) per year.

Including the above parcels proposed for annexation, the Citywide Services CFD will provide a convenient method for nine projects totaling 509 units, to offset the ongoing costs to provide municipal services. It is estimated that $339,417 in the annual costs necessary to provide these new units with municipal services will be offset through the Services CFD.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services

11/10/20 1:59 p.m.

ATTACHMENTS:

1. Resolution No. 2020-160
2. Resolution No. 2020-160 – Exhibit A – Unanimous Approval
3. Resolution No. 2020-160 – Exhibit B – Boundary Map CFD
4. Resolution No. 2020-160 – Exhibit C – Rate and Method of Apportionment of Special Taxes
5. Resolution No. 2020-160 – Exhibit D – Legal Description

RESOLUTION NO. 2020-160

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE CITY OF ESCONDIDO (SERVICES), ANNEXING TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE CITY OF ESCONDIDO (SERVICES)

WHEREAS, on April 8, 2020, the City Council of the City of Escondido adopted Resolution No. 2020-24 (the "Resolution of Intention"), declaring its intention to establish Community Facilities District No. 2020-1 of the City of Escondido (Services) ("Community Facilities District No. 2020-1" or the "District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California (the "Act"); and

WHEREAS, pursuant to Section 53339.3 of the Act, the Resolution of Intention included a description of the future annexation area of the District (the "Future Annexation Area"), wherein property owners may be annexed into the District only with the unanimous approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed into the District; and

WHEREAS, the Resolution of Intention described (i) the services that may be provided by the District; (ii) the levy of special taxes pursuant to the rate and method of apportionment of the special tax, as set forth in Exhibit "C" attached to the Resolution of Intention (the "Rate and Method"); and (iii) the Future Annexation Area; and

WHEREAS, on May 13, 2020, after a duly noticed public hearing, the City Council adopted Resolution No. 2020-44 (the "Resolution of Formation") establishing Community Facilities District No. 2020-1 and calling a special election therein to authorize (i) the levy of special taxes pursuant to the Rate and Method, and (ii) the establishment of an appropriations limit for Community Facilities District No. 2020-1; and

WHEREAS, pursuant to a Unanimous Approval executed by Guadalupe Cruz on behalf of CRE HOLDINGS NF, LLC, a California Limited Liability Company, ("Owner 1"), dated October 5, 2020, attached hereto as Exhibit "A" (the "Owner 1 Unanimous Approval"), Owner 1 stated its intention to annex the territory described in Exhibit "B" and Exhibit "D" to the Owner 1 Unanimous Approval to the District (the " Owner 1 Annexation Territory") with no further hearings or procedures required with respect to such annexation to the District; and

WHEREAS, pursuant to a Unanimous Approval executed by Arta Motadel on behalf of Motadel Family Trust 08-18-17 ("Owner 2"), and, together with Owner 1 and Owner 2, the "Owners" dated October 21, 2020, attached hereto as Exhibit "A" (the "Owner 2 Unanimous Approval," and, together with the Owner 1 Unanimous Approval, the Owner 1 Unanimous Approval and the Owner 2 Unanimous Approval, the "Unanimous Approvals"), Owner 2 stated its intention to annex the territory described in Exhibit B to the Owner 2 Unanimous Approval to the District (the "Owner 2 Annexation Territory," and, together with the Owner 1 Annexation Territory and the Owner 2 Annexation territory, the "Annexation Territory") with no further hearings or procedures required with respect to such annexation to the District; and

WHEREAS, the Annexation Territory is within the Future Annexation Area of the District; and

WHEREAS, on the basis of all of the foregoing, the City Council has determined at this time to proceed with the annexation of the Annexation Territory to the District.

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

1. That the above recitations are true.

2. The City Council hereby finds and determines that all prior proceedings taken with respect to the establishment of the District and the proposed annexation of the Annexation Territory to the District were valid and in conformity with the requirements of law, including the Act, and the annexation of the Annexation Territory to the District in accordance with the Unanimous Approval is hereby approved.

3. The map showing the original boundaries of the District designated as "Boundary Map of Community Facilities District No. 2020-1 (Services) City of Escondido, County of San Diego, State of California", which map is on file in the office of the City Clerk and was recorded pursuant to Sections 3111 and 3113 of the Streets and Highways Code in the County Book of Maps of Assessment and Community Facilities Districts in the Assessor-County Clerk-Recorder's office of the County of San Diego in Book No. 48 Page Nos. 79-80 on April 13, 2020, as Instrument No. 2020-7000088.

4. The City Council hereby authorizes a map showing the Annexation Territory to be annexed to the District and be made subject to taxation in the form

attached hereto as Exhibit "B" be recorded pursuant to Sections 3111 and 3113 of the Streets and Highways Code in the County Book of Maps of Assessment and Community Facilities Districts in the Assessor-County Clerk-Recorder's office of the County of San Diego.

5. The City Council hereby adopts the Rate and Method attached as Exhibit "C" to the Resolution of Intention as the applicable rate and method for the Annexation Territory. Except where funds are otherwise available, it is the intention of the City Council to levy the proposed special taxes at the rates within the Annexation Territory set forth in the Rate and Method on all non-exempt property within the Annexation Territory sufficient to pay for (i) the Services (as defined in the Rate and Method), and (ii) Incidental Expenses (as defined in the Rate and Method). The District expects to incur, and in certain cases has already incurred, Incidental Expenses in connection with the annexation of the Annexation Territory to the District. The rate and method of apportionment of the special tax applicable to the Annexation Territory is described in detail in Exhibit "C" to the Resolution of Intention which is incorporated herein by this reference, and the City Council hereby finds that Exhibit "C" to the Resolution of Intention contains sufficient detail to allow each landowner within the Annexation Territory to estimate the maximum amount that may be levied against each parcel. The special tax is apportioned to each parcel on the foregoing bases pursuant to Section 53325.3 of the Act and such special tax is not on or based upon the ownership of real property.

6. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code, a continuing lien to secure each levy of the special

tax shall attach to all non-exempt real property in the Annexation Territory and this lien shall continue in force and effect until the levy of the special tax by the District ceases in accordance with the Rate and Method.

7. Consistent with Section 53325.6 of the Act, the City Council finds and determines that the land within the Annexation Territory, if any, devoted primarily to agricultural, timber or livestock uses and being used for the commercial production of agricultural, timber or livestock products is contiguous to other land within the Annexation Territory and will be benefited by the Services proposed to be provided within Community Facilities District No. 2020-1 and the Annexation Territory.

8. It is hereby further determined that there is no ad valorem property tax currently being levied on property within the Annexation Territory for the exclusive purpose of paying for the same services as are proposed to be provided by Community Facilities District No. 2020-1.

UNANIMOUS APPROVAL

Community Facilities District No. 2020-1 of the City of Escondido (Services)

10/5, 2020

Community Facilities District No. 2020-1
of the City of Escondido (Services)
201 North Broadway
Escondido, CA 92025
Attention: City Manager

The City of Escondido (the "City") has formed Community Facilities District No. 2020-1 of the City of Escondido (Services) (the "District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code (the "Act"). The purpose of the District is to finance (1) certain services caused by development within the District (collectively, the "Services") described in Attachment "B" to Resolution No. 2020-24 of the City Council of the City adopted April 8, 2020 (the "Resolution of Intention," attached hereto as Exhibit 2 and incorporated herein by this reference) and (2) "Incidental Expenses" as said term is defined in Attachment "C" to the Resolution of Intention (Rate and Method of Apportionment of Special Taxes).

The undersigned property Owner (the "Owner") hereby states and certifies under penalty of perjury as follows:

1. This Unanimous Approval is submitted by the Owner who is the record owner of fee title to the real property and improvements thereon as described in Exhibit 1, attached hereto and incorporated herein by this reference (collectively, the "Annexation Territory"). The Owner has provided the District valid and current evidence of its ownership of fee title to the Annexation Territory and possesses all legal authority necessary to execute this Unanimous Approval.

2. There are no registered voters residing within the Annexation Territory and have been none during the 90-day period preceding 10/5, 2020.

3. This Unanimous Approval constitutes the unanimous approval of the Owners in favor of the following within the meaning of Sections 53329.6, 53339.2 and 53339.3 of the Act:

(a) Annexation. The annexation of the Annexation Territory to the District for the purpose of financing the Services and Incidental Expenses set forth in Attachment "B" to the Resolution of Intention (Exhibit 2 hereto).

(b) Special Tax. The levy of special taxes in the Annexation Territory to finance the Services and the Incidental Expenses in accordance with the Rate and Method of Apportionment of Special Taxes described within Attachment "C" to the Resolution of Intention (Exhibit 2 hereto) and this Unanimous Approval (the "Special Tax").

4. Pursuant to Section 53329.6 of the Act, this Unanimous Approval constitutes the vote of the qualified elector in favor of the matters addressed in this Section 3 for purposes of the California Constitution, including but not limited to Articles XIII A and XIII C.

5. The Owner hereby acknowledges that no further hearings or procedures are required with respect to the approval of the matters set forth in Section 3 above.

6. The Owner understands and hereby unanimously approves that the Special Tax is authorized to be levied on the Annexation Territory annexed to the District, and the lien is a continuing lien that shall secure each annual levy of the Special Taxes and that shall continue in force and effect until the Special Tax obligation is canceled in accordance with law or until the Special Tax ceases to be levied and a Notice of Cessation of Special Tax is recorded in accordance with Section 53330.5 of the Government Code.

7. The Owner hereby waives any and all requirements with respect to the approval of the matters set forth in this Unanimous Approval, including without limitation the preparation of an impartial analysis, arguments, or rebuttals concerning elections as provided for by Sections 9160 to 9167, inclusive, and Section 9190 of the Elections Code, and preparation of a tax rate statement as provided in Section 9401 of the Elections Code and any further notices of such approvals as may be required pursuant to the Elections Code or the Government Code. Having been fully advised with respect to the approval process set forth herein, the Owner waives compliance with any and all provisions of the Elections Code and Government Code, and with any other time limits or requirements pertaining to this Unanimous Approval.

8. The Owner hereby represents that compliance with any additional procedural requirements for the Unanimous Approval provided for herein, including the receipt of any arguments for or against such approval and impartial analyses and the time limitations that may apply in connection with scheduling, mailing, and publishing notices, are unnecessary in light of the fact that the undersigned has received sufficient information regarding the imposition of the Special Tax as set forth in Resolution No. 2020-44 of the City Council of the City adopted May 13, 2020 (the "Resolution of Formation") to allow it to properly complete this Unanimous Approval. The Owner further waives its right to make any protest or complaint or undertake any legal action challenging the validity of this Unanimous Approval and any proceedings taken in connection therewith or the levy of the Special Tax to finance the costs of the Services for the benefit of the Annexation Territory.

9. The Owner hereby authorizes the District to execute and cause to be recorded in the Office of the County Recorder of the County of San Diego a Notice of Special Tax Lien in accordance with Streets and Highways Code section 3117.5, which shall give notice that a lien to secure payment of the Special Tax is imposed by the District. The Owner further represents that there is no currently pending transfer of the Annexation Territory, or anticipated transfer of the Annexation Territory, that will affect the ability to record a Notice of Special Tax Lien or complete any other procedural steps described in this Unanimous Approval.

10. The Owner hereby warrants to the District that the presentation of this Unanimous Approval, any vote, consent, or waiver contained herein, and any other action mandated by the City for the annexation of the Annexation Territory to the District, shall not constitute or be construed as an event of default or delinquency under any existing or proposed financing document entered into or to be entered into by the Owner for the Annexation Territory, including without limitation any "due-on-encumbrance" clause under any existing security instrument secured by the Annexation Territory.

11. The Owner hereby agrees to comply with Section 53341.5 of the Government Code with respect to disclosures about the Special Tax to prospective purchasers of the Annexation Territory or any part of it.

12. The Owner hereby further agrees to execute any additional or supplemental agreements that may be reasonably required by the District to provide for any of the actions and conditions described in this Unanimous Approval.

13. The Owner hereby represents that (i) the signature page of this Unanimous Approval identifies all persons and entities holding title to the Annexation Territory, and (ii) no consent or approval of any third party is required for the Owner's execution of this Unanimous Approval except for any such consent or approval that the Owner has already obtained.

14. This Unanimous Approval shall be effective upon its execution and delivery.

I certify under the penalty of perjury under the laws of the State of California that the foregoing Unanimous Approval is true and correct; I have the authority to execute this Unanimous Approval as, or on behalf of, the Owner; and this Unanimous Approval is hereby executed this 5 day of Oct 20 20 in San Diego, California.

(signature)

Name: Guadalupe Cruz

Title: Owner / President

(Above signature must be notarized; Acknowledgement page follows.)

ACKNOWLEDGMENT

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

STATE OF CALIFORNIA]

COUNTY OF SAN DIEGO]

On 10-05-2020, before me, STEVE HOLL, a Notary Public, personally appeared GUADALUPE CRUZ, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature: _____ (Seal)

NNA1 STEVE HOLL
Notary Public - California
San Diego County
Commission # 2169673
My Comm. Expires Nov 23, 2020 NNA1

EXHIBIT 1

ANNEXATION TERRITORY

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

Assessor's Parcel Nos: 230 - 041 - 53 - 00

Secretary of State
Statement of Information
(Limited Liability Company)

LLC-12

IMPORTANT — Read instructions **before completing this form.**

Filing Fee – $20.00

Copy Fees – First page $1.00; each attachment page $0.50;
Certification Fee - $5.00 plus copy fees

FILED

In the office of the Secretary of State
of the State of California

DEC 18, 2018

This Space For Office Use Only

1. Limited Liability Company Name (Enter the exact name of the LLC. If you registered in California using an alternate name, see instructions.)

CRE HOLDINGS NF, LLC

2. 12-Digit Secretary of State File Number	3. State, Foreign Country or Place of Organization (only if formed outside of California)
201829910265	CALIFORNIA

4. Business Addresses

	City (no abbreviations)	State	Zip Code
a. Street Address of Principal Office - Do not list a P.O. Box 3952 Clairemont Mesa Boulevard, D-317	San Diego	CA	92117
b. Mailing Address of LLC, **if different than item 4a** 3952 Clairemont Mesa Boulevard, D-317	San Diego	CA	92117
c. Street Address of **California** Office, if Item 4a is not in California - Do not list a P.O. Box 3952 Clairemont Mesa Boulevard, D-317	San Diego	**CA**	92117

5. Manager(s) or Member(s)

If no **managers** have been appointed or elected, provide the name and address of each **member**. At least one name **and** address must be listed. If the manager/member is an individual, complete Items 5a and 5c (leave Item 5b blank). If the manager/member is an entity, complete Items 5b and 5c (leave Item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and addresses on Form LLC-12A (see instructions).

a. First Name, if an individual - Do not complete Item 5b	Middle Name	Last Name	Suffix
Guadalupe		Cruz	
b. Entity Name - Do not complete Item 5a			
c. Address 3952 Clairemont Mesa Boulevard, D-317	City (no abbreviations) San Diego	State CA	Zip Code 92117

6. Service of Process (Must provide either Individual **OR** Corporation.)

INDIVIDUAL – Complete Items 6a and 6b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is **not** a corporation)	Middle Name	Last Name	Suffix
DENNIS	D	BURNS	
b. Street Address (if agent is **not** a corporation) - **Do not enter a P.O. Box** 7855 Ivanhoe Avenue, Suite 420	City (no abbreviations) La Jolla	State **CA**	Zip Code 92037

CORPORATION – Complete Item 6c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete Item 6a or 6b

7. Type of Business

a. Describe the type of business or services of the Limited Liability Company
Real Estate Investment

8. Chief Executive Officer, if elected or appointed

a. First Name	Middle Name	Last Name	Suffix
Guadalupe		CRUZ	
b. Address 3952 Clairemont Mesa Boulevard, D-317	City (no abbreviations) SAN DIEGO	State CA	Zip Code 92117

9. The Information contained herein, including any attachments, is true and correct.

12/18/2018	Linda Flores	Legal Assistant	
Date	Type or Print Name of Person Completing the Form	Title	Signature

Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. SEE INSTRUCTIONS BEFORE COMPLETING.)

Name:

Company:

Address:

City/State/Zip:

UNANIMOUS APPROVAL

Community Facilities District No. 2020-1 of the City of Escondido (Services)

OCTOBER 21, 2020

Community Facilities District No. 2020-1
of the City of Escondido (Services)
201 North Broadway
Escondido, CA 92025
Attention: City Manager

The City of Escondido (the "City") has formed Community Facilities District No. 2020-1 of the City of Escondido (Services) (the "District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code (the "Act"). The purpose of the District is to finance (1) certain services caused by development within the District (collectively, the "Services") described in Attachment "B" to Resolution No. 2020-24 of the City Council of the City adopted April 8, 2020 (the "Resolution of Intention," attached hereto as Exhibit 2 and incorporated herein by this reference) and (2) "Incidental Expenses" as said term is defined in Attachment "C" to the Resolution of Intention (Rate and Method of Apportionment of Special Taxes).

The undersigned property Owner (the "Owner") hereby states and certifies under penalty of perjury as follows:

1. This Unanimous Approval is submitted by the Owner who is the record owner of fee title to the real property and improvements thereon as described in Exhibit 1, attached hereto and incorporated herein by this reference (collectively, the "Annexation Territory"). The Owner has provided the District valid and current evidence of its ownership of fee title to the Annexation Territory and possesses all legal authority necessary to execute this Unanimous Approval.

2. There are no registered voters residing within the Annexation Territory and have been none during the 90-day period preceding OCTOBER 21, 2020

3. This Unanimous Approval constitutes the unanimous approval of the Owners in favor of the following within the meaning of Sections 53329.6, 53339.2 and 53339.3 of the Act:

(a) Annexation. The annexation of the Annexation Territory to the District for the purpose of financing the Services and Incidental Expenses set forth in Attachment "B" to the Resolution of Intention (Exhibit 2 hereto).

(b) Special Tax. The levy of special taxes in the Annexation Territory to finance the Services and the Incidental Expenses in accordance with the Rate and Method of Apportionment of Special Taxes described within Attachment "C" to the Resolution of Intention (Exhibit 2 hereto) and this Unanimous Approval (the "Special Tax").

4. Pursuant to Section 53329.6 of the Act, this Unanimous Approval constitutes the vote of the qualified elector in favor of the matters addressed in this Section 3 for purposes of the California Constitution, including but not limited to Articles XIII A and XIII C.

5. The Owner hereby acknowledges that no further hearings or procedures are required with respect to the approval of the matters set forth in Section 3 above.

6. The Owner understands and hereby unanimously approves that the Special Tax is authorized to be levied on the Annexation Territory annexed to the District, and the lien is a continuing lien that shall secure each annual levy of the Special Taxes and that shall continue in force and effect until the Special Tax obligation is canceled in accordance with law or until the Special Tax ceases to be levied and a Notice of Cessation of Special Tax is recorded in accordance with Section 53330.5 of the Government Code.

7. The Owner hereby waives any and all requirements with respect to the approval of the matters set forth in this Unanimous Approval, including without limitation the preparation of an impartial analysis, arguments, or rebuttals concerning elections as provided for by Sections 9160 to 9167, inclusive, and Section 9190 of the Elections Code, and preparation of a tax rate statement as provided in Section 9401 of the Elections Code and any further notices of such approvals as may be required pursuant to the Elections Code or the Government Code. Having been fully advised with respect to the approval process set forth herein, the Owner waives compliance with any and all provisions of the Elections Code and Government Code, and with any other time limits or requirements pertaining to this Unanimous Approval.

8. The Owner hereby represents that compliance with any additional procedural requirements for the Unanimous Approval provided for herein, including the receipt of any arguments for or against such approval and impartial analyses and the time limitations that may apply in connection with scheduling, mailing, and publishing notices, are unnecessary in light of the fact that the undersigned has received sufficient information regarding the imposition of the Special Tax as set forth in Resolution No. 2020-44 of the City Council of the City adopted May 13, 2020 (the "Resolution of Formation") to allow it to properly complete this Unanimous Approval. The Owner further waives its right to make any protest or complaint or undertake any legal action challenging the validity of this Unanimous Approval and any proceedings taken in connection therewith or the levy of the Special Tax to finance the costs of the Services for the benefit of the Annexation Territory.

9. The Owner hereby authorizes the District to execute and cause to be recorded in the Office of the County Recorder of the County of San Diego a Notice of Special Tax Lien in accordance with Streets and Highways Code section 3117.5, which shall give notice that a lien to secure payment of the Special Tax is imposed by the District. The Owner further represents that there is no currently pending transfer of the Annexation Territory, or anticipated transfer of the Annexation Territory, that will affect the ability to record a Notice of Special Tax Lien or complete any other procedural steps described in this Unanimous Approval.

10. The Owner hereby warrants to the District that the presentation of this Unanimous Approval, any vote, consent, or waiver contained herein, and any other action mandated by the City for the annexation of the Annexation Territory to the District, shall not constitute or be construed as an event of default or delinquency under any existing or proposed financing document entered into or to be entered into by the Owner for the Annexation Territory, including without limitation any "due-on-encumbrance" clause under any existing security instrument secured by the Annexation Territory.

11. The Owner hereby agrees to comply with Section 53341.5 of the Government Code with respect to disclosures about the Special Tax to prospective purchasers of the Annexation Territory or any part of it.

12. The Owner hereby further agrees to execute any additional or supplemental agreements that may be reasonably required by the District to provide for any of the actions and conditions described in this Unanimous Approval.

13. The Owner hereby represents that (i) the signature page of this Unanimous Approval identifies all persons and entities holding title to the Annexation Territory, and (ii) no consent or approval of any third party is required for the Owner's execution of this Unanimous Approval except for any such consent or approval that the Owner has already obtained.

14. This Unanimous Approval shall be effective upon its execution and delivery.

I certify under the penalty of perjury under the laws of the State of California that the foregoing Unanimous Approval is true and correct; I have the authority to execute this Unanimous Approval as, or on behalf of, the Owner; and this Unanimous Approval is hereby executed this 21 day of OCTOBER 2020 in ESCONDIDO, California.

(signature)

Name: Arta Motadel 10-19-20

Title: OWNER

(Above signature must be notarized; Acknowledgement page follows.)

ACKNOWLEDGMENT

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

STATE OF CALIFORNIA]

COUNTY OF San Diego]

On October 19th 2020, before me, Nasim Khayamiyan Keshavarzi, a Notary Public, personally appeared Arta Motadel, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature: _____ (Seal)

NASIM KHAYAMIYAN KESHAVARZI
Notary Public - California
San Diego County
Commission # 2327671
My Comm. Expires May 8, 2024

EXHIBIT 1

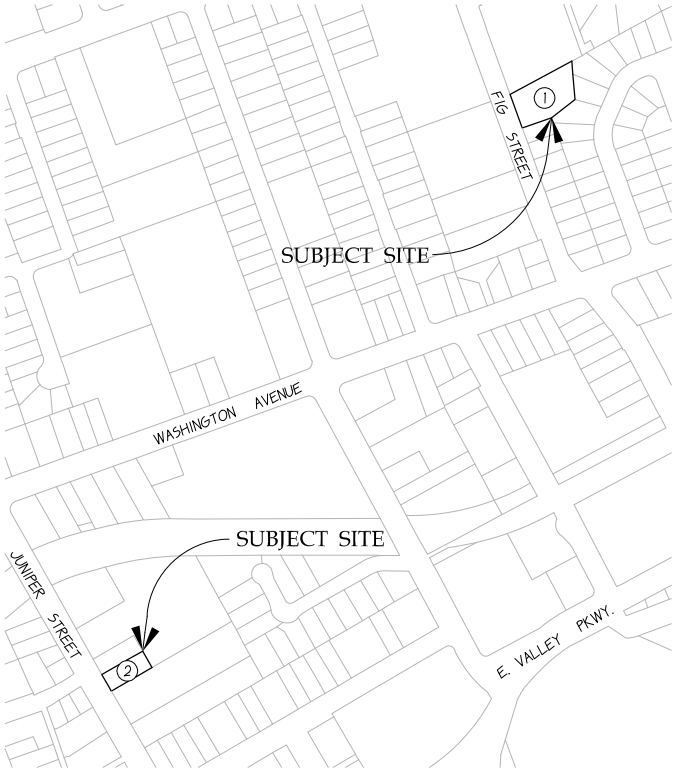
ANNEXATION TERRITORY

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

Assessor's Parcel Nos: 229-310-12-00

BOUNDARY MAP OF
COMMUNITY FACILITIES DISTRICT NO. 2020-1
(SERVICES)
ANNEXATION ZONE 2020-4

OF THE CITY OF ESCONDIDO
COUNTY OF SAN DIEGO
STATE OF CALIFORNIA



LOT DESIGNATION	
LOT NO.	A.P.N.
①	230-041-53-00
②	229-310-12-00

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF ESCONDIDO, THIS _____ DAY OF _____, 20____.

BY: _____
CITY CLERK
CITY OF ESCONDIDO
STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE BOUNDARIES OF THE ANNEXATION OF ZONE 202___-___ TO COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ESCONDIDO AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20___ , BY ITS RESOLUTION NO. _____.

BY: _____
CITY CLERK
CITY OF ESCONDIDO
STATE OF CALIFORNIA

FILED THIS _____ DAY OF _____ , 20____, AT THE HOUR OF _____ O'CLOCK __ M. AS DOCUMENT NO. _____ IN BOOK PAGE(S) _____ OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, CALIFORNIA,

BY: _____
DEPUTY RECORDER
COUNTY RECORDER, ERNEST J. DRONENBURG, JR.
COUNTY OF SAN DIEGO
STATE OF CALIFORNIA

LEGEND

① LOT NUMBER

_____ ANNEXATION BOUNDARY

ESCONDIDO
City of Choice
201 N. Broadway
Escondido, Ca. 92025

SHEET 1 OF 1
DATE: OCTOBER, 2020
NO. CFD2020-1

EXHIBIT C

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES
COMMUNITY FACILITIES DISTRICT NO. 2020-1
(Services)
CITY OF ESCONDIDO

A Special Tax (as hereinafter defined) shall be levied on all Assessor's Parcels within Community Facilities District No. 2020-1 ("CFD No. 2020-1") of the City of Escondido ("City") and collected each Fiscal Year commencing in Fiscal Year 2020-2021, in an amount determined by the City Council, through the application of this Rate and Method of Apportionment of Special Taxes as described below. All of the real property within the boundaries of CFD No. 2020-1, unless exempted by law or by the provisions hereof, shall be subject to the Special Tax for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or **"Acreage"** means the acreage of an Assessor's Parcel as shown on an Assessor's Parcel Map. If the acreage is not shown on an Assessor's Parcel Map, the acreage shown on the applicable Final Map, parcel map, condominium plan, or other recorded County map shall be used. If the acreage information supplied by these alternative sources is not available, or in conflict, the acreage used shall be determined by the CFD Administrator or a designee.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the formation, annexation and administration of CFD No. 2020-1, including but not limited to the following: (i) the costs of computing the Special Taxes and preparing and presenting to City Council the Special Tax collection schedules (whether by the City or designee thereof or both); (2) the costs of collecting the Special Taxes (whether by the County or otherwise); (3) the costs to the City, CFD No. 2020-1 or any designee thereof in responding to property owner and public inquiries regarding CFD No. 2020-1, including its Special Taxes; (4) the costs of the City, CFD No. 2020-1 or any designee related to an appeal of the Special Tax; (5) the costs of the City, CFD No. 2020-1 or any designee related to preparing required reporting obligations; (6) the City's annual administration fees and third party expenses; (7) the costs of City staff time and reasonable overhead relating to CFD No. 2020-1; and (8) amounts estimated or advanced by the City or CFD No. 2020-1 for any other administrative purposes of CFD No. 2020-1, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor" means the County Assessor.

"Assessor's Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's parcel number located within the boundaries of CFD No. 2020-1.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's parcel number.

"Building Permit" means the first legal document issued by the City giving official permission for the construction of a building on an Assessor's Parcel. For purposes of this definition and application of the Special Tax, "Building Permit" may or may not include any subsequent building permits issued or changed after the first issuance, as determined by the CFD Administrator.

"CFD Administrator" means the Finance Director or other official of the City responsible for determining the Special Tax Requirement, providing for the levy and collection of the Special Taxes and performing the other duties provided herein.

"CFD No. 2020-1" means Community Facilities District No. 2020-1 of the City of Escondido.

"City" means the City of Escondido, California.

"City Council" means the City Council of the City, acting as the Legislative Body of CFD No. 2020-1, or its designee.

"County" means the County of San Diego, California.

"Density" means the maximum number of dwelling units permitted per acre, including streets within the development, excluding all ultimate circulation element street rights-of-way, adjustments for floodways as defined by the Federal Emergency Management Agency (FEMA) or the City, slope categories, and other environmental factors as designated in each land use category and/or open space/ conservation element. All as further defined within the City's General Plan adopted May 2012 per Resolution 2012-52, as amended from time-to-time. Density shall be determined by the CFD Administrator prior to annexation.

"Developed Property" means, for each Fiscal Year, all Taxable Property for which a Building Permit for new construction was issued prior to March 1st of the prior Fiscal Year.

"Dwelling Unit" or "DU" means, as defined in the City of Escondido Municipal Code 32.102 and amended from time to time, each residential unit, without regard to the square footage of the Dwelling Unit, including but not limited to an individual single-family detached Dwelling Unit, small lot single-family Dwelling Unit, townhome, condominium, apartment, or other such residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure that comprises an independent facility capable of conveyance or rental separate from the primary Dwelling Unit(s). Dwelling Unit does not include an attached or detached accessory dwelling unit, as defined in the Section 33-8 of the Escondido Zoning Code, as amended from time-to-time.

"Exempt Property" means all Assessor's Parcels designated as being exempt from Special Taxes pursuant to Section D.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Index" means the Consumer Price Index as published by the United State Department of Labor, titled "CPI for All Urban Consumers." Further defined with the Series Title, "All items

in San Diego – Carlsbad, CA, all urban consumers, not seasonally adjusted". If this Index is no longer available, an alternative comparable Index will be chosen by the CFD Administrator.

"**Land Use Category"** means any of the categories listed in Section C, Table 1 which resulted from the initial analysis of the impacts from new Dwelling Units for providing Services and Appendix A, as to the initial property within CFD No. 2020-1, which may be updated from time to time as annexations occur.

"Maximum Special Tax" means for each Assessor's Parcel and each Fiscal Year, the Maximum Special Tax, determined in accordance with Section C, below, that may be levied on such Assessor's Parcel in such Fiscal Year.

"Non-Residential Property" means all Assessor's Parcels of Developed Property for which a Building Permit was issued for any type of non-residential use.

"Proportionately" means for Taxable Property, that the ratio of actual Special Tax levy to the Maximum Special Tax rate is equal for all applicable Assessor's Parcels within the Zone.

"Rate and Method of Apportionment" means the "Rate and Method of Appointment of Special Taxes for Community Facilities District No. 2020-1 of the City of Escondido."

"Residential Property" means all Assessor's Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing one or more Dwelling Units.

"Services" means services authorized to be funded by CFD No. 2020-1.

"Special Tax(es)" means the Special Tax authorized to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property within the boundaries of CFD No. 2020-1 in accordance with this Rate and Method of Apportionment.

"Special Tax Requirement" means, subject to the Maximum Special Tax, that amount to be collected in any Fiscal Year to pay for the Services as otherwise required to meet the needs of CFD No. 2020-1. The Special Tax Requirement include the costs for (1) the Services, and (2) Administrative Expenses, less (3) a credit for funds available to reduce the Special Tax levy, if any, as determined by the CFD Administrator.

"State" means the State of California.

"Taxable Property" means all of the Assessor's Parcels within the boundaries of CFD No. 2020-1 which are not exempt from the Special Tax pursuant to law or Section D below.

"Undeveloped Property" means, for each Fiscal Year, all Assessor's Parcels, or portions thereof, of Taxable Property not classified as Developed Property.

"Zone" means a mutually exclusive geographic area or areas, within which particular Special Tax rates may be levied pursuant to this Rate and Method of Apportionment. The initial Zone of CFD No. 2020-1 is identified as Zone 2020-1. Additional Zones may be created when property is annexed into CFD No. 2020-1.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2020-21, all property within CFD No. 2020-1 shall be classified as Taxable Property or Exempt Property. Each Assessor Parcel of Taxable Property shall be further classified as Developed Property or Undeveloped Property and shall be subject to Special Taxes in accordance with this Rate and Method of Apportionment determined pursuant to Section C below. Assessor's Parcels of Taxable Developed Property shall further be classified into Land Use Categories.

C. MAXIMUM SPECIAL TAX

An Assessor's Parcel may contain more than one Land Use Category. The Maximum Special Tax which may be levied on an Assessor's Parcel shall be the sum of the Maximum Special Tax that can be imposed based on each Land Use Category applicable to such Assessor's Parcel.

1. Developed Property

a. Maximum Special Tax

Each Fiscal Year, each Assessor's Parcel of Developed Property shall be subject to the Maximum Special Tax. The Maximum Special Tax applicable for Developed Taxable Property within Zone 2020-1 was determined through the application of Table 1, and is as shown in Appendix A. Appendix A will be updated at the time of each annexation to reflect the Land Use Categories and applicable Maximum Special Taxes for each annexed Zone or by areas within each annexed Zone.

The Maximum Special Tax for Fiscal Year 2020-2021 applicable to an Assessor's Parcel of Developed Property shall be determined using Table 1 below.

TABLE 1
Maximum Special Tax Rates
for Developed Residential Property per Dwelling Unit*
Fiscal Year 2020-2021

Land Use Category	Density	Unit	Special Tax Per Unit
1	Less than 5.5 DU/Acre	DU	$536.00
2	5.5 to less than 18 DU/Acre	DU	$743.00
3	18.0 to less than 30 DU/Acre	DU	$725.00
4	30 DU/Acre or Greater	DU	$783.00

* The analysis performed to establish the Special Tax per DU shown above only considered the impacts from property within the current City boundary.

b. Escalation

Each July 1st, commencing July 1, 2021, the Maximum Special Taxes shall increase annually by the greater of the annual percentage change in the Index or two percent (2%) from the amount established in the prior Fiscal Year.

2. Undeveloped Property

No Special Tax shall be levied on Undeveloped Property.

D. EXEMPT PROPERTY

The CFD Administrator shall classify as Exempt Property within the boundaries of CFD No. 2020-1: (1) Any Assessor's Parcel that is owned or irrevocably dedicated to the State of California, Federal or other local governments, including school districts, (2) Assessor's Parcels which are owned by or irrevocably dedicated to a homeowners association, or (3) Assessor's Parcels with other types of public uses determined by the CFD Administrator.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2020-2021 and for each following Fiscal Year, the CFD Administrator shall determine the Special Tax Requirement for such Fiscal Year and shall levy the Special Tax Proportionately on each Assessor's Parcels of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

No prepayments of the Special Tax are permitted.

G. APPEALS AND INTERPRETATIONS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator. The written notice of appeal must be filed within the same Fiscal Year as having paid the first installment of the Special Tax that is disputed and the property owner must be current and remain current in the payment of all Special Tax levied on or before the payment date.

The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, an adjustment shall be made to the Annual Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) and a refund, as described, shall be made representing the amount of the adjustment for only the most recent Fiscal Year. The CFD Administrator shall determine if funds are available to provide such refund or, if funds are not available in the sole discretion of the CFD Administrator to provide a cash refund, a credit to the levy of Special Tax in one or more subsequent Fiscal Years shall be made in the same amount. This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal actions by such property owner.

The CFD Administrator may interpret this Rate and Method of Apportionment for purposes of clarifying ambiguity and make determinations relative to the amount of Administrative Expenses.

H. MANNER OF COLLECTION

The Special Tax will be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2020-1 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

I. TERM OF THE SPECIAL TAX

For each Fiscal Year, the Special Tax shall be levied in perpetuity as long as the Services are being provided.

J. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed into CFD No. 2020-1 from time to time. For Land Use Categories not included in the initial boundaries of CFD No. 2020-1, a study and report describing the Services to be provided to such properties and the estimated cost of such Services shall be provided to the City Council as the legislative body of the CFD No. 2020-1 in accordance with Section 53321.5 of the Mello-Roos Act. Based on this analysis, the property to be annexed, pursuant to California Government Code section 53339 et. seq. will be assigned an appropriate Maximum Special Tax rate for the Zone or areas within the Zone by Land Use Category as provided herein or as defined and detailed when annexed and included in Appendix A.

APPENDIX A

Zone 2020-2 Annexation Table Detailing Special Tax Rates Applicable for FY 2020/21:

APN(s)	Address	Land Use Category	Units	Annual Special Tax Per Unit*
230-041-5300	664 N. Fig St., Escondido, CA 92025	(3) 18 to less than 30 DU/Acre	15	$725.00
229-310-1200	350 N. Juniper St., Escondido, CA 92025	(3) 18 to less than 30 DU/Acre	6	$725.00

** For FY 2020/21 in accordance with the Rate and Method of Apportionment for CFD 2020-1 (Services)*

LEGAL DESCRIPTIONS FOR ASSESSOR PARCEL NUMBERS ANNEXING INTO COMMUNITY FACILITIES DISCTRICT 2020-1

664 N. FIG STREET, ESCONDIDO, CA 92025

For APN/Parcel ID(s): 230-041-53-00
ALL OF LOT 1 IN BLOCK 150 OF THE RANCHO DEL DIABLO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 723, MADE BY J. M. GRAHAM, AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN WASHINGTON MANOR, ACCORDING TO MAP THEREOF NO. 3149, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

350 N. JUNIPER STREET, ESCONDIDO, CA, 92025

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE NORTHWESTERLY 60.00 FEET OF THE SOUTHEASTERLY 276.52 FEET OF THE SOUTHWESTERLY 150.00 FEET OF LOT 22 IN BLOCK 8 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886; RECORDED SEPTEMBER 30, 1969, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ASSESSOR'S PARCEL NUMBER: 229-310-12-00

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Consent Item No. 6 **November 18, 2020** **File No. 0600-95**

SUBJECT: Notice of Completion for Pradera (Tract 889, Tract 894, SUB13-033, SUB13-011) North of Lehner Avenue to Stanley Avenue, East of Ash Street to Conway Drive

DEPARTMENT: Engineering Services Department

RECOMMENDATION:

It is requested that City Council adopt Resolution No. 2020-157 to approve and accept the Public Improvements and authorize staff to file a Notice of Completion ("NOC") for the Escondido Tract 889, Tract 894, SUB13-0003, SUB13-0010, and SUB13-0011, Pradera ("Project").

FISCAL ANALYSIS:

The cost for inspection and plan review is paid for by the developer in accordance with the adopted fee schedule.

PREVIOUS ACTION:

This Project was approved by the City Council as five (5) separate subdivisions totaling 72 residential lots on February 8, 2006, August 16, 2006, June 18, 2014, September 10, 2014, and June 18, 2014 by Resolution No. 2006-156, 2006-23(R), 2014-58, 2014-128 and 2014-59.

BACKGROUND:

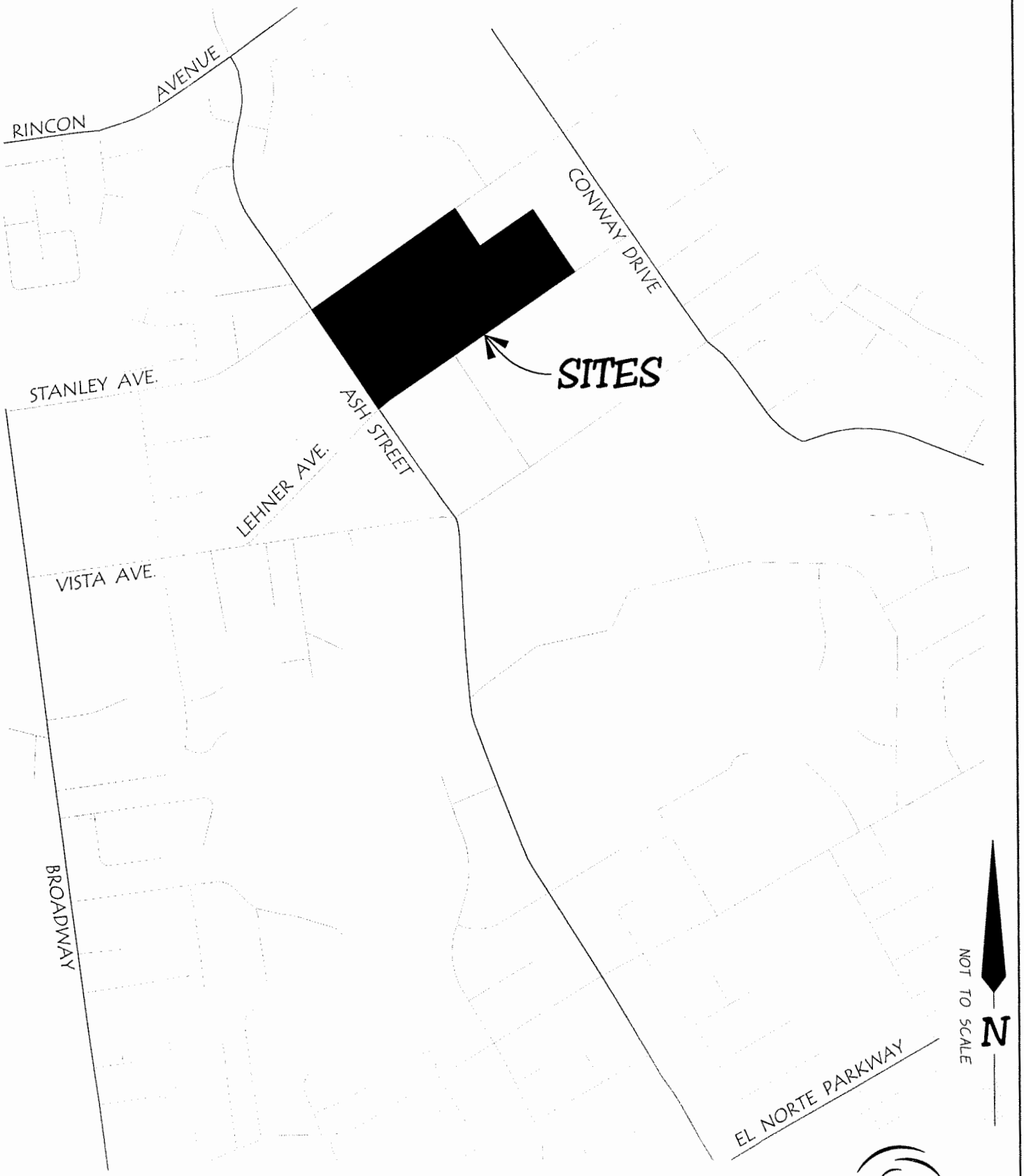
This project includes five separate subdivisions comprised of 72 single family homes located between North Ash Street and Conway Drive. The project installed 21 new LED streetlights, nine (9) fire hydrants, ten (10) pedestrian ramps, five (5) public streets, four (4) utility access roads, sidewalks, parkway landscaping, curb and gutter, water, sewer, and storm drains. (See Attachment 1).

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Julie Procopio, Director of Engineering Services
11/10/20 1:59 p.m.

ATTACHMENTS:

1. Attachment 1 - Vicinity Map - (Tract 889, Tract 894, SUB13-033, SUB13-011)
2. Resolution No. 2020-157

TRACT 889, TRACT 894, SUB13 - 0003, SUB13 - 0010 and SUB13 - 0011



NOTICE OF COMPLETION
CITY COUNCIL MEETING 11-18-2020

ESCONDIDO
City of Choice

RESOLUTION NO. 2020-157

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE CITY ENGINEER, ON BEHALF OF THE CITY, TO FILE A NOTICE OF COMPLETION FOR PRADERA (TRACT 889, TRACT 894, SUB13-0033, SUB13-0010, AND SUB13-0011) NORTH OF LEHNER AVENUE TO STANLEY AVENUE, EAST OF ASH STREET TO CONWAY DRIVE

WHEREAS, on February 8th 2006, August 16th 2006, June 18th 2014, September 10th 2014, and June 18th 2014, the City Council adopted Resolution No. 2006-156, 2006-23(R), 2014-58, 2014-128 and 2014-59, respectively approving the Pradera Development, Escondido Tract SUB13-0011, located at 2056 N. Ash Street APN 224-142-01, Escondido Tract 889, located at 733 Stanley Avenue APN 224-142-02, Escondido Tract SUB13-0010, located at 839 Stanley Avenue and 926 Lehner Avenue, APNs 224-142-13 & 14, Escondido Tract SUB13-0003, located at 836 Stanley Avenue APN 224-142-04, and Escondido Tract 894, located at 1026 Lehner Avenue APN 224-142-36, respectively containing 72 residential lots located between North Ash Street and Conway Drive ("Project"); and

WHEREAS, Lennar Homes of California is the Developer for the Project, and

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

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

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

1. That the above recitations are true.

2. That the City Council accepts the recommendation of the City Engineer.

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

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Consent Item No. 7 **November 18, 2020** **File No. 0680-20**

SUBJECT: Approval of Payment to SDG&E for Design and Materials Necessary for Relocation of Utilities for the Citracado Parkway Extension Project

DEPARTMENT: Engineering Services Department

RECOMMENDATION:

It is requested that the City Council authorize payment in the amount of $174,300 as required by the Electric Transmission Facility Relocation Agreement with San Diego Gas & Electric ("SDG&E") for design and pre-order of materials necessary to relocate transmission electric lines in conflict with the Citracado Parkway Extension Project ("Project").

FISCAL ANALYSIS:

Funds in the amount of $31.9 million remain in the Project budget, including a $12.5 million Local Partnership Program Grant, a competitive grant selected by Caltrans. The construction cost estimate updated in May 2019 shows the anticipated cost of construction is $26.3 million. The Capital Improvement Program (CIP) projected additional programming of TransNet and Traffic Impact Fees totaling $1.8 million in the FY 21/22 CIP Budget.

PREVIOUS ACTION:

On July 17, 2019, the City Council authorized a payment to SDG&E, in the amount of $511,921, to finalize design and pre-order steel poles for the relocation of SDG&E's transmission electric facilities that conflict with the future alignment of Citracado Parkway.

BACKGROUND:

In July 2015 the City of Escondido ("City") entered into an Electric Transmission Facility Relocation Agreement with SDG&E to initiate design for relocation of the existing overhead transmission power lines to accommodate the Project. The existing infrastructure is required to be relocated as it lies within the future extended roadway, and it is not feasible to place these facilities underground. Design costs in the amount of $45,000 were paid to SDG&E to initiate design in 2015. In July 2019, the City Council authorized payment to SDG&E in the amount of $511,921 to complete design and pre-order the steel poles required to complete their work. Revisions to the design were necessary and the cost of final design and pre-ordered materials has increased by $174,300.

Project Status:

All resource agency permits necessary for the project have been secured. The Army Corps of Engineers has issued a permit and a Memorandum of Agreement (MOA) with the State Historic Preservation Officer and affected Native American Tribes. After completion of the current phase of archeological work, all accessible culturally sensitive soils will have been screened. Screening of soil directly above the shallow watermain and around an SDG&E power pole will be completed during construction and after the conflicting utilities have been relocated.

The relocation of SDG&E transmission facilities necessary for the project has resulted in the need for a Section 851 advice letter filing with the California Public Utilities Commission (PUC). After preparation of an EIR Addendum and 60% design for the relocation by SDG&E, the advice letter was filed on October 2, 2020. It is anticipated that PUC review will require six-months. After PUC review and approval, SDG&E will begin relocation of the conflicting transmission facilities. The City Council is asked to approve the purchase of the steel poles necessary for SDG&E's relocation, so that fabrication may begin in advance of PUC approval of the project. Once SDG&E completes their relocation, construction of the extension of Citracado Parkway may begin.

Revisions to project plans and specifications are currently being made to incorporate comments by utility agencies, including SDG&E, Cox, AT&T and Rincon Water District. Construction is anticipated to begin in mid-2021, and require approximately 18-months to complete.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Julie Procopio, Director of Engineering Services
11/10/20 1:59 p.m.

ATTACHMENTS:

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Consent Item No. 8 **November 18, 2020** **File No. 0850-20**

SUBJECT: Request for Authorization to Process an Annexation and General Plan Amendment of Five Parcels on North Iris Lane

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATION:

It is requested that the City Council authorize City staff to accept and process an application to annex five (5) parcels to the City of Escondido ("City"). The prospective application would include a request to change the General Plan land use designation from Suburban (S) to Urban III (U3), facilitating the development of up to 18 units per acre. City Council previously authorized the annexation request at 12 units per acre on June 3, 2020.

PROJECT DESCRIPTION:

On April 29, 2020, the Planning Division received a request from Lounsbery Ferguson Altona & Peak, LLP ("LFAP"), on behalf of Hallmark Communities, to initiate an annexation of five (5) parcels totaling 7.7 gross acres into the City, and to initiate a General Plan Amendment of these parcels from Suburban (S) to Urban III (U3).

The initiation request was placed on the consent agenda for the City Council meeting on June 3, 2020. The staff report for the June 3 request indicated that the General Plan Amendment would change the designation of the site to Urban II (U2), which allows a maximum of 12 units per acre. Hallmark had previously indicated to staff that they intended to develop the site with approximately 75 to 80 units, which would have aligned with 12 units per acre. The request for the initiation of the annexation and General Plan Amendment to U2 was approved at the June 3 meeting without Council discussion.

On October 19, 2020, LFAP and Hallmark submitted a request to change the scope of the Project, which would add additional residential development. The applicant must reinitiate the annexation and General Plan Amendment, this time for a designation of U3, which they have decided will better accommodate the intended development. The U3 designation allows up to 18 units per acre. Because the annexation process is attaching new property to the incorporated City, the subject annexation request may include other contiguous county lands to facilitate the logical and orderly expansion of the City. If the annexation request is to be processed as a formal application, the applicant will survey and assess interest by the adjoining property owners. At that time, staff would contact possible interested property owners to gauge their interest in consenting to the annexation, and would invite them to join the application as consenting properties. The City Council is being asked to determine whether or not to authorize an application to amend the jurisdictional boundary of the City. Authorizing this request does not have a legally binding effect on any possible future discretionary action. This direction does not reflect whether the City Council would ultimately approve the annexation or the Project. The City Council's formal action on the annexation and Project, would be taken in the future at a public hearing with a recommendation from the Planning Commission.

FISCAL ANALYSIS:

For the purposes of this agenda item, the City Council will only be providing direction to staff on the processing of an annexation and General Plan Amendment and is included within the Community Development Department budget. Authorization to process this annexation and General Plan Amendment would have no direct fiscal impacts. The privately initiated annexation and General Plan Amendment application, if and when submitted, would be processed using existing staff resources with costs to be paid by the Project applicant. The estimated resources and time for processing an annexation application will vary depending on the complexity and/or issues associated with the change and level of required environmental review.

Future development of the Project would require sewer and water extensions and the installation of significant new infrastructure to serve the Project. While the applicant would be responsible for constructing the improvements, the City would be responsible for long-term maintenance, as well as other provisions for other city services. However, it is anticipated that the Project would be annexed to the new Services CFD through a separate zone and ensure that the Project is revenue neutral.

PREVIOUS ACTION:

On June 3, 2020, the applicant obtained approval to initiate the annexation and General Plan Amendment to the U2 land use designation. The applicant now intends to develop the site at a density consistent with the U3 land use designation, so is seeking reinitiation.

BACKGROUND AND ANALYSIS:

Under current policy, a property owner may petition for annexation by filing a formal request with the Planning Division and the planning staff schedules a review of the letter at a City Council meeting. The City Council considers the request and determines whether to allow application in-take for processing. If the letter of intent is accepted for processing as a formal annexation, the interested parties will be advised to submit formal applications with the City's Planning Division, which will include initial environmental documentation, submittal of deposits for processing, etc. Following receipt of a complete application, staff from various City departments will analyze the annexation and Project request and provide initial recommendations relative to any conditions that may be attached to approving the application. After staff review of the annexation and Project request, a public notice is published in the newspaper and notices are mailed to interested parties and those parties within a minimum of 500 feet radius of the property boundaries. The City also maintains an electronic notification service that allows interested parties to receive public announcements through the City's constant contact notification system. The public notices would include the time of the Planning Commission review and consideration of the annexation and Project request. Following the hearing by the Planning Commission, a recommendation is transmitted to the City Council at a noticed public hearing. The City Council would consider the request and adopt a resolution to approve or deny the annexation and Project. Unlike other land use development applications, local approval of an annexation request does not automatically render a final decision. Proposals for an annexation are subject to review and

approval of a Local Agency Formation Commission ("LAFCO"), which operates under State law to oversee changes to the boundaries of cities and special districts. The LAFCO process occurs after City Council approval.

A letter of intent was submitted to be considered to initiate an annexation of five (5) parcels to the City of Escondido and to initiate a General Plan Amendment of these parcels from Suburban (S) to Urban III (U3). The letter provides additional information on the intent of the application (Attachment 1). The subject site is located at the southwest corner of North Iris Lane and Robin Hill Lane, and are addressed as follows:

2089 North Iris Lane (APN: 224-310-05)
2085 North Iris Lane (APN: 224-301-06)
2047 North Iris Lane (APN: 224-310-07)
2039 North Iris Lane (APN: 224-310-08)
Unaddressed parcel (APN: 224-310-20)

The Project site is part of a County of San Diego island, located in the northern portion of the City. Density allowed by existing County zoning is not consistent with the density allowed by the existing City of Escondido General Plan designation. County zoning is Village Residential (VR-24), which currently allows a density up to 24 units per acre. The Suburban (S) designation of the Escondido General Plan allows a density up to 3.3 units per acre for slopes under 25 percent, 1.5 units per acre for slopes between 25 and 35 percent, and one 1 unit per 20 acres for slopes exceeding 35 percent (units allotted to the steepest category cannot be constructed on those slopes, but may be transferred to lesser slopes). By processing the land use development application in the City of Escondido, the prospective annexation and General Plan Amendment would facilitate a residential development of the site with a density up to 18 units per acre, or up to 138 units.

Planning staff has met with the applicant to discuss some preliminary issues related to the feasibility of the request, the history of similar proposals, the intent of City policy, possible environmental concerns, and the required submittal data and procedures to be followed through the process. It is expected that the City's work effort across multiple departments will be quite extensive should the City Council initiate the applicant's request for in-take processing.

Should this initiation request be authorized, LFAP and Hallmark Communities will be required to submit an application for an Annexation and General Plan Amendment to the Planning Division, along with application fees in effect at the time of submittal. It is anticipated that the application will include requests for a Prezone to R-3 (Medium Multiple Residential), a Tentative Subdivision Map, and either a Condominium Permit or a Master and Precise Development Plan. It is also anticipated that a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report will be prepared for the Project per the California Environmental Quality Act ("CEQA"). Details of the proposed Project will be analyzed by city staff once a formal application is submitted. It is possible that the Project description may change as a result of issues identified during review of the proposal. Any changes will be reviewed to ensure that they meet the strategic goals identified in the General Plan.

The requests being made by LFAP at this time are to allow them to submit an application to annex the Project site and change its General Plan land use designation, and to grant them relief from the requirement for voter approval. The City Council's decision on this request does not grant approval for either an annexation or a General Plan Amendment, nor does it commit the City Council to any future decision on the merits of the Project. Rather, it allows city staff to process the application. Once the application has been reviewed and the necessary environmental analysis has been conducted, the Project will be presented to the City Council for consideration. At that time, the City Council will make a decision as to whether to approve the Project.

ENVIRONMENTAL REVIEW:

CEQA requires all projects to be reviewed to assess potentially significant impacts to the environment unless they are exempt from such review by guidelines of the act. The request being made at this time is statutorily exempt from the CEQA pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies, which states that *"A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or Negative Declaration."* Since the request involves only the consideration of whether to process an application for an annexation and an amendment to the General Plan, and not the annexation or amendment itself, action taken by the City Council on this item provides only general direction and does not have a legally binding effect on any possible future discretionary action.

In accordance with CEQA, all annexation requests are required to have an environmental assessment to determine potential environmental impacts, if any. Public input received and technical information prepared during the process will be utilized in preparing an environmental document to analyze the possible effects of the annexation and the Project, if formally submitted.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Mike Strong, Director of Community Development
11/10/20 1:39 p.m.

ATTACHMENT:

1. Attachment 1- LFPA Request and Project Summary Letter, October 19, 2020
2. Attachment 2- Location Map
3. Attachment 3- General Plan Designation Map

LOUNSBERY FERGUSON
ALTONA & PEAK LLP

960 Canterbury Place, Suite 300
Escondido, California 92025-3870
Telephone (760) 743-1201
Facsimile (760) 743-9926
www.LFAP.com

JOHN W. WITT
1932-2018

Phone: (760) 743-1201
Email: DWF@LFAP.com

October 19, 2020

Mike Strong
City Hall, Planning Department
201 N Broadway
Escondido, CA 92025

RE: Annexation of County Island – North Iris

Dear Mr. Strong:

I am writing on behalf of Hallmark Communities regarding the annexation of land in a County island on North Iris Lane west of the Meadowbrook Village retirement center in Escondido. Pursuant to Hallmark's request, on June 3, 2020, the City Council approved initiation of the annexation with a an Urban II General Plan designation

In the course of the Initial Study required for the annexation, Hallmark has determined that the site is not as biologically constrained as originally assumed and can accommodate a slightly higher density than originally requested. Therefore, Hallmark would like to amend its request and annex the property at the Urban III General Plan designation with a prezone of R3-18. The 18 units per acre allowed by this prezone are still less than the 24 units per acre allowed by the existing Village Residential 24 County general plan designation.

The revised designation still meets the City's annexation guidelines for an annexation:

1) **Whether the annexation area is physically contiguous with City boundaries.** Yes, the property is contiguous to the City as it is part of a County island surrounded on all sides by City property.
2) **Whether the annexation area represents a logical expansion of the City.** Yes, this annexation is logical as it would shrink a County island and would not be difficult to provide services to the area.
3) **Whether the annexation creates an area of unincorporated County 'island'.** No, in fact, it helps to shrink an existing island.

4) **Whether the area involves a 'Disadvantaged Unincorporated Community'.** No.
5) **Whether the area requesting annexation is experiencing a failed septic system**. No.
6) **Whether the area requesting annexation is proposed for development.** Not at this time.
7) **Whether existing City facilities, services and infrastructure are adequate to serve the proposed annexation area.** Yes, the surrounding area is already served by City services and infrastructure and this addition would not add undue burden to those systems.

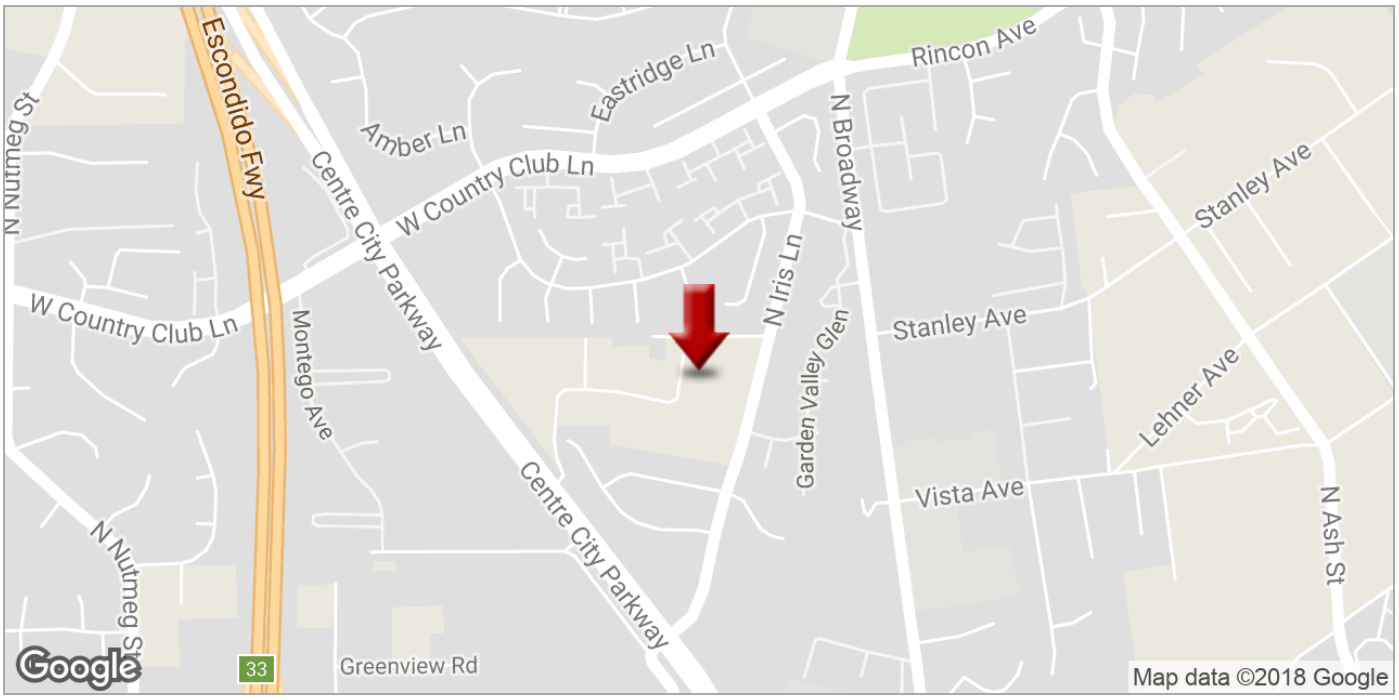
Based on these criteria , annexation with the revised designation will still shrink an existing County island, and promote the orderly and logical expansion of the City's boundaries. Therefore, Hallmark requests that the City approve initiation of the annexation process for the Hallmark parcels with an Urban III General Plan designation .

Thank you for your consideration.

Sincerely,

DAVID W. FERGUSON

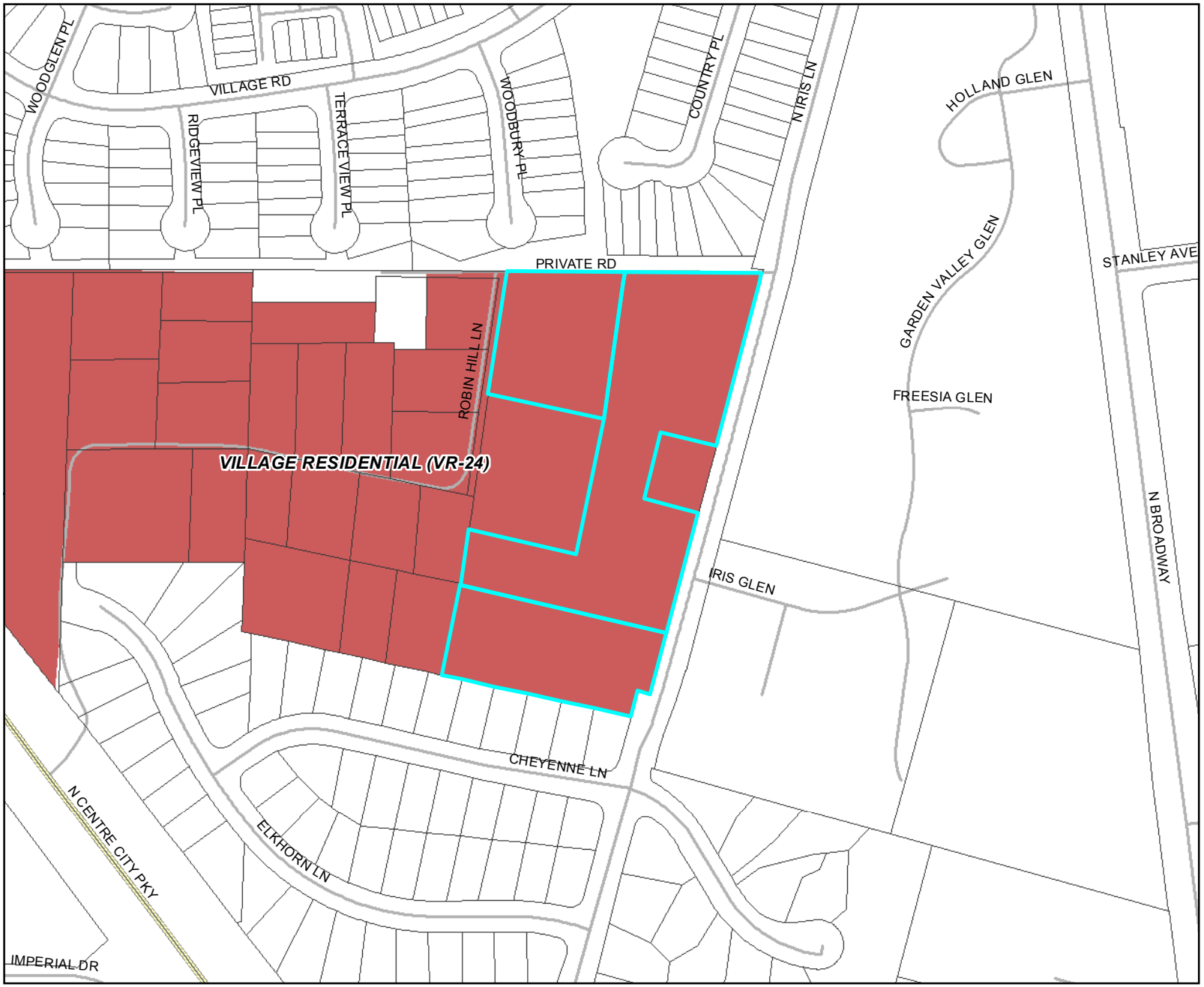
Location Maps

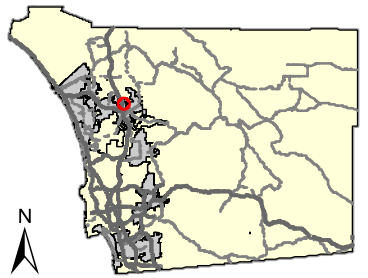


LUEG GIS

ATTACHMENT 3

GENERAL PLAN - LAND USE





Legend:

- PROJECT AREA

GENERAL PLAN (AUGUST 2011)

- Village Residential (VR-30)
- Village Residential (VR-24)
- Village Residential (VR-20)
- Village Residential (VR-15)
- Village Residential (VR-10.9)
- Village Residential (VR-7.3)
- Village Residential (VR-4.3)
- Village Residential (VR-2.9)
- Village Residential (VR-2)
- Semi-Rural Residential (SR-.5)
- Semi-Rural Residential (SR-1)
- Semi-Rural Residential (SR-2)
- Semi-Rural Residential (SR-4)
- Semi-Rural Residential (SR-10)
- Rural Lands (RL-20)
- Rural Lands (RL-40)
- Rural Lands (RL-80)
- Specific Plan Area*
- Office Professional
- Neighborhood Commercial
- General Commercial
- Rural Commercial
- Limited Impact Industrial
- Medium Impact Industrial
- High Impact Industrial
- Village Core Mixed Use
- Public/Semi-Public Facilities
- Public/Semi-Public Lands (Solid Waste Facility)
- Public Agency Lands
- Tribal Lands
- Open Space (Recreation)
- Open Space (Conservation)

0 0.035 0.07 0.105 0.14 Miles

NAD 1983 StatePlane California VI FIPS 0406 Feet

Planning and Development Services

N

This map is generated automatically from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Notes:

*Residential densities in italics

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Consent Item No. 9 **November 18, 2020** **File No. 0600-11**

SUBJECT: Housing and Community Investment Study ("HCIS") – Award of contract to Harris & Associates for the preparation of an Environmental Impact Report ("EIR") for the Housing Element Update and East Valley Specific Plan.

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATION:

It is requested that the City Council adopt resolution No. 2020-165 to authorize the City Manager to enter into an agreement for professional services with Harris & Associates in a not-to-exceed amount of $249,775 for the preparation of an EIR to support the HCIS.

PROJECT DESCRIPTION:

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

The City must prepare an environmental document (i.e. EIR) prior to adopting the Housing Element Update and the East Valley Specific Plan portions of the HCIS. The City proposes to prepare a Program EIR per CEQA Guidelines Section 15168 to include project-level analysis and, more importantly, project level mitigation measures that will help accelerate future housing production and assist developers by streamlining the environmental review and permitting process for individual housing projects or mixed use projects. This item before Council is to award the contract for professional services with Harris & Associates for the reasons specified in the Agenda Report and authorize the City Manager to do the same.

FISCAL ANALYSIS:

There are no direct fiscal implications associated with this report. The cost associated with the preparation of the report is included within the Community Development Department budget. The State Department of Housing and Community Development ("HCD") awarded the City $310,000 through a Senate Bill ("SB") 2 Planning Grant to support the HCIS.

City staff identified Local Early Action Planning ("LEAP") Grant Program funds to support planning efforts as the only potential source of appropriate grant funding for the environmental document to support this work. The City was notified on September 25, 2020 that HCD would approve the City's

LEAP Grant Program application. (The preliminary award letter is provided as Attachment 1). Because this is still preliminary, the contract would not be signed until after a formal LEAP Grant Program award letter is issued. Therefore, funding for the EIR, including the award of contract for planning services, would be included in the adopted budget.

PREVIOUS ACTION:

The City Council adopted Resolution No. 2020-62 on June 3, 2020, authorizing the Director of Community Development or his designee to submit an application for up to $500,000 for the LEAP Grant Program funds to planning activities that could jump-start and sustain housing production, including supporting the HCIS planning effort; and, if awarded, to accept the grant funds, complete a budget adjustment, and complete grant documents on behalf of the City.

ENVIRONMENTAL REVIEW:

The action before the City Council is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies. This item involves awarding contracts and ongoing studies related to the project scheduling, public participation, etc. Public input received and technical information prepared during the process will be utilized in preparing an environmental document to analyze the possible effects of the HCIS. The proposed approach to conducting the process for preparing the HCIS, including the Housing Element Update and East Valley Specific Plan portions of the work program, considers environmental factors, such as climate change and coordinated planning of land use, transportation and housing, pursuant to Senate Bill 375 (Steinberg, 2008). In fact, this item specifically involves Council consideration and potential approval of a contract to initiate the EIR process. General direction received from the City Council on matters pertaining to the contract award does not have a legally binding effect on any possible future discretionary action.

BACKGROUND AND ANALYSIS:

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

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

The City has conducted a series of workshops related to accommodating future housing needs, especially within the East Valley Specific Plan planning area. This "visioning" work helped identify issues and opportunities for the planning area, as well as issues to consider when planning for additional housing growth and commercial revitalization. It is anticipated that a preferred land use map will emerge from this outreach and be presented to the City Council for feedback in January or February 2021. Should the Council move forward and provide direction on potential land growth concepts or the East Valley Specific policy document in early 2021, the conceptual land use map(s) and policy document will then need to be analyzed in an EIR. Because the City staff lacks the resources and experience to conduct environmental review on such a complex project, we must outsource the review to an experienced professional. A Final EIR must be certified before the project's adoption. The Housing Element Update portion of the project must be adopted in the summer of 2021.

In early 2020, City staff identified LEAP Grant Program funds as a way to support the HCIS and as the only potential source of appropriate grant funding for the environmental document to support these special studies. As of this writing, HCD staff is preparing an award letter and an allocation of $500,000 to the City of Escondido is imminent. The $500,000 is intended to fund the development of several new City programs and/or policy updates, including approximately $250,000 for the EIR.

The City issued Request for Proposals ("RFP") for consultant services on September 24, 2020, consistent with the City's practices and standards. The deadline to submit proposals was October 23, 2020. The City received a total of seven (7) proposals, as outlined below. Most of the submitted proposals fulfilled the intended purpose of the solicitation. The table below shows all of the prospective firms, their proposed base cost, and whether or not they have past experience being lead consultant on a Housing Element environmental document or a program EIR.

Firm Name (Prime, Abbrev.)	Total Cost	Responsive RFP	Notable Project Manager HEU EIR Experience	Firm Program EIR Experience
Ascent	$249,753	Does not include LOS analysis	Yes	Yes
LSC EHS Consulting Services	$176,794	No	None provided	None provided
Dudek	$249,248	Does not include LOS analysis	Yes	Yes
Rincon Consultants	$237,675	Yes	Moderate	Moderate
Harris & Associates	$249,775	Yes	Yes	Yes
Recon	$231,071	Yes	Yes	Yes
EcoTierra	$125,430	Yes	Limited	Moderate

Proposals for each study or plan were evaluated independently in accordance with the RFP evaluation and selection process. Using the evaluation criteria specified in the RFP, four (4) members from the Planning Division proceeded with the technical and financial evaluation stages of each proposal. Based on a review of the written materials, City staff determined that Harris & Associates provide the best overall value and best meets the needs of the City for undertaking the EIR to support the HCIS. The firm has demonstrated experience in all the areas necessary to successfully complete the HCIS EIR, including project management expertise and firm experience. They are supported by a range of required professional staff and have established an organizational structure to manage these studies and plans. The proposal is provided as exhibit "A" to the attached Resolution. In accordance with the RFP evaluation and selection process, financial comparisons and staff analysis of the evaluation results can be provided if requested by the City Council or the public.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Mike Strong, Director of Community Development
11/10/20 1:39 p.m.

ATTACHMENTS:

1. Attachment 1 - Preliminary Award Letter
2. Resolution No. 2020-165
3. Resolution No. 2020-165 - Exhibit "A"

From: Ayala, Jose@HCD
To: Grant Ruroede; Mike Strong
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido
Date: Friday, September 25, 2020 8:39:13 AM
Attachments: image001.jpg
image004.png
image005.jpg
image006.png

Good morning,

I am writing to share that the City of Escondido's LEAP grant has been approved at a staff level. We will continue to work through our internal processes, and should have a formal award letter to you in the next 3-4 weeks.

Congratulations! Please let me know if you have any questions.

Sincerely,

Jose Ayala
Housing Policy Analyst
Housing & Community Development
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833
Phone: 916.263.5116

From: Grant Ruroede <gruroede@escondido.org>
Sent: Thursday, September 24, 2020 9:49 AM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Sounds great, thanks!

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Thursday, September 24, 2020 9:39 AM
To: Grant Ruroede <gruroede@escondido.org>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Good morning Grant,

We're inching closer to approval at the staff level. I still need one more internal "sign-off" before I can announce the LEAP application has been approved.

Sincerely,

Jose Ayala

Housing Policy Analyst
Housing & Community Development
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833
Phone: 916.263.5116

From: Grant Ruroede <gruroede@escondido.org>
Sent: Wednesday, September 23, 2020 9:41 AM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Jose, sorry to bug you. Do you know when we will receive the response?

Thanks, have a good one,

Grant

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Wednesday, September 9, 2020 9:03 AM
To: Grant Ruroede <gruroede@escondido.org>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Good morning Grant,

The review of the application should be sent off to our project manager by the end of the week.

Sincerely,

Jose Ayala
Housing Policy Analyst
Housing & Community Development
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833
Phone: 916.263.5116

From: Grant Ruroede <gruroede@escondido.org>
Sent: Wednesday, September 9, 2020 7:44 AM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Good morning Jose. I hope all is well. I was just wondering how the review is going. I know it can take time and there are many factors and applicants, was just writing to get an update, if there is

one.

Best,

Grant

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Monday, August 3, 2020 5:36 PM
To: Grant Ruroede <gruroede@escondido.org>
Subject: Re: [EXT] RE: LEAP grant for the City of Escondido

No worries Grant, hope all is well with you. Thank you for your attention to this.

Jose

Get Outlook for iOS [aka.ms]

From: Grant Ruroede <gruroede@escondido.org>
Sent: Monday, August 3, 2020 5:33:58 PM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: Re: [EXT] RE: LEAP grant for the City of Escondido

Good evening Jose. I will get it to you ASAP. Sorry, I am out now for a medical reason, just checking e mail remotely. I will send it over shortly.

Thanks,

Grant Ruroede
Development Technician II
Community Development Department | City of Escondido
Direct: 760-839-4536
www.escondido.org [escondido.org]

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Friday, July 31, 2020 10:56:33 AM
To: Grant Ruroede
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Hey Grant,

Looking at the city's application, it seems to be missing the signed version of the resolution. I'm not sure where we left off on that, so any update on that front is appreciated. Thanks!

Sincerely,

Jose Ayala
Housing Policy Analyst
Housing & Community Development
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833
Phone: 916.263.5116

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From: Grant Ruroede <gruroede@escondido.org>
Sent: Wednesday, July 1, 2020 2:04 PM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: Re: [EXT] RE: LEAP grant for the City of Escondido

It does, thank you. We sent it off last week, so it should be arriving shortly.

Thanks for all the help. Looking forward to the response. Given that it was my first go around, I appreciate the assistance throughout the process.

Thanks,

Grant Ruroede
Development Technician II
Community Development Department | City of Escondido
Direct: 760-839-4536
www.escondido.org [escondido.org]

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Wednesday, July 1, 2020 2:02:35 PM
To: Grant Ruroede
Subject: Re: [EXT] RE: LEAP grant for the City of Escondido

Good afternoon Grant,

The deadline extension means that you would have additional time up-front to work on crafting your application. Since we are still processing and approving applications, the sooner the City is comfortable submitting, the sooner we can start packaging and processing the application. I want to be clear that you can still be awarded even with this deadline extension. We're looking at about 6-8 months from submittal to receipt of funding, so whenever you can get that application over is when we can start that clock.

Hope this answers your question.

Sincerely,

Jose Ayala

Housing Policy Analyst

Housing & Community Development

2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833

Phone: 916.263.5116

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From: Grant Ruroede <gruroede@escondido.org>
Sent: Wednesday, July 1, 2020 12:44 PM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: Re: [EXT] RE: LEAP grant for the City of Escondido

Good afternoon Jose. Mike Strong here in Escondido forwarded on a message about the

LEAP grant applications that extend the deadline. Regarding our application, would that mean we could get feedback and would just have more time to address the issues? We would prefer to get the grant, if accepted, as early as possible, as the EIR we proposed is connected to a specific plan and housing element we are working on, and we hope to complete that next year at a particular time. But, I just wanted a clarification on our application submittal.

As you recommended, I added myself as the contact on the application.

Thanks, as always,

Grant Ruroede
Development Technician II
Community Development Department | City of Escondido
Direct: 760-839-4536
www.escondido.org [escondido.org]

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Monday, June 15, 2020 11:27:23 AM
To: Grant Ruroede
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Yes, the more details you can provide the better! We're happy to accept a more detailed breakdown attached to your application.

Otherwise, I think you hit on all the other points and as always, happy to help with anything else that pops up. Thanks again for the chance to review!

Sincerely,

Jose Ayala
Housing Policy Analyst
Housing & Community Development
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833
Phone: 916.263.5116

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Your responses are safe and confidential. Learn more at CaliforniaCensus.org

[californiacensus.org].

From: Grant Ruroede <gruroede@escondido.org>
Sent: Monday, June 15, 2020 11:11 AM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Thanks for the feedback Jose. I appreciate it.

I have a more detailed breakdown (similar to what I sent to you before). Maybe I could send a more detailed breakdown in the deliverables as an attachment? I looked at SB 2 applications for reference, and they seemed to focus on the deliverables, but I have things broken down in more detail. I will modify to add adoption dates to the application itself.

A consultant would do the program EIR. I will work to make that clearer and will make sure to include a more detailed breakdown.

I will also add myself on page 3.

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Monday, June 15, 2020 11:01 AM
To: Grant Ruroede <gruroede@escondido.org>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Good morning Grant,

Thanks for the opportunity to review. Here is some feedback/suggestions for you as you work through the application:

- If you will be the contact person for the application (as you have been so far), you might want to include yourself on that page 3. If nothing else, including yourself (or the person who would be responsible for potential amendments) would streamline our review process.
- We will want to see some adoption dates for the projects. It can be as simple as including that in the 'Deliverable' or 'Notes' section of the timeline. Anticipated dates are fine, but be sure to include these dates as appropriate.
- Additional break-out of the Program EIRs for EVSP and Housing Element. What do the subtasks for this look like? Is City staff going to be working on this, or will a consultant be doing so?

Overall, the projects seem pretty solid, and we are really just missing a few minor changes. Has the resolution gone to Council, or in the process of going to Council? What does the submission timeframe look like for Escondido?

Sincerely,

Jose Ayala
Housing Policy Analyst
Housing & Community Development
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833
Phone: 916.263.5116

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From: Grant Ruroede <gruroede@escondido.org>
Sent: Friday, June 12, 2020 6:42 PM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: Re: [EXT] RE: LEAP grant for the City of Escondido

Good evening Jose. When you have time, would you mind looking for our LEAP application? I was just wondering what you think, and what can be done to strengthen our application?

Thanks,

Grant Ruroede
Development Technician II
Community Development Department | City of Escondido
Direct: 760-839-4536
www.escondido.org [escondido.org]

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Wednesday, May 27, 2020 12:05 PM
To: Grant Ruroede
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Absolutely! That would fall under the Activity 2 on the Checklist (Page 4).

Sincerely,

Jose Ayala

Housing Policy Analyst

Housing & Community Development

2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833

Phone: 916.263.5116

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From: Grant Ruroede <gruroede@escondido.org>
Sent: Wednesday, May 27, 2020 12:04 PM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

I was looking to see if the project would be eligible for LEAP grant funding. We were thinking of doing the EIR review of the Housing Element update and the specific plan. The Housing Element and the specific plan were fully funded through the SB 2 grant. I was wondering, as I said above, if this would be something that LEAP would fund. We would, in the application, include the information you were looking at (how many units would benefit from this, how much in savings, etc.).

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Wednesday, May 27, 2020 12:00 PM
To: Grant Ruroede <gruroede@escondido.org>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Hi Grant,

Thanks for the update.

Is the question if this project would be eligible? How large is the project area? How many units will be able to benefit from this? How much $ and time will a developer save?

- These are the types of questions we would be asking when we review for an EIR.

I've attached an example of an EIR we funded under SB 2 for the City of Isleton (Sacramento Delta area). We will want to see a similar level of analysis.

Hopefully that makes sense; don't hesitate to ask questions. I'm at my desk from now-12:30 if you want a quick call (phone number in the signature block).

Sincerely,

Jose Ayala

Housing Policy Analyst

Housing & Community Development

2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833

Phone: 916.263.5116

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From: Grant Ruroede <gruroede@escondido.org>
Sent: Wednesday, May 27, 2020 11:45 AM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Good morning Jose. Thanks again for the feedback and help. We had one more idea we wanted to run by you. My boss's summary is below. I know you are busy, so whenever you have time to provide feedback. Thanks again.

From Mike:

The City must prepare an environmental document (i.e. Environmental Impact Report ["EIR"]) prior to adopting the Housing Element update and the East Valley Specific Plank, which is fully funded through SB 2 Planning Grant Funding. City staff has identified this LEAP Planning Grant as the only potential source of appropriate grant funding for the environmental document to support this work. The City proposes to prepare a Program EIR per CEQA Guidelines Section 15168 to include project-level

analysis and, more importantly, project level mitigation measures that will help accelerate future housing production and assist developers by streamlining the environmental review and permitting process for individual housing projects or mixed use projects. This will facilitate the CEQA streamlining provision under Section 15168(c) and (d) if projects are consistent and considered later activities under the program (such as future housing production). Preparation of the Program EIR will also facilitate the opportunity for projects to utilize Public Resource Code Section 21159.24, which allows urban infill residential that meets certain criteria to be exempt from CEQA. The City could facilitate the statutory infill housing exemption by providing updated community level review, as defined by Public Resources Code Section 21159.20, for properties designated for residential development. Finally, since the Program EIR would be for a specific plan, future development would also be able to utilize an expanded exemption under Government Code Section 65457 that would apply to certain residential, commercial, and mixed-use development that is consistent with a specific plan. This new exemption is outlined in CEQA Guidelines Section 15182. ($250,000)

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Tuesday, May 26, 2020 1:58 PM
To: Grant Ruroede <gruroede@escondido.org>
Subject: RE: [EXT] RE: LEAP grant for the City of Escondido

Happy to help Grant! Let me know if anything pops up today in preparing the staff report.

Sincerely,

Jose Ayala

Housing Policy Analyst

Housing & Community Development

2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833

Phone: 916.263.5116

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From: Grant Ruroede <gruroede@escondido.org>
Sent: Tuesday, May 26, 2020 1:55 PM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: Re: [EXT] RE: LEAP grant for the City of Escondido

Thanks again Jose, I really appreciate it.

Grant Ruroede

Development Technician II

Community Development Department | City of Escondido

Direct: 760-839-4536

www.escondido.org [escondido.org]

From: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Sent: Tuesday, May 26, 2020 1:32:34 PM
To: Grant Ruroede
Subject: [EXT] RE: LEAP grant for the City of Escondido

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Sincerely,

Jose Ayala

Housing Policy Analyst

Housing & Community Development

2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833

Phone: 916.263.5116

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From: Grant Ruroede <gruroede@escondido.org>
Sent: Friday, May 22, 2020 1:28 PM
To: Ayala, Jose@HCD <Jose.Ayala@hcd.ca.gov>
Subject: RE: LEAP grant for the City of Escondido

Good afternoon. I work for the Planning Division in the City of Escondido. I am working on the LEAP grant application. We are finalizing the application for the LEAP grant and I was hoping to get some feedback. The attachment is the budget and timeline I came up with. I was going to transfer this information (in condensed form) into the LEAP grant application. We are hoping to complete our city council staff report by early next week and I was hoping for feedback (if possible) in the next few days. I know you are busy, so if you can't, I understand. You could also reach me at 331-205-9671. In addition to the ideas, is my timeline too detailed?

I can summarize the ideas though.

1. Pre-approved ADU plans
2. A program we would look to create where we would work for a conservation corps (such as Urban Corp) to construct ADUs. If the homeowner agreed to allow a worker at the organization to live in the ADU for a specified amount of time, the costs of the ADU would be written off through a grant.
3. We are looking to modify a downtown specific plan of ours to reduce open space requirements for large housing projects, and to minimize parking requirements for senior housing projects. We are seeking to hire a consultant to do public outreach to not only go over our ideas, but to also solicit ideas on how to modify the SPA 9 so as to accelerate affordable housing production.
4. A comprehensive parking plan, which would rite size our parking at build out at the city level and in our downtown area. A study would be conducted on the feasibility of building two parking garages downtown. Any surplus parking on city-owned lots would be transferred or sold to affordable housing developers.
5. We are also seeking to create information packets on ADUs for City residents, which would include information on our code, information on grants, subsidies and tax benefits, and would give information to people on our City's new permit system (Cityworks). Additionally, we were looking to create information packets on housing cooperatives and community land trusts. We would hold a couple workshops with city residents going over this information and educating them on the basics of housing cooperatives and community land trusts.

Any feedback would be greatly appreciated.

Best,

Grant Ruroede

Development Technician II

Community Development Department | City of Escondido

Direct: 760-839-4536

www.escondido.org [escondido.org]

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RESOLUTION NO. 2020-165

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE, ON BEHALF OF THE CITY, A CONSULTING AGREEMENT WITH HARRIS AND ASSOCIATES TO UNDERTAKE AN ENVIRONMENTAL IMPACT REPORT TO SUPPORT THE HOUSING AND COMMUNITY INVESTMENT STUDY

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

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

WHEREAS, the City must prepare an environmental document prior to adopting the Housing Element update and the East Valley Specific Plan portions of the Housing and Community Investment Study; and

WHEREAS, the City Council adopted Resolution No. 2020-62 on June 3, 2020, authorizing the Director of Community Development or his designee to submit an application for up to $500,000 for the LEAP Grant Program funds to planning activities that could jump-start and sustain housing production, including supporting the HCIS planning effort; and, if awarded, to accept the grant funds, complete a budget adjustment, and complete grant documents on behalf of the City; and

WHEREAS, the City was notified on September 25, 2020 that HCD would approve the City's LEAP Grant Program application. Because this is still preliminary, the contract would not be signed until after a formal LEAP Grant Program award letter is issued; and

WHEREAS, the City participated in a bidding and evaluation process of competitive quotes or proposals to search for the qualified consulting firm(s) that would provide the best price, best quality, delivery time, and other factors deemed advantageous to the City. On September 24, 2020, the City released the request for proposals ("RFPs"). The deadline to submit proposals was October 23, 2020; and

WHEREAS, after receiving the proposals from qualified consultants, City staff deemed Harris & Associates as the most qualified for this assignment; and

WHEREAS, the Director of Community Development recommends the execution of a Consulting Agreement ("Agreement") with Harris & Associates to perform services to prepare an Environmental Impact Report ("EIR") Housing and Community Investment Study, which involves the preparation of a Housing Element Update, Sector Feasibility Study, and to prepare an East Valley Specific Plan.

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

1. That the above recitations are true.

2. That the City Council authorizes the City Manager to enter into an Agreement for professional services with Harris and Associates, Inc. to undertake the EIR for the Housing and Community Investment Study for a not-to-exceed fee amount of

$249,775 in accordance with the Scope of Work identified as Exhibit “A,” attached to this Resolution and incorporated by this reference.

ENVIRONMENTAL CONSULTING SERVICES

PROGRAM ENVIRONMENTAL IMPACT REPORT FOR SIXTH CYCLE HOUSING ELEMENT

CITY OF ESCONDIDO

October 23, 2020

Harris & Associates®

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1. COVER LETTER

Harris & Associates

October 23, 2020

Mike Strong
Director of Community Development
City of Escondido
201 North Broadway
Escondido, CA 92025

Proposal for Environmental Consulting Services – Program Environmental Impact Report for Sixth Cycle Housing Element

Dear Mr. Strong:

The City of Escondido (City) is embarking upon a unique opportunity to provide additional housing in its urban core that has the ability to transform housing downtown, particularly in the East Valley Specific Plan area. The City is well underway with its Sixth Cycle Housing Element update, Sector Feasibility Study, and East Valley Specific Plan, referred to collectively as the Housing the Community Investment Study. The City is seeking an experienced, reliable and quality-driven environmental consulting firm to prepare a comprehensive Program Environmental Impact Report (PEIR) in compliance with the California Environmental Quality Act (CEQA).

Harris & Associates (Harris) has worked with City staff on CEQA documents for housing projects for many years. We understand Escondido's housing opportunities and challenges, and the potential that this project has to realize the City's ambitious housing goals. The Harris team brings the following benefits to help meet your needs on this project:

- A **Principal-in-Charge (Diane Sandman, AICP)** who managed the PEIR for the City's 2012 General Plan Update, Climate Action Plan, and Downtown Specific Plan Update, as well as many housing projects throughout Escondido (i.e., 661 Bear Valley Parkway, The Ivy, Aspire, and Amanda Estates).
- A **Project Manager (Kristin Blackson)** with recent experience working with City staff to prepare legally defensible EIRs for controversial projects including Palomar Heights and Escondido Country Club, who also teaches a CEQA Compliance course for UC San Diego extension.
- A **technical team of experts** in traffic and vehicle miles traveled (LLG Engineers), air quality/greenhouse gas emission/noise (Harris), and cultural/historic/tribal resources (ASM Affiliates). Many of these experts prepared technical analyses for the City's 2012 General Plan Update, Climate Action Plan, and Downtown Specific Plan Update, as well as other projects in Escondido.
- A **20-person, full service environmental team** experienced in preparing useful, comprehensive and legally defensible PEIRs built for CEQA tiering to streamline future environmental review.
- A **preferred partnership with Veronica Tam** working on other Housing Element projects, such as the City of Victorville.
- A streamlined schedule that will get the City to its goal in a timely manner while meeting the requirements of the CEQA process and producing a high quality PEIR with years of utility.

We look forward to partnering with the City on this exciting project that will allow it to live up to its namesake, "City of Choice", by providing a wide range of housing choices for its residents.

Sincerely,
Harris & Associates, Inc.

Diane Sandman

Diane Sandman, AICP
Principal-in-Charge / Authorized Signatory
619.481.5001, Diane.Sandman@WeAreHarris.com

Harris & Associates, Inc.
600 B Street, Suite 2000
San Diego, CA 92101
619.236.1178 ■ WeAreHarris.com

2. FIRM CONTACT INFORMATION

Harris & Associates Overview

Harris, a multi-disciplinary firm with more than 40 years of experience, has consistently pioneered solutions for complex, high-profile projects. Our Environmental Planning & Compliance, Engineering, Construction Management, and Municipal & District Finance teams work in synchronicity to deliver complex projects in four key markets: Community Services, Water and Wastewater, Transportation, and Education. This differentiates Harris from other firms whose primary area of service is only environmental services.

ENVIRONMENTAL SERVICES

For environmental services to be successful, projects must be astutely guided through critical milestones and impacts must be mitigated through sound decision-making. The Harris team brings value in our ability to evaluate all disciplines of planned work, control costs, minimize schedule impacts, communicate with the community, and mitigate potential challenges. We understand the key issues facing Housing Elements, land use, and zoning updates such as land use compatibility, noise, and traffic impacts. We use this knowledge to prepare cost-efficient and legally-defensible environmental documents.

The Harris team offers a broad and evolving spectrum of environmental services, including:

- California Environmental Quality Act (CEQA) compliance
- National Environmental Policy Act (NEPA) compliance
- Notices of Exemption, Initial Studies, Mitigated Negative Declarations (MNDs), and Environmental Impact Reports (EIRs)
- Categorical Exclusions, Environmental Assessments (EAs), and Environmental Impact Statements (EISs)
- Greenhouse gas (GHG) emissions inventories and studies
- Air quality studies
- Hydrologic modeling, water quality assessments
- Biological resources studies, habitat assessments, rare plant surveys, USFWS protocol surveys, and jurisdictional delineations
- Noise technical reports
- Water and wastewater assessments
- Mitigation monitoring during construction
- Resource agency permitting
- Sustainability planning
- Regulatory compliance services
- Public scoping and involvement
- Geographic Information Systems (GIS)

CONTACT INFORMATION:

Harris & Associates, Inc.
600 B Street, Suite 2000
San Diego, CA 92101
619.236.1178

Diane Sandman, Principal-in-Charge
Diane.Sandman@weareharris.com
Office: 619.481.5001
Cell: 619.318.0808

Kristin Blackson, Project Manager
Kristin.Blackson@weareharris.com
Office: 619.814.9532
Cell: 858.264.7000

SIZE OF FIRM:

Over 224 employees

YEARS IN BUSINESS:

46 Years

OFFICE LOCATIONS:

- San Diego
- Irvine
- Los Angeles
- Ontario
- Temecula
- Seattle
- Sacramento
- Concord
- Salinas
- Fresno
- Las Vegas

3. EXECUTIVE SUMMARY

Description of Consultant and Subconsultants

Harris will lead this team as the prime consultant, supported by subconsultant partners LLG Engineers and ASM Affiliates. A description of each firm is provided below.

HARRIS & ASSOCIATES RELEVANT EXPERIENCE

"Building stronger communities" is one of Harris' shared values. This value is embodied in our passion for supporting cities as they develop their community wide plans to facilitate housing, and helping them do so the right way: not just to comply with regulations but to truly improve the quality of life for residents. Led by Diane Sandman, AICP, Principal-in-Charge and Kristin Blackson, Project Manager, the Harris team has significant experience with providing environmental services to support community-wide housing plans for municipal agencies.

The Harris team has prepared many PEIRs for Land Use and Housing Elements of General Plans, Community Plans and Specific Plans. Diane managed the preparation of the PEIR for the Escondido 2012 General Plan Update, Climate Action Plan and Downtown Specific Plan Update. The outcome was a comprehensive document that the City has been using to streamline CEQA project review ever since. Diane has prepared and directed more than 15 Program EIR documents, and is well versed in the high-level programmatic analysis that serves the basis for the for CEQA tiering of future projects. For the City of El Centro, Harris is currently completing a Program EIR for the update to the General Plan including the Land Use, Mobility and Environmental Justice Elements. The General Plan update includes rezoning of areas to mixed use and residential in order to provide additional housing options throughout the City. Kristin is the Project Manager for the Program EIR and several members of the Harris team are contributing to the technical analysis.

Harris is working with the City of Victorville to complete a Program EIR for their Housing Element, Land Use Element, Safety Element, and Environmental Justice Element update. The Harris team is leading the Program EIR effort, as well as several element updates including Housing, Safety and Environmental Justice. Diane is serving as Principal-in-Charge for the project and Kristin is Project Manager for the Program EIR.

PERSON AUTHORIZED TO NEGOTIATE CONTRACT CONDITIONS:

Diane Sandman, AICP
Senior Director / Environmental Planning + Compliance
Diane.Sandman@WeAreHarris.com
Office: 619.481.5001
Cell: 619.318.0808

Harris is also preparing the Program EIR for the new Twin Oaks Community Plan for the County of San Diego. This is a new community planning area that includes the County's only transit stations (Sprinter). Due to the opportunity for transit-oriented development, it is anticipated that this community plan will provide residential and mixed use land use and zoning opportunities to meet the County's housing needs. It also includes the land proposed for the controversial Newland Sierra residential project. In addition to the Program EIR, Harris will be preparing the Environmental Justice, Safety and Noise Elements of the Community Plan.

The Harris team also prepared the Program EIR for the UC San Diego Hillcrest Campus Long Range Development Plan. The EIR was unique because it provided both program and project-level analysis for the redevelopment of the campus, which included the addition of 1,000 residential units. Diane served as Project Manager and Kristin served as Deputy Project Manager. The Harris team also prepared the noise and biological resources technical studies and peer reviewed other consultants' reports.

In Escondido, the Harris team has built a trusting relationship with City staff through the successful preparation and management of CEQA documents for residential housing projects, including the Palomar Heights EIR, 661 Bear Valley Parkway Residential EIR, the Ivy and Aspire Categorical Exemption Reports and others. We also prepared the EIR Addendum for the Downtown Specific Plan Density Transfer Program. As a result of our many years working on projects for and with City staff, the Harris team has developed a strong understanding of the Escondido General Plan, Climate Action Plan, planning and zoning requirements, City policies, and CEQA process.

ASM AFFILIATES

ASM Affiliates (ASM) is a cultural resources management firm specializing in high-quality archaeological, tribal, cultural, and historic preservation services for local, state, and federal regulatory compliance. Since its incorporation in 1977, ASM has completed more than 5,500 cultural resource studies throughout southern California and the West including, prehistoric and historic archaeological and architectural history studies. ASM's team of technical experts possesses the regulatory and regional expertise needed to assist in the review and preparation of California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documents for projects of any size or scope.

We are mindful of the importance of effective coordination with interested parties, including local, state and Federal agencies, Native American representatives, and local interested third parties in the development of project-specific documents, testing programs, significance determinations, and mitigation programs.

Escondido City Planning Support

ASM has supported several city planning projects in Escondido, including a historical assessment of the Ritz Theater and Grand Market on Grand Avenue, as well as a cultural resources survey for a proposed retail development project on West Mission Avenue, among others. ASM's local experience provides extensive knowledge of architectural history and archaeological resources, as well as an understanding of local and state regulatory compliance.

General/Specific Plan Cultural Resource Experience

ASM has conducted multiple General/Specific Plan update cultural resource surveys including:

- A cultural resource study in support of the Padre Dam Municipal Water District (PDMWD) Master Plan Program EIR
- An historical and cultural resource evaluation for the Mt. San Antonio College Supplemental EIR
- An El Cajon EIR for the public safety center
- A reconnaissance survey in support of the Grantville PEIR
- A cultural and historical resource study for the City of Oceanside General Plan circulation element update Program EIR
- A cultural and historical resources survey in support of the Palomar Gateway Specific Plan
- Cultural resource services for the City of San Marcos Richmar Specific Plan
- A cultural and historical resource reconnaissance survey for the Downtown Vista Specific Plan

LINSCOTT, LAW & GREENSPAN, ENGINEERS

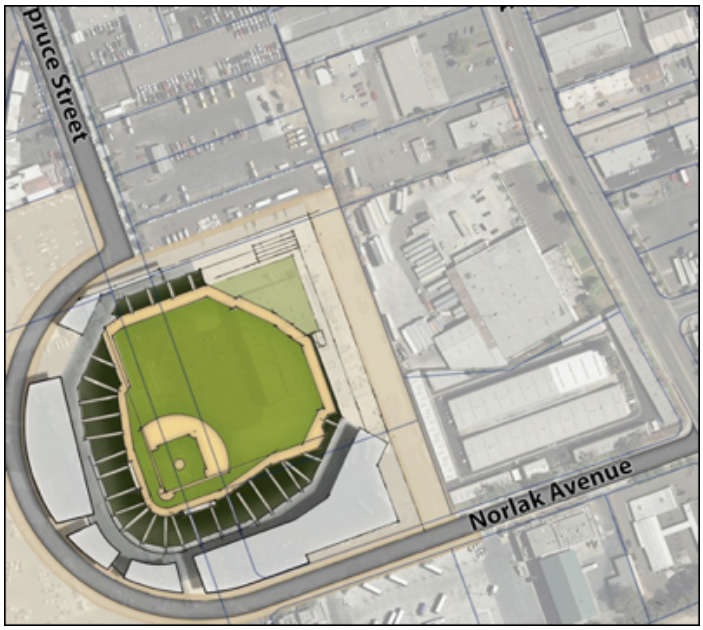
Linscott, Law & Greenspan, Engineers (LLG) provides transportation planning, traffic engineering, parking consulting, and design services. Since its founding in 1966, LLG has completed more than 10,000 engagements involving a wide variety of projects, primarily in Southern California. LLG maintains offices in San Diego, Irvine, Pasadena, and Woodland Hills. LLG's specialties include:

- Traffic Planning and Operations Studies
- Traffic Impact Studies
- 2D & 3D Traffic Simulation
- Site Access and Circulation
- Shared Parking Demand Forecasting
- Parking Design and Planning
- Roundabout Analysis and Design
- Traffic Signal Design
- Traffic Signing and Striping Design
- Construction Zone Traffic Control Plans
- Preliminary/Conceptual Engineering
- Complete Streets Consultation
- Multi-Modal Planning
- Traffic Calming
- Mixed-Use Trip Generation
- Mobility Studies
- Pedestrian/Bicycle Planning
- Transportation Master Planning
- Planning Commission & City Council Presentations
- Local Planning Group Presentation
- Integration of Alternative Modes
- Traffic Studies and Specific Plans for EIRs
- General Plans
- Transportation Demand Management
- Congestion Management Program (CMP) (TDM) Analysis

Escondido Experience

LLG has conducted traffic impact studies for numerous projects in Escondido, including:

- City of Escondido General Plan Update, Traffic Impact Analysis, Completed Streets Assessment, Downtown Couplet Analysis, and Downtown Core Analysis
- Escondido Research & Technology Center Traffic Impact Study
- Calavo Recycling Facility Traffic Impact Study
- Northeast Gateway Traffic Study
- Nine Individual General Plan Amendments Traffic Impact Studies
- Citracado Middle School Traffic Study
- Escondido Ballpark Traffic Study (pictured below)
- Touchstone Ivy and Aspire Traffic Studies



High-Profile Project Experience

LLG has prepared traffic impact studies for several high-profile projects, including the North Embarcadero Redevelopment Master Plan, the San Diego Convention Center Expansion, and the Fanita Ranch Residential Development in Santee. In addition, they prepared parking studies for both the North Embarcadero Master Plan and Convention Center Expansion projects. LLG has made presentations and testified at numerous public hearings within almost all jurisdictions in San Diego County.

4. FIRM ORGANIZATION

Team Organization

Harris will be responsible for project management, QA/QC, EIR preparation, and several technical areas as shown below. Harris will be supported by ASM Affiliates for archaeological resources, including cultural, tribal, and historical resources. LLG Engineers will provide traffic study support.

City of Escondido

Principal-in-Charge
Diane Sandman, AICP

QA/QC
Ryan Binns, ENV SP, PMP

Project Manager
Kristin Blackson

Project Team

Air Quality/GHG
Sharon Toland
Carolyn Yvellez

Noise
Sharon Toland
Kelsey Hawkins

Biological Resources
Melissa Tu

Archaeological/Tribal Cultural Resources
Brian Williams, MA, RPA (ASM)

Historic Resources
Shannon Davis, MA, RPA (ASM)

Traffic/ VMT
John Boarman, PE (LLG)
Vidhyashankar Ramakrishnan, PE (LLG)

EIR Preparers
Darin Neufeld, AICP
Kelsey Hawkins
Esther Daigneault
Katie Laybourn

GIS
Randy Deodat

Biological Resources
Lindsey Messner

Key Personnel ASM – ASM Affiliates LLG – Linscott, Law & Greenspan, Engineers

Key Personnel Qualifications

HARRIS & ASSOCIATES

Diane Sandman, AICP | Principal-in-Charge

EDUCATION

BA, Environmental Studies

CERTIFICATION

Certified Planner, American Institute of Certified Planners (AICP)

Diane is responsible for managing Harris' 20-person Environmental Planning + Compliance team. Her 20 years of experience in environmental sciences and planning has focused on CEQA and NEPA compliance documents including EIRs, environmental impact statements (EISs), negative declarations (ND), environmental assessments (EA), categorical exclusions (CE), constraints analyses, and initial studies.

Diane is well-versed in managing diverse teams of specialists for complex projects, including a mix of both in-house and subconsultant staff, to prepare CEQA and NEPA documentation and supporting technical reports. Diane has managed a number of General Plan Update Program EIRs, including for the County of San Diego, City of Escondido, and City of Huntington Beach.

RELEVANT PROJECT EXPERIENCE:

- **City of Escondido**, *Escondido General Plan Update, Climate Action Plan, and Downtown Specific Plan Update PEIR.* Project Manager.
- **City of Escondido**, *Escondido Country Club EIR.* Contract Planner.
- **City of Vista**, *Downtown Vista Specific Plan and PEIR.* Project Manager.
- **County of San Diego**, *Property Specific Requests General Plan Amendment Subsequent EIR.* EIR Technical Advisor.
- **County of San Diego**, *General Plan Update PEIR.* Project Manager.
- **UC San Diego**, *2019 Hillcrest Campus Long Range Development Plan PEIR.* Project Manager.

Kristin Blackson | Project Manager

EDUCATION

MS, Environmental Science

BA, Environmental Studies

Kristin is a senior project manager with 20 years of experience in the preparation and management of CEQA documents, project management, land use planning, and entitlement. Kristin was with the County of San Diego's Planning Department from 2000 to 2015 as the Environmental Planning Manager. At the County, she coordinated efforts of multi-disciplinary staff and was responsible for CEQA compliance for several County Departments. Her work involves the management and preparation of CEQA documents for both private and public projects throughout the region. The list of projects she has managed is comprehensive and includes master planned communities, wind and solar projects, programs and ordinances, specific plans, major and minor use permits, subdivision maps, and pre-application meetings. Kristin was involved in the preparation and review of the County of San Diego's 2012 General Plan Update PEIR, as well as large scale planning projects including Lilac Hills Ranch General Plan Amendment and Specific Plan EIR. She also teaches a CEQA Compliance courses for UC San Diego extension.

RELEVANT PROJECT EXPERIENCE:

- **City of Escondido**, *Palomar Heights EIR.* Contract Planner.
- **City of El Centro**, *General Plan Update PEIR.* Project Manager.
- **UC San Diego**, *2019 Hillcrest Campus Long Range Development Plan PEIR.* Deputy Project Manager.
- **County of San Diego**, *As-Needed Planning Staff for Lilac Hills Ranch General Plan Amendment and Specific Plan EIR.* EIR Coordinator.
- **City of Escondido**, *Escondido Country Club EIR.* Contract Planner.

Ryan Binns, ENV SP, PMP | QA/QC

EDUCATION

MA, Intl. Env. Policy; BS, Zoology

CERTIFICATION

Envision Sust. Prof. (ENV SP), Project Mgmt. Prof. (PMP)

Ryan has 20 years of experience in all aspects of project management, from preparing and reviewing technical reports and environmental assessment documentation to budget and schedule compliance and invoicing. Ryan has a proven history of effective communication with City staff and applies a keen eye for detail to the review of environmental documents for quality assurance and CEQA compliance. He has worked with numerous federal, state, and local agencies including the CDFW, Caltrans, FHWA, Native American organizations, RWQCBs, USACE, and USFWS.

RELEVANT PROJECT EXPERIENCE:

- **City of Escondido**, ***661 Bear Valley Parkway Residential Project EIR.*** Project Manager.
- **UC San Diego**, ***2019 Hillcrest Campus Long Range Development Plan PEIR.*** QA/QC Manager.
- **Port of San Diego**, ***Lockheed Martin Harbor Island Facilities Demolition and Sediment Remediation Project EIR.*** QA/QC Manager.
- **City of Solana Beach**, ***Solana 101 Mixed-Use EIR.*** QA/QC Manager.
- **City of Solana Beach**, ***Ocean Ranch Estates Subdivision MND.*** Project Manager.
- **County of San Diego**, ***Bear Valley Parkway North Widening Project Technical Studies.*** Project Manager.

Sharon Toland | Air Quality/ GHG/Noise

EDUCATION

BA, Environmental Studies

Sharon has more than 13 years of experience working with Clean Air Act compliance, air quality and GHG modeling, noise ordinances, noise modeling, Climate Action Plan development, and Energy Action Plans. She is an approved County of San Diego Noise Technical Report preparer and worked on the noise study and noise section for the County General Plan Update EIR.

RELEVANT PROJECT EXPERIENCE:

- **City of Escondido**, ***General Plan Update, Climate Action Plan, and Downtown Specific Plan Update EIR.*** EIR Preparer.
- **City of Escondido**, ***661 Bear Valley Parkway Residential Project EIR.*** Air Quality/GHG/Noise Specialist.
- **UC San Diego**, ***2019 Hillcrest Campus Long Range Development Plan EIR.*** EIR Preparer and Noise Technical Study Lead.
- **City of Escondido**, ***Touchstone Ivy and Aspire Residential Development Projects.*** Air Quality/GHG/Noise Specialist.
- **City of Escondido**, ***New Urban West Amanda Estates Residential Project.*** MND Preparer and Air Quality/GHG/ Noise Specialist.

Darin Neufeld, AICP | EIR Preparer

EDUCATION

MA/BA, History

CERTIFICATION

Certified Planner, American Institute of Certified Planners (AICP)

Darin has 13 years of environmental and planning experience, including preparation and management of EIRs for complex and controversial projects. Over the last six years, Darin managed the CEQA process for the County of San Diego Planning & Development Services Department. He also worked in consulting for five years, where he was a project manager responsible for business development and producing legally defensible and technically adequate environmental documents. Darin's private and public sector experience brings a dual perspective to the projects he works on.

RELEVANT PROJECT EXPERIENCE:

- **County of San Diego**, ***Climate Action Plan.*** Project Manager for Supplemental EIR.
- **County of San Diego**, ***Newland Communities, Newland Sierra EIR.*** Lead County EIR Reviewer/Author.
- **County of San Diego**, ***Jackson Pendo Development Company, Otay Ranch Village 14 EIR.*** Lead County EIR Reviewer/Author.
- **County of San Diego**, ***NextEra Energy Inc, Jacumba Solar EIR.*** Lead County EIR Reviewer/Author.
- **County of San Diego**, ***South Coast Development, LLC, Lake Jennings Market Place EIR.*** Lead County EIR Reviewer/Author.

ASM AFFILIATES

Brian Williams, MA, RPA | Archaeological/Tribal Resources

EDUCATION

MA, Maritime Archaeology; BA, Anthropology

CERTIFICATION

Registered Prof. Archaeologist (RPA)

Brian received his BA in Anthropology from the University of San Diego, and his MA in Maritime Archaeology from Flinders University, Australia. He has managed and conducted the full range of archaeological services including survey, monitoring, records searches, excavation, and technical reporting on projects throughout California. Brian is currently managing ASM's work under an on-call contract for archaeological services to San Diego Gas & Electric, SoCalGas, and Southern California Edison. He is also serving as ASM's Project Manager for survey, testing, and monitoring services for construction of renewable energy projects in San Diego, Imperial, Orange and Riverside counties. Under ASM's on-call contracts with SDG&E and SCE, Brian provided permitting support for Programmatic Environmental Assessments and EIR/EIS development, including drafting and preparing sections of documents and QA/QC review.

RELEVANT PROJECT EXPERIENCE:

- **DPR Construction**, ***North Escondido Archaeological and Native American Monitoring for Grading Project.*** Project Manager.
- **Insignia Environmental**, ***P112396 Escondido CMP Pole Replacement.*** Project Manager.
- **Insignia Environmental**, ***Z16120 Escondido CMP Pole Replacement.*** Project Manager.

Shannon Davis, MA, RPA | Historic Resources

EDUCATION

MA, Historic Preservation; BA, American History

CERTIFICATION

Registered Prof. Archaeologist (RPA)

Shannon has 22 years of experience in the field of historic preservation. Before joining ASM, Shannon worked for the National Trust for Historic Preservation and served for eight years as a Historian for the NRHP. As an Architectural Historian at ASM, Shannon has documented and evaluated numerous cultural resources for CEQA and NRHP compliance, contributed to EIRs, prepared Historic Structures Reports and HABS documentation packages, and conducted NRHP evaluations and nominations. She has conducted a historic resource evaluation for the Grand Market and Ritz Theater on Grand Avenue in Escondido, and has contributed to a number of EIR/PEIR/SEIRs including for Mt. San Antonio College, the Naval Information Warfare Systems Command Old Town, and the San Diego Murai Subdivision.

RELEVANT PROJECT EXPERIENCE:

- **New Vintage Church**, ***Historic Resources Evaluation for the Grand Market and the Ritz Theater in Escondido.*** Project Manager/ Architectural Historian.
- **Cardno GS Inc**, ***Environmental Impact Statement for the Naval Information Warfare Systems Command (NAVWAR) Old Town Campus.*** Project Manager/Architectural Historian.
- **Port of San Diego**, ***Lockheed Martin Demolition Project Historic Resources Analysis.*** Architectural Historian.

LLG ENGINEERS

John Boarman, PE | Traffic

EDUCATION

MS, Civil Engineering

BS, Civil Engineering

CERTIFICATION

Professional Engineer

John will serve as the Principal Traffic Engineer. John has personally prepared, participated in or directed the preparation of several hundred traffic impact studies. His work has included not only traffic impact studies but studies of parking impact and sufficiency, site access and circulation, and internal auto, pedestrian and public transit traffic circulation. John has worked closely with other professionals in the preparation and presentation of environmental documentation to citizens groups, local government engineers and planners, Transportation Commissions, Planning Commissions, and City Councils. He has also made presentations to the California Coastal Commission.

RELEVANT PROJECT EXPERIENCE:

- **City of Escondido**, ***General Plan Update Traffic Study.*** Project Manager.
- **City of Escondido**, ***Palomar Heights Traffic Study.*** Project Manager.
- **City of Escondido**, ***Escondido Research and Technology Center Traffic Study.*** Project Manager.
- **City of Escondido**, ***Touchstone Ivy and Aspire Project Traffic Studies.*** Project Director.

Statement of Firm's Background and Relevant Experience

661 Bear Valley Parkway Residential Project EIR

City of Escondido

Harris worked with the City to prepare an EIR for a residential project that would subdivide 40.9 acres into 55 residential lots, two private street lots, seven open space lots, and one recreation lot. The EIR also evaluated the impacts of the Bear Valley Parkway Specific Alignment Plan, which proposes full-roadway width improvements including widening, center median, sidewalks, and curb and gutter installation. The applicant is only responsible for half-width improvements on Bear Valley Parkway; therefore, the impacts and mitigation for the residential project and the Specific Alignment Plan are separated in the EIR.

To address potential aesthetic concerns, Harris prepared visual simulations that illustrate the change in views from surrounding public vantage points. Technical documents were also completed for air quality, greenhouse gas emissions, biological resources, cultural resources, hazards, noise and traffic. As required by Assembly Bill 52, the City consulted with local Native American tribes that expressed interest in the project.

To streamline the EIR process, Harris used the CEQA Guidelines Appendix G Initial Study Checklist to eliminate many environmental topics from detailed analysis and instead prepared technical studies to provide substantial evidence demonstrating that impacts would be less than significant. The EIR focused on topics that may have a significant effect on the environment, including aesthetics; agricultural, biological, and cultural resources; geology and soils; hazards and hazardous materials; land use and planning; noise; and transportation and traffic.

Key Staff:
Ryan Binns (Project Manager), Diane Sandman (Project Director, QA/QC), Sharon Toland (Air Quality/GHG/Noise), Esther Daigneault (CEQA Analyst), ASM (cultural resources), LLG Engineers (traffic study)

The Ivy and Aspire – Redevelopment of Two Downtown Escondido Sites, Categorical Exemption Reports

City of Escondido

Working for Touchstone Communities, Harris prepared two Class 32 Categorical Exemption Reports addressing development of properties in the developed and urban area of Escondido's historic downtown district. The project's proposed construction contained a mix of residential and commercial uses with parking below. The residential component would provide affordable housing options for the City of Escondido.

The development projects required a waiver to development standards identified in the Downtown Specific Plan, Chapter III, Section B for building heights, setbacks, parking, and open space requirements. In addition, the project required the transfer of additional dwelling units under the City's Density Transfer Program. Harris prepared a greenhouse gas emissions technical memorandum, an air quality technical memorandum, and noise technical memorandum and oversaw the preparation of a Traffic Impact Analysis. All the studies were used to prepare the Class 32 Categorical Exemption Reports. The use of a CEQA exemption streamlined the CEQA process by eliminating the environmental review period. The Ivy project was approved by City Council while the Aspire project was not approved.

Key Staff:
Diane Sandman (Project Manager), Sharon Toland (Air Quality/GHG/Noise), Esther Daigneault (CEQA Analyst), Kelsey Hawkins (CEQA Analyst), Lindsey Messner (Technical Editor), Randy Deodat (GIS), LLG Engineers (traffic study)

Downtown Specific Plan Density Transfer Program

City of Escondido

Harris assisted the City of Escondido with an amendment to the City's Downtown Specific Plan to create a new Density Transfer Program to help facilitate a density credit pool which allows staff to administration and monitor the transfer of unused density units between properties. This data informs the decision to increase density of a developing parcel while monitoring that the number of dwelling units for the Density Transfer Program would not exceed the maximum build out of 5,275. Harris prepared an EIR addendum to the existing Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Final EIR to assist with this program.

Key Staff:
Diane Sandman (Project Manager), Sharon Toland (Noise Specialist), Esther Daigneault (CEQA Analyst), Ryan Binns (QA/QC), Lindsey Messner (Technical Editor)

Contract Planning Staff for The Villages – Escondido Country Club Project and EIR

City of Escondido

Prior to working with Harris, Kristin Blackson served as a Contract Planner for the City of Escondido to manage The Villages – Escondido Country Club project. She was responsible for the processing of the Specific Plan and Tentative Maps as well as the management and oversight of the EIR. Included in the EIR tasks was helping the City facilitate the EIR Public Scoping Meeting and the Public Review EIR Meeting. The format of both meetings was an open house during which the public was able to gain information regarding the process and project in a workshop type forum. Kristin worked directly with City management to review and prepare the Draft EIR, Public Review Draft EIR, as well as putting together the responses to comments and Final EIR. She also attended and presented both the Planning Commission and City Council hearings. The project was eventually approved and the EIR certified within a year's processing time and is under construction today.

Key Staff:
Kristin Blackson (Contract Planner)

Contract Planning Staff for Palomar Heights EIR

City of Escondido

Prior to working with Harris, Kristin Blackson served as a Contract Planner for the City of Escondido to manage Palomar Heights project. The project proposed to demolish the existing Palomar Hospital on a 13.8-acres site and redevelop the site with a mixed-use residential and commercial development. The proposed plan includes 510 dwelling units and up to 12,000 square feet of commercial space. It also included supporting open space and recreational amenities, landscaping, parking, and infrastructure improvements. The infrastructure improvements consist of utility connections to lines within the adjacent roadways as well as roadway frontage improvements.

Kristin managed the CEQA process and reviewed all related EIR documents. She also represented the City in project meetings and project-related hearings.

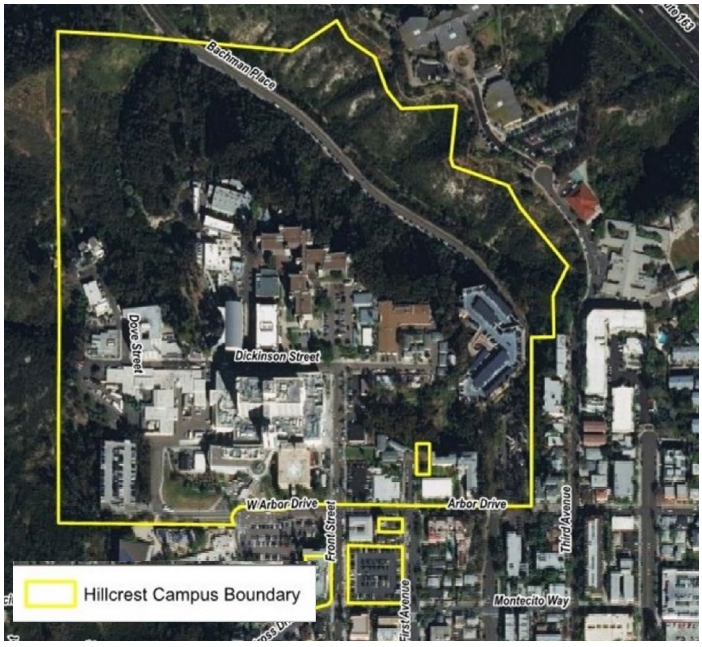
Key Staff:
Kristin Blackson (Contract Planner)

El Centro General Plan Update Program EIR

City of El Centro

Harris is assisting the City of El Centro Community Development Department in preparing a Program EIR that will update the City's General Plan. The General Plan Update will update the Land Use and Mobility Elements and will add the newly required Environmental Justice Element. Some of the goals of the update are to improve sustainability, promote public health, and anticipate future advancements in transportation technology. The General Plan Program EIR will analyze proposed Land Use Updates and additional Opportunity Areas, where specific development options are planned for impacts analyzed. It is a programmatic analysis that will allow for future CEQA streamlining opportunities for planned development under the update. That later analysis may tier from the PEIR as provided in CEQA section 15183.

Key Staff:
Diane Sandman (Project Director), Kristin Blackson (Project Manager), Kelsey Hawkins (Assistant Project Manager) Melissa Tu (Sr. Biologist), Katie Laybourn (Biologist), Esther Daigneault (CEQA Analyst), Sharon Toland (Air Quality/GHG/Noise specialist), Lindsey Messner (Technical Editor), Randy Deodat (GIS)



Hillcrest Campus Long Range Development Plan Program EIR

University California San Diego

UC San Diego's proposed Hillcrest 2019 LRDP aims to redevelop approximately 34 acres of the 62-acre campus resulting in the removal of a vast majority of the 35 existing buildings, including replacement of the 11-story hospital. Harris staff prepared an EIR to address potential impacts and provide a detailed project-level analysis of the six project phases, as opposed to a program-level analysis that is typically prepared for a long-range planning document and worked closely with the LRDP planning consultant to develop LRDP policies (i.e. principles) that will self-mitigate environmental impacts to the extent feasible.

The EIR's evaluation ties mitigation measures to project phases and identifies nonspecific programmatic measures for implementation as impacts occur during each phase. The Harris team prepared technical studies for 10 potential impact areas to support the EIR including: air quality, biological resources (including coastal California gnatcatcher surveys), aquatic resources delineation, greenhouse gas emissions, health risk assessment (for both construction and operational emissions), hydrology and water quality studies, noise analysis (including helicopter noise), population and housing analysis and assisted the City of San Diego with the water supply assessment.

Key Staff:
Diane Sandman (Project Manager), Kristin Blackson (Deputy Project Manager), Ryan Binns (QA/QC), Esther Daigneault (EIR Preparer), Kelsey Hawkins (EIR Preparer/Noise Specialist), Sharon Toland (Noise Specialist), Melissa Tu (Sr. Biologist), Katie Laybourn (Biologist), Lindsey Messner (Technical Editor), Randy Deodat (GIS), LLG Engineers (traffic study)

Twin Oaks Community Plan Supplemental Program EIR

County of San Diego/MIG

Harris is working with the County of San Diego, as a subconsultant, to prepare a Community Plan Update, Implementing Zoning Code and Supplemental Program EIR (SEIR) for the Twin Oaks Community Planning Area, located in the unincorporated area of the County of San Diego. The SEIR will tier from the 2012 General Plan Update PEIR. The project proposes to revise General Plan to include the new Community Plan for the Twin Oaks Community Planning Area, which is currently a part of the North County Metropolitan Sub Regional Planning Area in the County of San Diego. The plan is being developed using an updated community planning outreach model for current pandemic requirements, while maintaining a community focused objective. The SEIR will be a PEIR that will allow the County to consider broad policy alternatives and program wide mitigation measures to address problems or issues with the implementation of the proposed policies. In addition, the SEIR will allow future projects to streamline the environmental review if the later activity is within the scope and description of the impact considered in the SEIR. That later analysis may tier from the PEIR as provided in CEQA section 15152.

Key Staff:
Diane Sandman (Project Director), Kristin Blackson (Project Manager), Melissa Tu (Sr. Biologist), Kelsey Hawkins (CEQA Analyst), Katie Laybourn (Biologist/CEQA Analyst), Sharon Toland (Air Quality/GHG/Noise specialist), Randy Deodat (GIS), Lindsey Messner (Technical Editor)

Team References

HARRIS

City of El Centro

Angel Hernandez, *Associate Planner*
831.768.3077
angel.hernandez@cityofelcentro.org

University of California San Diego

Robert Clossin, *Director, Campus Planning*
858.534.4589
rclossin@UCSD.edu

County of San Diego

Eric Lardy, AICP, *Chief, Advance Planning, Planning & Development Services*
858.495.5334 (office), 619.550.9723 (cell)
eric.lardy@sdcounty.ca.gov

ASM

Los Angeles County

Dean Edwards, *Senior Regional Planner*
831.768.3077
dedwards@planning.lacounty.gov

LLG

City of Del Mar

Amanda Lee, *Principal Planner*
858.755.9313 ext. 1167
alee@delmar.ca.us

5. WORK SCHEDULE
(INCLUDES PEIR SCOPE OF WORK)

In developing the schedule for this project, Project Manager Kristin Blackson and Principal-in-Charge Diane Sandman expanded the City's scope of work included in the RFP and outlined the tasks involved, with input from ASM and LLG. Because we employ an approach of full transparency with our clients, we have included our proposed scope of work, as it informed our schedule and our cost estimate. The one-page schedule is provided on page 24.

PEIR Scope of Work

TASK 1 – PROJECT INITIATION

Harris will initiate project kick-off by obtaining deliverables relating to the project, including but not limited to, the Housing Element Update, Sector Feasibility Study, and the East Valley Specific Plan. Harris will attend a kick-off meeting with City staff within the first two weeks. Roles and responsibilities as well as internal deadlines will be established. Harris will develop a list of data needs to review at the kick-off meeting and will coordinate with the City to obtain the required data, within established timelines.

Task 1 Deliverables:
Kick-off meeting agenda and list of data needs.

TASK 2 – CEQA NOTICES

Harris will provide all required CEQA notices for the project, beginning with the Notice of Preparation (NOP) consistent with Section 15082 of the CEQA Guidelines. The NOP will include the noticing for the NOP Public Scoping Meeting. Other CEQA notices Harris will provide include the Notice of Availability (NOA), Notice of Completion (NOC), Notice of Determination (NOD), and the OPR Summary Form for distribution to the State Clearinghouse. Harris will also prepare the tribal notification letters. The noticing tasks are described below.

1. Prepare the PEIR NOP, which will provide a brief project description and a general description of each of the issues that will be addressed in the Draft PEIR, as well as those topics that will not be addressed in the PEIR. In addition, the NOP will identify the date, time, and location of a public scoping meeting for the Draft PEIR.
2. Submit an electronic copy of the NOP to the City for their review and prepare one set of minor revisions to the draft NOP based on comments received. It is assumed that the City will prepare the NOP mailing list and distribute it to interested or affected agencies, organizations and individuals. Include the NOP as an appendix to the PEIR along with the comment letters received.

3. In preparation for CEQA Public Review of the Draft PEIR, prepare the NOA, NOC and OPR Summary Form. The City will distribute the Draft EIR pursuant to City and CEQA noticing requirements.
4. In preparation for PEIR for certification, prepare the NOD, to be filed by the City.
5. Prepare the tribal notification letters to be distributed by the City in compliance with SB 18 and AB 52. Harris will assist the City with consultation, if requested.

Task 2 Deliverables:
NOP, NOA, NOC, NOD, OPR Summary Form and Tribal Consultation Notices.

TASK 3 – SCOPING MEETING

Pursuant to CEQA Guidelines Section 15206(b)(1), the project qualifies as a project of statewide, regional or areawide significance because it involves a proposed local general plan, element or amendment for which a PEIR will be prepared. As such, a PEIR scoping meeting is required as described in CEQA Guidelines Section 15082(c)(1). The scoping meeting will be noticed as part of the NOP and is anticipated to be held virtually due to COVID-19 public health restrictions. The scoping meeting tasks are described below.

1. Prepare a presentation for public scoping meeting that describes and the CEQA process, and presents a preliminary list of environmental topics to be addressed in the Draft PEIR.
2. Facilitate the virtual public scoping meeting using the presentation described above and solicit input regarding the environmental topics that meeting attendees feel should be addressed in the Draft PEIR.
3. During the meeting, transcribe verbal public comments into written notes. Compile the list of environmental topics requested be addressed in the Draft PEIR and provide a summary of the comments to the City.

Task 3 Deliverables:
NOP PowerPoint presentation and summary of comments.

TASK 4 – PREPARE DRAFT PEIR

The Draft PEIR will require the preparation of technical studies as well as the PEIR. The tasks are described below.

Task 4.1. Technical Studies

Air Quality Technical Memorandum

Harris will prepare an Air Quality Technical Memorandum (memo) to assess the air quality impacts associated with proposed land use and zoning changes identified in the Housing Element Update and the East Valley Specific Plan. The memo will provide technical background information in support of the air quality impacts analysis in the PEIR. The report will be included as an appendix to the PEIR. We assume that the potential for carbon monoxide hot spots will be addressed qualitatively based on the results of the traffic analysis provided by LLG. Hot spot modeling is not included in this scope of work. Tasks are listed below.

1. Provide a brief overview of the existing air quality in the San Diego Air Basin (SDAB) in the vicinity of the project site, including existing pollutant levels at nearby air quality monitoring stations. This will establish the baseline of air pollutant emissions for the City.
2. Provide an overview of standards and policies relevant to the criteria pollutant analysis, including the National Ambient Air Quality Standards (NAAQS), the California Ambient Air Quality Standards (CAAQS), the San Diego County Air Pollution Control District (Air District) CEQA Air Quality Handbook, and the City's Environmental Quality Regulations (Municipal Code Section 33-924).
3. Estimate construction emissions for proposed land use and zoning changes based on worst-case annual estimate construction scenario, addressing heaving equipment exhaust and fugitive dust. Construction emissions will be estimated using the California Emissions Estimator Model (CalEEMod).
4. Use CalEEMod to estimate existing criteria pollutant emissions based on land use information provided by the City, and vehicle miles traveled (VMT) information provided by LLG.
5. Use CalEEMod to quantify operational emissions from build out of the proposed land use and zoning changes and associated with the project. Vehicular emissions will be based solely on traffic information provided by LLG, including VMT. It is assumed the traffic information will take into account access to alternative transportation options, such as downtown walkability.

6. Compare future buildout emission estimates to existing conditions (baseline) to estimate the potential net change in emissions. Evaluate the significance of construction emissions and net operation emissions using the City's Environmental Quality Regulations.
7. Mitigation measures, if necessary, will consist of program-level best management practices for future projects. Mitigation measures will be quantified to the extent available using the CalEEMod model.
8. Prepare the draft air quality technical memorandum detailing the results of the analyses identified above. Submit the air quality technical memorandum to the client for review, and prepare one set of revisions within the limits of an 8-hour professional staff budget.

Air Quality Technical Memo Deliverables:
One electronic copy of the draft and final Air Quality Technical Memorandums.

Biological Resources Technical Memorandum

Harris will prepare a Biological Resources Technical Memorandum to assess the biological resources impacts associated with proposed land use and zoning changes identified in the Housing Element Update and the East Valley Specific Plan. The memorandum will provide technical background information in support of the biological resources impacts analysis in the PEIR. The report will be included as an appendix to the PEIR. Tasks are listed below.

1. Inventory existing biological resources in the City based on review of existing information sources including: aerial imagery; topographic maps; California Department of Fish and Wildlife's California Natural Diversity Database; California Native Plant Society Electronic Inventory; U.S. Fish and Wildlife Service's IPaC - Information for Planning and Consultation online system including critical habitat and listed species; and U.S. Fish and Wildlife Service's National Wetland Inventory Electronic Mapper.
2. Prepare a project area plant community and land use map that identifies the location of any potential habitat within or adjacent to proposed land use changes.
3. Provide a description of sensitive plant communities, sensitive species, aquatic resources, and any other sensitive biological resources/habitat with potential to occur in the vicinity (up to 1 mile) of the proposed land use changes.
4. Provide a biological resources analysis to identify potential impacts associated with the proposed land use and mobility changes.
5. Provide program-level mitigation measures to be implemented for potentially significant impacts to biological resources.
6. Prepare the draft Biological Resources Technical Memorandum.
7. Prepare the final Biological Resources Technical Memorandum based on comments from City staff on the draft Memorandum (up to 8 hours).

Assumptions: This proposal does not include on-site investigations or on-site surveys, permits, or consultation with the wildlife agencies. Plant community mapping will be based on existing data.

Biological Resources Technical Memo Deliverables:
One electronic copy of the draft and final Biological Resources Technical Memorandum.

Cultural and Historical Resources Analysis Study (ASM)

Harris will subcontract with ASM Affiliates to prepare the cultural and historical resources analysis. Tasks are listed below.

1. Conduct a records search at the South Coastal Information Center (SCIC) to identify any previously recorded sites located or previous studies conducted within the Project area. The records search will include a review of all maps and files housed at SCIC related to the project area. During the records search, ASM will determine if any previously recorded cultural resources identified within the project area are listed in the NRHP or the CRHR.
2. Request a search of the Sacred Lands File be conducted by the California Native American Heritage Commission (NAHC) in order to identify any areas of Native American heritage significance. The NAHC will provide a list of tribal contacts that may have further information regarding the project area, to whom ASM will send a query letter regarding any information related to the area they may wish to share.
3. Assist the lead agency in preparation for formal government-to-government consultation (AB 52 and SB 18), if desired.
4. Develop the Cultural Resources Technical Report (CRTR). The Regulatory Setting section will address all relevant local, state, and national regulations and guidelines for cultural resources. The CRTR will include a broad historic and archaeological overview for the City of Escondido.

   The Historical Resources section will identify known CEQA historical resources, as identified in the SCIC records search, prior city surveys, and lists of historical resources maintained by the City. This section will provide a summary of the types

of historical resources extant within the project area, based on a review of SCIC and City records, as well as a two-day reconnaissance-level survey. A map illustrating known historic resources (architectural only) and a buried site sensitivity map (archaeological only) will be included.

The Impacts and Mitigation section will define the significance thresholds for adverse impacts under CEQA to cultural resources within Escondido. Specific project impacts will not be addressed, only broad potential for impacts on types of resources and/or types of projects. Mitigation Measures will be identified to reduce impacts as applicable and will include those adopted by the City regarding tribal cultural resources. Recommendations will include policies that would foster the preservation of known historical resources.

Assumptions:

- The project does not require intensive-level and/or pedestrian survey to identify historical resources
- The cost of the SCIC records search will not exceed $500
- The City can provide GIS data that includes San Diego County Assessor year built for most parcels within the City
- The cost excludes attendance at in-person or public meetings

Cultural Resources Technical Memo Deliverables:
ASM will provide two iterations (draft and final) of the CRTR to respond to one set of combined comments from Harris and the City.

Greenhouse Gas Emissions Technical Memorandum

Harris will prepare a Greenhouse Gas (GHG) Emissions Technical Memorandum (memo) to assess the GHG impacts associated with proposed land use and zoning changes identified in the Housing Element Update and the East Valley Specific Plan. The memo will provide technical background information in support of the GHG impacts analysis in the PEIR. It is assumed that the City's updated Climate Action Plan (CAP) will be adopted in late 2020 and will be the basis for this analysis. The report will be included as an appendix to the PEIR. Tasks are listed below.

1. Provide a description of the most common GHG constituents and summarize applicable legislation that pertains to GHG emissions, such as Assembly Bill 32, Executive Order S-3-05, and the City's CAP.
2. Conduct an inventory of GHGs for construction of the proposed project that will focus on the three types of GHG emissions anticipated to be generated by the project: carbon dioxide, methane, and nitrous oxide. Emissions will be converted to their carbon dioxide equivalents using the global warming potential for each gas. Assumptions will be consistent with the worst-case annual construction scenario developed for the air quality analysis and will represent the estimated worst-case annual construction GHG emissions. Emissions will be estimated using CalEEMod. The worst-case construction emissions will be added to operational emissions to estimate total annual emissions.
3. Use CalEEMod to estimate existing and buildout GHG emissions from land use operation. Vehicular emissions will be based solely on traffic information provided by LLG. LLG's traffic information will include implementation of GHG reduction measures related to transportation, such as availability of alternative transportation. Requirements for new development included in the City's CAP to reduce emissions related to energy, water, and solid waste will be quantified to the extent possible using CalEEMod.
4. Evaluate the project's significance based on the City's CAP. It is anticipated that the updated CAP will be adopted in late 2020 and will provide the basis for this evaluation. If necessary, recommend program-level mitigation measures to reduce potential impacts. Mitigation measures will be quantified to the extent available using the CalEEMod model.
5. Prepare the draft GHG technical memo detailing the results of the analyses identified above. Submit the GHG technical memo for review, and prepare one set of revisions within the limits of an 8-hour professional staff budget.

GHG Technical Memo Deliverables:
One electronic copy of the draft and final Greenhouse Gas Emissions Technical Memorandum.

Noise Technical Memorandum

Harris will prepare a Noise Technical Memo to assess the noise impacts associated with proposed land use and zoning changes identified in the Housing Element Update and the East Valley Specific Plan. The memo will provide technical background information in support of noise impacts analysis in the PEIR. The report will be included as an appendix to the PEIR. Tasks are listed below.

1. Provide a brief description of the contributors to the existing local noise environment, including transportation and operational sources, based on the existing City planning documents, such as the existing General Plan and the Draft Existing Conditions Report for the East Valley Specific Plan.
2. Provide an overview of relevant standards and policies in the City's planning documents, specifically the land use compatibility matrix in the General Plan Noise Element. Identify a threshold of significance for changes in ambient noise level based on City noise compatibility standards.

3. Compare existing and future roadway noise levels for up to 10 roadway segments using standard equations adopted from the FHWA Highway Noise Prediction Model (FHWA RD 77 108). Existing and future conditions will be derived from roadway segment volume information provided by LLG for roadway segments anticipated to experience the most change in volume or exposure as a result of the project. Noise calculations will assume an idealized steady flow of traffic without attenuation provided by topography or buildings. Noise contour results will be provided in tabular form.
4. Assess areas of potential conflict between future roadway noise levels and existing and proposed land uses in the city.
5. Recommend program-level mitigation measures to reduce potential impacts, if necessary.
6. Prepare the draft memo detailing the results of the analyses identified above and submit to City staff for review.
7. Prepare the draft noise technical memo detailing the results of the analyses identified above. Submit the noise technical memo for review, and prepare one set of revisions within the limits of an 8-hour professional staff budget.

Noise Technical Memo Deliverables:
One electronic copy of the draft and final Noise Technical Memorandum.

Transportation Study (LLG)

Based on LLG's review of the RFP and experience with similar projects, the proposed scope of work includes a limited LOS Analysis to determine whether the City Mobility Element roadways can accommodate the additional housing units from a capacity standpoint. CEQA required VMT analysis is also included. Tasks are listed below.

1. Project Mobilization
   - Confirm the development description, work schedule, and assumptions to be utilized in the study.
   - Obtain a land use exhibit to determine appropriate locations in the City where the additional housing units are proposed.
   - Contact City of Escondido staff to discuss the project and analysis criteria, confirm the study approach, identify pertinent traffic issues and concerns, and formalize the Scope of Work for the traffic study.
2. Data Collection and Research
   - Visit the project study area to confirm existing conditions with respect to existing site development, local area development, site access, parking use, and areas of congestion in order to verify our overall understanding of traffic conditions in the area that might affect this project.
   - Document the existing roadway striping, traffic control measures, curbside parking restrictions, adjacent intersection configurations, and other pertinent roadway features.
   - Obtain the most recent available existing ADT's on the classified roadways within the City. No traffic counts are assumed.
   - Prepare a trip generation forecast for the additional housing units for a typical weekday over a 24-hour period, as well as for the commuter AM and PM peak hours.
3. SANDAG Forecast Modeling
   - Coordinate with the City of Escondido and project team and determine the appropriate forecast model to use (Series 14 vs Series 13). The identified model will be used to develop buildout forecast volumes and project's VMT results to compare with the baseline regional VMT average or other pertinent baseline such as City VMT average.
   - Coordinate with City staff and review the land use and network assumptions in the regional model for the project site and the immediate area.
   - Prepare a SANDAG model request for the proposed project that identifies the locations of the additional housing units, roadway network changes, other background cumulative project and other modeling inputs. As a part of this proposal, two model runs are anticipated: Year 2050 without Project and Year 2050 with Project. The model outputs envisioned are Year 2050 forecast volumes without and with Project and SB 743 VMT results without and with Project.
   - Attend two (2) meetings or call with City staff, project team and SANDAG which will include a kick-off meeting and results discussion meeting.
4. VMT SB 743 Analysis
   - Based on the SANDAG model results, determine the VMT per resident and VMT per employee in the project area that fall below 85% of the regional average or City average, whichever metric is deemed appropriate.
   - As a summary, identify the number of acres or the number of units that are less than 85% below regional VMT average and greater than 85% of the region VMT average for both residents and employees.
   - If any VMT impacts are calculated, qualitatively discuss the significant impacts given that a PEIR is being prepared for the project.

5. Long-Term LOS Analysis
   - Obtain horizon year volumes on the street segments within the study area with the Existing City General Plan and uses from the appropriate SANDAG traffic model.
   - Determine buildout volumes on the key city streets with and without the Project
   - Determine the horizon year street segment LOS with and without the Project.
   - Determine which City roadways would exceed City thresholds with the increased traffic volumes.
   - Recommend enhanced roadway classifications, if necessary, based on the traffic volumes.
6. Preparation of the Transportation Study
   - Prepare a draft Transportation Study in report format that details all of the above-mentioned items, our analysis, findings and conclusions. The draft report will be suitably documented with tabular, graphic and appendix materials. The Draft Transportation Study will be submitted for your review and by appropriate members of the project team.
   - Revise the Transportation Study report based on project team editorial comments(no new analysis) and prepare a Final Transportation Study.
7. Attendance at Conference Calls
   - In addition to the SANDAG coordination conference calls, attend up to two (2) conference calls with the City and/or project team.

Transportation Study Technical Memo Deliverables:
One electronic copy of the draft and final Transportation Study.

Task 4.2. Prepare Administrative Draft PEIR with Technical Appendices

Harris will prepare the draft and final PEIRs in compliance with the CEQA (Public Resources Code §21000 et seq.); the CEQA Guidelines (California Code of Regulations §15000 et seq.); CEQA case law and recent court decisions; and the City's ordinances, standards, and policies based solely on the scope of work described below.

The project will be addressed with a PEIR, which is an EIR that may be prepared on a series of actions that can be characterized as one large project (CEQA Guidelines §15168(a)). The PEIR will identify potential impacts that would result from project implementation. However, the level of analysis will not be detailed to the individual development project level, nor is it intended to be accurate to this level of specificity. The PEIR will identify a range of potential impacts resulting from future development allowed under the project and will identify mitigation measures that future development may implement to reduce identified potentially significant effects. The preparation of a PEIR will facilitate the CEQA streamlining under Section 15168 (c) and (d), if projects are consistent and considered later activities under the program. This includes community level environmental review to facilitate the use of housing CEQA exemptions for urban infill residential development and development consistent with a specific plan. The PEIR contents and related scope of work is described below.

Executive Summary

The Executive Summary will contain elements required in CEQA Guidelines §15123, and will include a brief description of the project, the environmental setting, and the alternatives evaluated in the PEIR. It will also include a discussion of areas of controversy and issues to be resolved. Significant effects and mitigation will be described in a table listing the issue, impacts identified in the PEIR, the significance of impacts before mitigation, mitigation recommended in the PEIR, and the significance of impacts after mitigation. Due to potential changes resulting from City comments, the Executive Summary will be submitted with the Second Screencheck Draft PEIR.

Introduction

The introduction will discuss the purpose and legal authority, scope, and intended use of the PEIR. It will provide an overview of the environmental review process. Finally, the Introduction will include a brief discussion of the organization of the PEIR document.

Project Description

The Project Description will be prepared to comply with the requirements of CEQA Guidelines §15124 and will include a discussion of the project's regional context, including proposed land uses, circulation, and related improvements. An overview of the project's background, history, and objectives will also be provided. The Project Description, including graphic materials, will be based on information provided by the City and the consultants working on the Housing Element Update and East Valley Specific Plan. Finally, the Project Description will include a separate list of key planning policies which will avoid or minimize environmental impacts.

This PEIR chapter will also provide the project objectives, which will be developed in consultation with City staff. The project objectives are a key element of the Project Description because they set the parameters for developing the project alternatives. Finally, a complete list of responsible and trustee agencies and necessary discretionary actions, including permits, will accompany the Project Description.

Environmental Analysis

The scope of the Environmental Analysis chapter was developed based on the project information provided with the Request for Proposals, our experience preparing PEIRs for similar types of planning projects, and our knowledge of the project area. Based on the results of the technical studies, the PEIR will address up to 14 environmental topics. The anticipated topics to be addressed in detail in the PEIR include:

(1) Air Quality
(2) Biological Resources
(3) Cultural and (4) Tribal Cultural Resources
(5) Geology and Soils
(6) Greenhouse Gas Emissions and (7) Energy
(8) Hazards and Hazardous Materials
(9) Land Use/Planning
(10) Noise
(11) Population/Housing
(12) Public Services
(13) Transportation
(14) Utilities and Service Systems

The discussion of each environmental topic in the Environmental Analysis chapter will have six main subsections, as described below.

The **Existing Conditions subsection** will provide a description of the existing conditions of the project site, specific to each environmental topic area.

The **Regulatory Framework** subsection will provide a description of applicable regulations promulgated by federal, state, regional, and local agencies that apply to the specific environmental topic area.

The discussion of **Impacts and Mitigation** will be divided into subsections based on the CEQA Guidelines Appendix G Initial Study Checklist questions. As required by §15126.2(a) of the CEQA Guidelines, direct, indirect, short-term, extended-term, on-site, and/or off-site impacts will be addressed, as appropriate, for the environmental issue being analyzed. The Mitigation Measures subsection will list the mitigation measures that could reduce the severity of impacts identified in the Impacts subsection, as necessary. The PEIR will provide an evaluation of feasible mitigation measures, which could be carried out to reduce or eliminate adverse impacts of the proposed project. CEQA Guidelines §15126.4 requires a PEIR to "describe feasible measures which could minimize significant adverse impacts." The CEQA Guidelines §15364 defines feasibility as capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, legal, social, and technological considerations. Furthermore, the mitigation measures will be designed to streamline future development project environmental review under CEQA by creating performance standard mitigation measures.

The **Cumulative Impacts and Mitigation** subsection will include an analysis of the proposed project and related past, present, and probable future projects that would contribute to the degradation of the environment in each of the environmental topic area subsections addressed in the PEIR. The cumulative project list will be provided at the beginning of the Environmental Analysis chapter, prior to the analysis for each environmental topic. For each topic subsection, four questions will be addressed in the analysis:

- What is the geographic context of the analysis?
- Does a significant cumulative impact exist?
- If so, what is the project's contribution before implementation of project-level mitigation measures?
- What is the project's contribution after implementation of project-level mitigation measures?

The **References** subsection will provide a bibliography of reference materials used in preparing the particular topical section of the PEIR.

Growth Inducement

This section will discuss the potential for future development allowed by the project to foster economic or population growth or the construction of additional housing in the surrounding environment. Included will be a discussion of the potential for the project to contribute to growth of undeveloped areas through the extension or construction of new infrastructure facilities. Consistent with CEQA Guidelines §15126.2, the discussion will not assume that growth is necessarily beneficial, detrimental, or of little significance to the environment.

Other CEQA Considerations

This section will include a subsection on Other Effects Found Not to be Significant that will be based on the results of the Initial Study checklist. The topics anticipated to result in less than significant impacts include Aesthetics, Agriculture and Forestry Resources, Hydrology/Water Quality, Mineral Resources, Recreation, and Wildfire. Additional topics from the PEIR list above may be added to this list once preliminary analysis has occurred. This chapter of the PEIR will also include sections discussing significant and unavoidable environmental impacts and significant irreversible environmental effects.

Alternatives

Harris will prepare this section to include discussion of up to three alternatives, in addition to the No Project Alternative. As required by CEQA, the No Project Alternative will be addressed as the Existing General Plan Alternative. Three other alternatives will be developed in consultation with City staff in light of the significant environmental impacts identified for the project. Any graphic materials necessary to describe the three project

alternatives would be provided by the City. In addition, as required by the CEQA Guidelines, the environmentally superior alternative will be identified. If this is the No Project Alternative, the next environmentally superior alternative will be identified. A comparison of alternatives to the project will be provided in a matrix format for each of the environmental topics, depicting whether the alternative would result in less, more, or the same impact as the project.

Alternatives Deliverables:
Electronic copy of the Administrative Draft EIR with Technical Appendices.

Task 4.3. Prepare Screencheck Draft PEIR with Technical Appendices

Following receipt of City comments on the Administrative Draft EIR, Harris will prepare the Screencheck Drat EIR, including technical appendices. All edits will be shown in tracking mode (strikeout/underline).

Task 4.3 Deliverables:
Electronic copy, including redline revisions, of the Screen-check Draft PEIR with Technical Appendices.

Task 4.4. Prepare Draft PEIR with Technical Appendices

After receipt and incorporation of comments on the Screencheck Draft PEIR, Harris will submit the Draft PEIR electronically to the City for a print-check review before public review distribution.

The Draft PEIR will undergo a 45-day public review period. As described under Task 2, Harris will produce the OPR Summary Form for distribution to the State Clearinghouse. Harris will provide the Draft PEIR electronically for publication on the City's website. Harris will also produce three hard copies of the Draft PEIR to be made available at the City's Planning Department and other public locations. Harris will also prepare the Notice of Completion (NOC) and Notice of Availability (NOA) per CEQA Guidelines Sections 15085 and 15087. It is assumed that the City will send the hard copy notices and post the NOA in a local paper.

Draft EIR Deliverables:
Electronic copy of the Print-Check Draft EIR, Electronic and 3 hard copies of the Public Review Draft EIR, Electronic copies of the NOA and NOC; submittal of NOC and OPR Summary Form to the State Clearinghouse.

TASK 5 – ATTEND MEETINGS

The Harris principal-in-charge and/or project manager will attend one Planning Commission meeting and one City Council meeting. The Harris team will also be available to participate in up to 12 one-hour teleconference meetings (bi-weekly meetings for six-months) during the preparation of the PEIR. These meetings will serve to facilitate project information, resolve issues, and update the team on schedule and budget. Harris is available to participate in additional meetings, as needed, at our typical hourly billing rates.

The Harris project manager will coordinate with the City and technical team, including subconsultants. The project manager will organize the project in terms of scope, schedule and budget and be responsible for the quality and timeliness of submittals. The project manager will also be responsible for monthly invoicing, including the preparation of a monthly progress report.

TASK 6 – REVIEW OF APPROVAL DOCUMENTS

Harris staff will conduct a review of project approval documents including the Housing Element update, Sector Feasibility Study and East Valley Specific Plan. Harris' review will focus on consistency between the documents and changes that may reduce or avoid environmental impacts. Harris will provide a review memorandum summarizing our comments on the documents.

Task 6 Deliverables:
Electronic submittal of review documents memorandum.

TASK 7. PREPARE FINAL PEIR

Task 7.1. Response to Comments

Harris will respond to up to 100 written comments (not comments letters) on the Draft PEIR. This will entail reading and numbering all comments, as well as assigning comments to members of the Harris team and possibly to City staff. The effort to respond to these comments is not expected to require new fieldwork or substantial new analysis. The responses to comments will be presented in side-by-side format, with a reduced version of the comment letter on the left side of the page and the responses on the right side of the page. This format allows the reader to easily correlate the responses to the various comments. Harris will submit the draft response to comments section to the City for review and prepare on set of revisions based on City comments within the limits of a 16-hour professional time budget.

Response to Comments Deliverables:
Electronic copies of the Draft Responses to Comments.

Task 7.2. Administrative Final PEIR

Harris will prepare the Administrative Draft Final PEIR which will include responses to comments, edits to the Draft EIR and errata, Draft Mitigation Monitoring and Reporting Program (MMRP), and CEQA Findings, including a Statement of Overriding Considerations, if required.

Mitigation Monitoring and Reporting Program (MMRP)

Harris will prepare the MMRP consistent with CEQA Guidelines Section 15097 based on the mitigation measures in the PEIR. The MMRP will be in tabular format and will identify the following: mitigation measure, monitoring effort, time frames for implementing the mitigation and verifying that he mitigation has been implemented, persons/agencies responsible for carrying out the mitigation and verification, and dates when the mitigation and monitoring activities have been completed. The MMRP will be submitted to City staff for review. One set of minor comments will be prepared based on City comments.

CEQA Findings/Statement of Overriding Considerations

Harris will prepare the Draft CEQA Findings and the Statement of Overriding Considerations for the PEIR and submit these documents to the City for review and comment, pursuant to the requirements of Sections 15091(a) and 15093 of the CEQA Guidelines, respectively. Harris will make one set of revisions to the daft Findings and Statement of Overriding Considerations based on the comments received from the City.

MMRP and CEQA Findings Deliverables:
Electronic copies of the draft and final MMRP and CEQA Findings and the Statement of Overriding Considerations.

Task 7.3. Screencheck Final PEIR

Harris to prepare the Screencheck Final PEIR which will include responses to comments, edits to the Draft EIR and errata, Mitigation Monitoring and Reporting Program (MMRP), and CEQA Findings, including a Statement of Overriding Considerations, if required.

Screencheck Final PEIR Deliverables:
Electronic copies of the Screencheck Final EIR.

Task 7.4 Prepare Final PEIR

Harris to prepare the Final PEIR which will include responses to comments, edits to the Draft EIR and errata, Draft Mitigation Monitoring and Reporting Program (MMRP), and CEQA Findings, including a Statement of Overriding Considerations, if required. The City will be responsible for distribution to all responders within 10 days prior to certification of the Final PEIR.

Final PEIR Deliverables:
Electronic copies of the Final EIR and three bound copies with technical appendices on CD.

Budget Contingency

Harris has included a 10% budget contingency to be used for unanticipated project-related tasks that arise during preparation of the PEIR. The budget contingency will only be used with prior approval from City staff. The tasks may include, but would not be limited to, the following:

- Additional meeting attendance or outreach efforts
- Additional technical analysis, such as an expanded transportation analysis or health risk assessment
- Evaluation of additional project alternatives

The budget contingency is included in the not-to-exceed budget amount of $250,000.

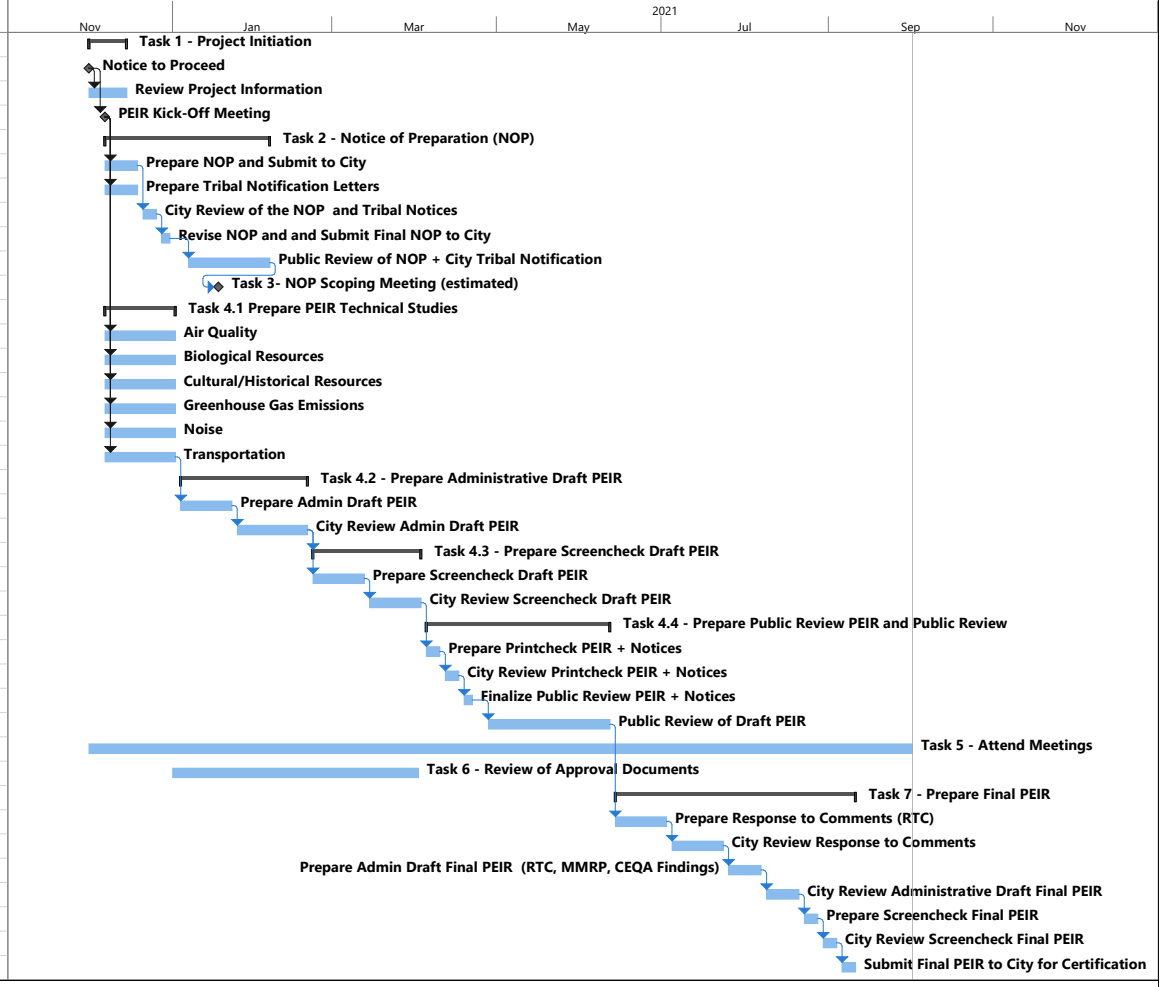
Proposed Schedule of Work

Harris developed a proposed timeline and milestones for completing the scope of work that will that get the City to its goal in a timely manner while meeting the requirements of the CEQA process and producing a high quality PEIR with years of streamlining utility. Our proposed schedule is provided on the following page.

PROPOSED SCHEDULE OF WORK

City of Escondido 6th Housing Element Cycle Program EIR (PEIR)
Project Schedule

ID	Task Name	Duration	Start	Finish
1	**Task 1 - Project Initiation**	**10 days**	**Tue 12/1/20**	**Mon 12/14/20**
2	Notice to Proceed	0 days	Tue 12/1/20	Tue 12/1/20
3	Review Project Information	10 days	Tue 12/1/20	Mon 12/14/20
4	PEIR Kick-Off Meeting	0 days	Mon 12/7/20	Mon 12/7/20
5	**Task 2 - Notice of Preparation (NOP)**	**45 days**	**Mon 12/7/20**	**Fri 2/5/21**
6	Prepare NOP and Submit to City	10 days	Mon 12/7/20	Fri 12/18/20
7	Prepare Tribal Notification Letters	10 days	Mon 12/7/20	Fri 12/18/20
8	City Review of the NOP and Tribal Notices	5 days	Mon 12/21/20	Fri 12/25/20
9	Revise NOP and and Submit Final NOP to City	3 days	Mon 12/28/20	Wed 12/30/20
10	Public Review of NOP + City Tribal Notification	30 edays	Wed 1/6/21	Fri 2/5/21
11	**Task 3- NOP Scoping Meeting (estimated)**	0 days	Mon 1/18/21	Mon 1/18/21
12	**Task 4.1 Prepare PEIR Technical Studies**	**20 days**	**Mon 12/7/20**	**Fri 1/1/21**
13	Air Quality	20 days	Mon 12/7/20	Fri 1/1/21
14	Biological Resources	20 days	Mon 12/7/20	Fri 1/1/21
15	Cultural/Historical Resources	20 days	Mon 12/7/20	Fri 1/1/21
16	Greenhouse Gas Emissions	20 days	Mon 12/7/20	Fri 1/1/21
17	Noise	20 days	Mon 12/7/20	Fri 1/1/21
18	Transportation	20 days	Mon 12/7/20	Fri 1/1/21
19	**Task 4.2 - Prepare Administrative Draft PEIR**	**35 days**	**Mon 1/4/21**	**Fri 2/19/21**
20	Prepare Admin Draft PEIR	15 days	Mon 1/4/21	Fri 1/22/21
21	City Review Admin Draft PEIR	20 days	Mon 1/25/21	Fri 2/19/21
22	**Task 4.3 - Prepare Screencheck Draft PEIR**	**30 days**	**Mon 2/22/21**	**Fri 4/2/21**
23	Prepare Screencheck Draft PEIR	15 days	Mon 2/22/21	Fri 3/12/21
24	City Review Screencheck Draft PEIR	15 days	Mon 3/15/21	Fri 4/2/21
25	**Task 4.4 - Prepare Public Review PEIR and Public Review**	**50 days**	**Mon 4/5/21**	**Fri 6/11/21**
26	Prepare Printcheck PEIR + Notices	5 days	Mon 4/5/21	Fri 4/9/21
27	City Review Printcheck PEIR + Notices	5 days	Mon 4/12/21	Fri 4/16/21
28	Finalize Public Review PEIR + Notices	3 days	Mon 4/19/21	Wed 4/21/21
29	Public Review of Draft PEIR	45 edays	Tue 4/27/21	Fri 6/11/21
30	**Task 5 - Attend Meetings**	219 days	Tue 12/1/20	Fri 10/1/21
31	**Task 6 - Review of Approval Documents**	65 days	Fri 1/1/21	Thu 4/1/21
32	**Task 7 - Prepare Final PEIR**	**65 days**	**Mon 6/14/21**	**Fri 9/10/21**
33	Prepare Response to Comments (RTC)	15 days	Mon 6/14/21	Fri 7/2/21
34	City Review Response to Comments	15 days	Mon 7/5/21	Fri 7/23/21
35	Prepare Admin Draft Final PEIR (RTC, MMRP, CEQA Findi	10 days	Mon 7/26/21	Fri 8/6/21
36	City Review Administrative Draft Final PEIR	10 days	Mon 8/9/21	Fri 8/20/21
37	Prepare Screencheck Final PEIR	5 days	Mon 8/23/21	Fri 8/27/21
38	City Review Screencheck Final PEIR	5 days	Mon 8/30/21	Fri 9/3/21
39	Submit Final PEIR to City for Certification	5 days	Mon 9/6/21	Fri 9/10/21



Task | Project Summary | Manual Task | Start-only | Deadline
Split | Inactive Task | Duration-only | Finish-only | Progress
Milestone | Inactive Milestone | Manual Summary Rollup | External Tasks | Manual Progress
Summary | Inactive Summary | Manual Summary | External Milestone

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6. FEE SCHEDULE AND COST ESTIMATE

	HARRIS												SUBCONSULTANTS		OTHER DIRECT COSTS		FEE
Harris Tasks	Principal in Charge Diane	QA/QC Ryan	Project Manager Kristin	Sr. Biologist Melissa	Sr. AQ/ GHG/Noise Sharon	Sr. Analyst Darin	Sr. Analyst Esther	Analyst Katie	AQ/GHG Analyst Carolyn	Analyst Kelsey	GIS Analyst Randy	Technical Editor Lindsey	LLG	ASM	Reproduction	Mileage	Total Estimated Fee
Hourly Rates	$260.00	$215.00	$205.00	$180.00	$175.00	$195.00	$140.00	$115.00	$110.00	$105.00	$140.00	$125.00					
TASK 1: PROJECT INITIATION																	
Project Initiation	2		8		1		1	1		4							$3,010.00
Hours Subtotal	2	0	8	0	1	0	1	1	0	4	0	0					
TASK 1 SUBTOTAL	$520.00	$0.00	$1,640.00	$0.00	$175.00	$0.00	$140.00	$115.00	$0.00	$420.00	$0.00	$0.00	$-	$-	$-	$-	$3,010.00
TASK 2: CEQA NOTICES																	
CEQA Notices	1	2	8							16	4	4					$5,070.00
Hours Subtotal	1	2	8	0	0	0	0	0	0	16	4	4					
TASK 2 SUBTOTAL	$260.00	$430.00	$1,640.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1,680.00	$560.00	$500.00	$-	$-	$-	$-	$5,070.00
TASK 3: SCOPING MEETING																	
Scoping Meeting	2		12							8		4				$100.00	$4,420.00
Hours Subtotal	2	0	12	0	0	0	0	0	0	8	0	4					
TASK 3 SUBTOTAL	$520.00	$0.00	$2,460.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$840.00	$0.00	$500.00	$-	$-	$-	$100.00	$4,420.00
TASK 4: PREPARE DRAFT PROGRAM EIR																	
4.1 Technical Studies																	
A. Air Quality Technical Memo	1	2	2		8					24	2	4					$5,800.00
B. Biological Resources Technical Memo		2	2	12				20			8	8				$100.00	$7,520.00
C. Cultural/Historical Resources Analysis Study	1	2	2											22,253.50			$23,353.50
D. Greenhouse Gas Emissions Technical Memo		2	2		8				24		2	4					$5,660.00
E. Noise Technical Memo		2	2		8					20	2	4					$5,120.00
F. Transportation Study	1	2	2										29,500.00				$30,600.00
4.2 Prepare Admin Draft PEIR	4	32	40			12	76			162	12	24					$50,790.00
4.3 Prepare SC Draft PEIR	2	8	12			8	48		8	80	4	16					$24,820.00
4.4 Prepare Draft PEIR	1	4	12				12			12	2	24			$150.00		$9,950.00
Hours Subtotal	10	56	76	12	24	20	136	20	32	298	32	84					
TASK 4 SUBTOTAL	$2,600.00	$12,040.00	$15,580.00	$2,160.00	$4,200.00	$3,900.00	$19,040.00	$2,300.00	$3,520.00	$31,290.00	$4,480.00	$10,500.00	$29,500.00	22,253.50	$150.00	$100.00	$163,613.50
TASK 5: ATTEND MEETINGS																	
Attend Meetings	8		18													$100.00	$5,870.00
Project Management			24														$4,920.00
Hours Subtotal	8	0	42	0	0	0	0	0	0	0	0	0					
TASK 5 SUBTOTAL	$2,080.00	$0.00	$8,610.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$-	$-	$-	$100.00	$10,790.00
TASK 6: REVIEW OF APPROVAL DOCUMENTS																	
Review of Approval Documents	2	2	15			5											$5,000.00
Hours Subtotal	2	2	15	0	0	5	0	0	0	0	0	0					
TASK 6 SUBTOTAL	$520.00	$430.00	$3,075.00	$0.00	$0.00	$975.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$-	$-	$-	$-	$5,000.00
TASK 7: REVIEW OF APPROVAL DOCUMENTS																	
7.1 Responses to Comments	2	8	18		8		8			32		32					$15,810.00
7.2 Administrative Final PEIR	2	4	12		2		4			8		8					**$6,590.00**
7.3 SC Final PEIR	2	2	8		2		0			8		8					**$4,780.00**
7.4 Prepare Final EIR			4							8		8			$150.00		**$2,810.00**
Hours Subtotal	6	14	42	0	12	0	12	0	0	56	0	56					
TASK 7 SUBTOTAL	$1,560.00	$3,010.00	$8,610.00	$0.00	$2,100.00	$0.00	$1,680.00	$0.00	$0.00	$5,880.00	$0.00	$7,000.00	$-	$-	$150.00	$-	$29,990.00
SUBTOTAL TASKS 1-7	$8,060.00	$15,910.00	$41,615.00	$2,160.00	$6,475.00	$4,875.00	$20,860.00	$2,415.00	$3,520.00	$40,110.00	$5,040.00	$18,500.00	29,500.00	$22,253.50	$300.00	$300.00	$221,893.50
Subconsultant Markup (10%)													$2,950.00	$2,225.35			5,175.35
CONTINGENCY (10%)																	22,706.89
																TOTAL	$249,775.74

8. CONFLICT OF INTEREST
(INCLUDES PROPOSED CONTRACT REVISIONS)

Conflict of Interest Team Statement

Harris, ASM, and LLG confirm that our team has no possible conflicts of interest with other clients affected by our actions performed by our firms on behalf of the City of Escondido.

Proposed Contract Revisions

Harris reviewed the sample contract provided by the City. We would like the opportunity to discuss the language in Section 9, Indemnification. The indemnification language in the sample contract is different than another recent City of Escondido/Harris contract (#2000008) signed on February 13, 2020. We would like to use the same indemnification language provided in contract #2000008 or discuss minor edits to Section 9 of the sample contract. This is not a deal breaker for Harris, rather a point of discussion and clarification. Thank you for considering this request.

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Consent Item No. 10 **November 18, 2020** **File No. 0600-10, A-3060**

SUBJECT: Fourth Amendment to the Consulting Agreement for the Lake Wohlford Dam Replacement Project

DEPARTMENT: Utilities Department, Construction and Engineering Division

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-162, authorizing the Mayor to execute a Fourth Amendment to the Consulting Agreement with Black & Veatch Corporation, in the amount of $563,383, for consulting and engineering services for the Lake Wohlford Dam Replacement Project.

PREVIOUS ACTION:

On August 1, 2012, the City Council adopted Resolution No. 2012-127, authorizing the Mayor and City Clerk to execute a Consulting Agreement with Black & Veatch Corporation, in the amount of $3,496,740, for design and environmental services for the Lake Wohlford Dam Replacement Project.

On May 20, 2015, the City Council adopted Resolution No. 2015-58, authorizing the Mayor and City Clerk to execute a First Amendment to the Consulting Agreement with Black & Veatch Corporation, in the amount of $724,641, for design of the Lake Wohlford Dam Replacement Project.

On June 13, 2018, the City Council adopted Resolution No. 2018-93, authorizing the Mayor and City Clerk to execute a Second Amendment to the Consulting Agreement with Black & Veatch Corporation, in the amount of $334,765, for additional engineering and environmental services for the Lake Wohlford Dam Replacement Project.

On December 18, 2019, the City Council adopted Resolution No. 2019-178, authorizing the Mayor and City Clerk to execute a Third Amendment to the Consulting Agreement with Black & Veatch Corporation for $362,530 to develop dam rehabilitation and spillway replacement options, to offer opinions of probable construction costs for each option, and to develop a recommended alternative.

FISCAL ANALYSIS:

The Fourth Amendment will increase the value of the consulting agreement with Black and Veatch by $563,383, from $4,918,676 to $5,482,059. Funding for this amendment is available in the Lake Wohlford Dam CIP Project No. 704912.

The estimated cost of construction of the Lake Wohlford Dam Replacement Project is $68 million dollars. The cost of environmental mitigation for the project is estimated to be about $3.5 million dollars.

The State of California awarded the City of Escondido ("City") a $15 million California Proposition 1E Grant. Staff are working, with the assistance of the San Diego County Water Authority, to sponsor legislation to extend the term of the Proposition 1E funding.

The City has submitted *Letters of Interest* for two potential federal funding sources, the Federal Emergency Management Agency's ("FEMA's") Building Resilient Infrastructure and Communities ("BRIC") grant program, and the Water Infrastructure Finance and Innovation Act ("WIFIA") loan program. The City's *Letter of Interest* has been accepted for the FEMA BRIC grant program, and the City has been invited to submit an application for the Wohlford Dam Replacement Project. WIFIA anticipates notifying agencies about the status of their *Letter of Interest* by the end of January 2021. The FEMA BRIC grant program could award up to $50 million per project. Up to 49% of a project's cost is eligible for a WIFIA loan.

BACKGROUND:

Lake Wohlford Dam was constructed with earth and rock in 1895 as part of Escondido's local water system. In 1925, the dam was raised to its current height using a slurry hydrofill process. In 2007, during a routine seismic evaluation of the dam, the California Division of Safety of Dams ("DSOD") determined that the newer, hydrofill section of the dam has the potential to liquefy and fail in the event of a large earthquake with magnitude greater than 7.5.

In response to these potential seismic concerns, the City immediately lowered the water level of Lake Wohlford so that the maximum level of the lake does not exceed the level of the original, seismically-sound rock structure. The lake has been operated at this level until the present day and continues to provide recreational opportunities and local water storage.

A design for a new, replacement dam to be constructed just downstream of the existing dam was completed in 2017. Design development included a lengthy review process involving the DSOD, the Federal Energy Regulatory Commission ("FERC"), and a panel of dam experts convened to oversee the dam design process. The cost of construction of the dam as designed is projected to be $68 million dollars, with proposed environmental mitigation projected to cost about $3.5 million.

On June 3, 2020, the City Council received an update concerning additional alternative analysis for the Wohlford Dam Project. The analysis evaluated the feasibility of options for rehabilitating the existing Lake Wohlford Dam and associated structures to address seismic deficiencies in lieu of building a replacement dam. The study developed four preliminary alternatives for rehabilitation of the existing Lake Wohlford Dam. All alternatives rely heavily on the stability of the existing rockfill portion of the dam; and include construction of a new spillway with a spill level at 1,465 above mean sea level ("MSL"); and a seismic retrofit or replacement of the existing water outlet tower.

On September 16, 2020, the City Council received an update on the results of the additional alternative analysis for the Wohlford Dam Project, which concluded that the construction of a new Lake Wohlford Dam was the best option. Council directed staff to move forward with the construction of a new replacement dam.

The current design adheres to building and seismic codes from 2015, which were in place when the design work was performed. Additional engineering and geotechnical services are needed in order to ensure that the design complies with today's building and seismic codes that may have changed since 2015.

In order to obtain environmental permits for construction, the City must prepare upstream restoration and mitigation plans, short term and long-term habitat management plans, a watershed evaluation, perform field protocol surveys, and update the Jurisdictional Wetland Delineation survey.

The recommended amendment to the Black and Veatch consulting agreement includes:

- funding application preparation support;
- geotechnical services;
- permitting services;
- environmental services;
- updating the final design based on latest building codes; and
- aggregate supplier negotiation services to ensure known and consistent concrete components.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Christopher McKinney, Deputy City Manager/Director of Utilities
11/10/20 1:38 p.m.

Angela Morrow, Deputy Director of Utilities/Construction & Engineering
11/10/20 1:20 p.m.

ATTACHMENTS:

1. Resolution No. 2020-162
2. Resolution No. 2020-162 Exhibit 1 – Fourth Amendment to Lake Wohlford Dam Design Consulting Agreement

RESOLUTION NO. 2020-162

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY, A FOURTH AMENDMENT TO THE CONSULTING AGREEMENT WITH BLACK & VEATCH CORPORATION FOR THE LAKE WOHLFORD DAM REPLACEMENT DESIGN

WHEREAS, the current condition of the Lake Wohlford Dam prevents full storage capacity and requires a replacement dam; and

WHEREAS, the City Council approved a Consulting Agreement with Black & Veatch Corporation on August 1, 2012, for design services for the Lake Wohlford Dam Replacement; and

WHEREAS, on May 20, 2015, the City Council approved Resolution No. 2015-58, authorizing the Mayor and City Clerk to execute a First Amendment to the Consulting Agreement with Black & Veatch Corporation, for additional design services for the Lake Wohlford Dam Replacement; and

WHEREAS, on June 13, 2018, the City Council approved Resolution No. 2018-93, authorizing the Mayor and City Clerk to execute a Second Amendment to the Consulting Agreement with Black & Veatch Corporation, for additional engineering and environmental services for the Lake Wohlford Dam Replacement; and

WHEREAS, on December 18, 2019, the City Council approved Resolution No. 2019-178, authorizing the Mayor and City Clerk to execute a Third Amendment to the Consulting Agreement with Black & Veatch Corporation, for additional engineering efforts to evaluate the feasibility of rehabilitating the existing Lake Wohlford Dam and

associated structures to address seismic deficiencies in lieu of building a replacement dam; and

WHEREAS, additional engineering and environmental efforts are required to finalize the design and obtain environmental permits for the Lake Wohlford Dam Replacement; and

WHEREAS, the Director of Utilities recommends the Fourth Amendment to the Consulting Agreement ("Fourth Amendment") with Black & Veatch Corporation be approved; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest, to approve said Fourth Amendment with Black & Veatch Corporation.

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

1. That the above recitations are true.

2. That the Mayor and City Council accepts the recommendation of the Director of Utilities.

3. That the Mayor is hereby authorized to execute, on behalf of the City, a Fourth Amendment with Black & Veatch Corporation. A copy of the Fourth Amendment is attached as Exhibit "1" and is incorporated by this reference.

CITY OF ESCONDIDO
FOURTH AMENDMENT TO CONSULTING AGREEMENT

This Fourth Amendment to Consulting Agreement ("Fourth Amendment") is made and entered into as of this _____ day of _____, 2020 ("Effective Date")

Between: CITY OF ESCONDIDO
a California municipal corporation
201 N. Broadway
Escondido, CA 92025
("CITY")

And: Black & Veatch Corporation
a Delaware corporation
300 Rancheros Drive, Suite 250
San Marcos, CA 92069
Attn: Kevin Davis
(760) 621-8419
("CONSULTANT").

WHEREAS, the CITY and CONSULTANT entered into a Consulting Agreement dated August 22, 2012 ("Original Agreement"), wherein CITY retained CONSULTANT to prepare design drawing and specifications including environmental documentation for the Lake Wohlford Dam replacement project; and

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

NOW, THEREFORE, it is mutually agreed as follows:

1. The CONSULTANT will furnish all of the services described and in accordance with "Attachment A" to this Fourth Amendment.

2. The CITY will compensate the CONSULTANT in an additional amount not to exceed the sum of **$563,383.00**, pursuant to the conditions contained in "Attachment A" to this Fourth Amendment.

3. All other terms of the Original Agreement not referenced in this Fourth Amendment shall remain unchanged and in full force and effect. In the event of a conflict between a provision of the Original Agreement and this Fourth Amendment, this Fourth Amendment shall prevail.

4. This Fourth Amendment and the Original Agreement, together with any attachments or other documents described or incorporated therein, if any, constitute the entire agreement and understanding of the CITY and CONSULTANT, and there are no other terms or conditions, written or oral, controlling this matter.

5. This Fourth 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 Fourth Amendment by electronic means, including an attachment to an email, shall be effective as delivery of an executed original.

6. Unless a different date is provided in this Fourth Amendment, the effective date of this Fourth Amendment shall be the latest date of execution set forth by the names of the signators below.

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

CITY OF ESCONDIDO

Date: _____

_____
Paul McNamara, Mayor

Black & Veatch Corporation

Date: _____

_____
Signature

_____
Kevin Davis, Vice 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.

Scope of Work

A. General

Black & Veatch Corporation, a Delaware corporation ("Consultant") will provide the City of Escondido, a California municipal corporation ("City") with design drawing and specification preparation in connection with the Lake Wohlford Dam replacement project.

B. Location

Consultant shall provide services at various locations including Lake Wohlford located at 25453 Lake Wohlford Road, Escondido, CA 92025.

C. Services

Consultant shall provide the services as described in Attachment A, which is attached to this Scope of Work and incorporated herein by this reference.

D. Scheduling

Services shall be provided on a continual basis for the term of this Agreement.

E. Contract Price and Payment Terms

The contract price shall not exceed **$563,383.00**. 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. Consultant shall not bill the City for any transportation costs associated with travel to and from the project site.

F. Term

The term of this Agreement shall be from the Effective Date of the Fourth Amendment through **August 31, 2024**.

Consultant acknowledges that the City's funding of this contract shall be on a fiscal year basis and is subject to annual appropriations. Consultant further acknowledges that the City, as a municipal corporation, is precluded by the State Constitution and other laws from entering into obligations that financially bind future governing bodies, and that, therefore, nothing in this contract shall constitute an obligation of future legislative bodies of the City or State to appropriate funds for purposes of this Agreement.

Accordingly, the parties agree that the terms within this contract are contingent upon appropriation of funds. This Agreement may be terminated at the end of the fiscal year for which sufficient funding is not appropriated and authorized. The City shall not be obligated to pay Consultant for any amounts not duly appropriated and authorized by City Council.

LAKE WOHLFORD DAM
AMENDMENT NO. 4 – SCOPE OF SERVICES

CITY OF ESCONDIDO

BACKGROUND

The City of Escondido (City) is seeking to construct the Lake Wohlford Dam Replacement Dam. This work is the final phase of design, permitting and funding support for the replacement dam. Under this Amendment No. 4 the following work will be performed:

- Funding Support Phase 2
- Project Management
- Geotechnical Services
- Permitting Services
- Environmental Services
- Updated final design based on latest codes
- Aggregate Supplier Negotiations Services

A more detailed description of the services is provided below.

SCOPE OF WORK

Specific tasks associated with this project are summarized below into the following Tasks:

- Task 410 – WIFIA Funding Support
- Task 420 – FEMA HMAP Funding Support
- Task 1100 – Project Management
- Task 1200 – Meetings and Workshops
- Task 2200 – Geotechnical Services
- Task 2300 - Permitting
- Task 3000 – Environmental
- Task 4420 – Final Design Submittal
- Task 6500 – Aggregate Supplier Negotiation Services

A detailed scope of work is presented in the following pages. A detailed fee breakdown is provided following the detailed scope of work description.

TASK 410 – WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA)

Upon selection from the WIFIA Notice of Intent process, Black & Veatch will support the City of Escondido in the preparation of the WIFIA Application. The table below presents the timing of the WIFIA process.

WIFIA SCHEDULE	TIMEFRAME
Letter of Interest	August 2020 to October 2020
USEPA Review Period	October 2020 to January 2021
Application	January 2021 to July 2021
USEPA Review Period	August 2021 to September 2021

Term Sheet and Loan Agreement Development	October 2021 to January 2022
Approval and Closing	February 2022 to March 2022

*The WIFIA Program allows for up to one year for application submission, 1-3 months for application review, 2-6 months for Term Sheet and Loan Agreement Development and 1-3 months for Approval and Closing. We are assuming the mid-range of each of these timeframes.

Task 412 – WIFIA Application
The purpose of this task is to assist the City in preparation of the WIFIA Application. The task includes:

1. Work with key internal individuals in finance, engineering, strategy and planning, and others. The Application requires significantly more detail in many areas than the LOI. The City will provide much of the content, with help from Black & Veatch on the technical and other portions.
2. Develop strategy and timeline for application. Manage and track progress throughout the process. Timeline will include 1) detailed breakdown of each section and development of subtasks for section completion, 2) breakdown of each question and responsible individual(s), 3) incorporating relevant information from LOI into application, 4) draft of individual questions and sections, 3) draft full application, 4) multiple review dates, 5) final draft for internal review, 6) final draft for editorial review and 7) final application response.
3. Communicate with the WIFIA team as needed throughout the application process.
4. Consolidate information provided by the City and streamline for application response. Because input for the application will come from multiple individuals, it is important for the tone and writing of the application to be structured and consistent.
5. Prepare optimal responses based on Black & Veatch's insight into past project applications.
6. Review by Black & Veatch copyediting team to polish final version.
7. Ensure that the final application clearly describes the prospective borrower and the proposed project, provides key financial and engineering information and documents, meets all application criteria, and includes all supporting documents.

Assumptions for Task 412:
1. The City will provide requested data needed for the application materials Black & Veatch is preparing.
2. Black & Veatch will prepare the application packet to be delivered to USEPA.

Deliverables for Task 412:
1. Final WIFIA Application and all attachments – One (1) electronic copy in MS Word and portable document format (.pdf).

TASK 420 – FEMA HAZARD MITIGATION GRANT ASSISTANCE

Black & Veatch will support the City of Escondido in the preparation of the FEMA Hazard Mitigation Grant Application. The table below presents the timing of the FEMA process.

FEMA SCHEDULE	TIMEFRAME
Preliminary Benefit-Cost Analysis (BCA) & Letter of Interest	August 2020 to October 2020
State Review Period*	October 2020
Application	November 2020 to December 2020
FEMA Review Period*	January 2021 to March 2021
Negotiations	April 2021 to May 2021

* State and FEMA review periods are estimates that were provided to create a complete schedule, but may vary because they are dependent upon entities outside of the City and Black & Veatch.

Task 422 – HMGP Application
Following approval from the City to Black & Veatch to proceed with development of an application, Black & Veatch will provide the following required grant application documentation (per the Cal OES website https://www.caloes.ca.gov/cal-oes-divisions/recovery/disaster-mitigation-technical-support/404-hazard-mitigation-grant-program) to the City:

- FEMA Environmental Checklist
- Cost Estimate Spreadsheet
- Project Sub-application
- Final BCA, completed using the latest version of the FEMA BCA software

The final BCA will be a refined version of the preliminary BCA amended to include backup documentation, including a technical memorandum which documents BCA development, inputs, and results.

The following forms are also required for an application but will need to be completed by the City:

- Project Assurances Form (Cal OES Form 89)
- Agent Resolution Form (Cal OES Form 130)
- Federal Funding Accountability and Transparency Act of 2006 (if necessary)
- Local Match Commitment Letter Template
- Project Sub application - Maintenance Letter Template

Black & Veatch will also track time spent on application development separately on invoices as this is a reimbursable expense should a Lake Wohlford Dam application be selected for funding.

The fee for this task includes up to three (3) meetings with a Cal OES and/or FEMA representative to respond to requests for information (RFI). RFIs are used by the grant reviewer to ask for any additional needed information or for clarification on grant materials. The fee for these meetings includes time to prepare materials to send in response to the RFI.

Assumptions for Task 422:

1. The City will provide requested data needed for the grant application materials Black & Veatch is preparing.

2. Black & Veatch will prepare the application packet to be delivered to Cal OES.

Deliverables for Task 422:

1. A grant application comprised of all items listed in Task 422.
2. Draft and Final technical memorandum documenting development and results of the final BCA - One (1) electronic copy in MS Word and portable document format (.pdf).
3. RFI response materials, if necessary.

TASK 1100 – PROJECT MANAGEMENT

Perform ongoing project management and administrative tasks as required to facilitate completion of tasks defined within this Scope of Services. It's assumed the work phase duration will be 16 months for management of the funding process through March 2022. The schedule break down is as follows.

The project administrative tasks to be performed include:

- Coordinate team members/subconsultants including work planning, coordination and communications.
- Provide monthly invoices with status report defining progress to date of all tasks, cost and expenditures.
- Provide quality assurance/quality control reviews on all deliverables.
- Provide monthly updates to the project schedule.
- Coordination with the City and DSOD.

Electronic copies of all deliverables, including drawings, graphics, letters of interest, applications, shall be provided using formats in their original software version (e.g., Word, Excel, PowerPoint, AutoCAD) in addition to a PDF version.

Deliverables for Task 1100:

1. Monthly invoice including progress report, decision log, and schedule update – One (1) electronic copy (pdf) submitted via email.

TASK 1200 – MEETINGS AND WORKSHOPS

Task 1201 – Progress Meetings

The scope will include six (6) tele-conference Progress Meetings with the City Project Manager and other City staff throughout this work phase. Progress meetings will be used to keep the City informed of project status including status of specific project tasks, budget, and any scope changes.

All meetings will be attended by Black & Veatch's Project Manager, Engineering Manager and up to three additional team members as required based on the meeting purpose. Meeting assumptions are as follow:

- Funding Support Progress Meetings – 6 meetings, 1-hour duration.

Task 1202 – DSOD Meetings

The scope will include four (4) tele-conference Permitting DSOD Meetings with DSOD, the City Project Manager and other City staff throughout this work phase. Black & Veatch will prepare the agenda, presentation material, and meeting minutes for each meeting.

SDG&E distribution system are required to insure sufficient power is available for the contractor during the construction activities. This work assume the following:

- Up to four (4) meetings will be held with SDG&E, the City and BLACK & VEATCH. Meetings may be conducted in the field to confirm the anticipated electrical infrastructure needs and locations. Meets are assumed to last up to two hours. Meetings will be attended by BLACK & VEATCH Project Manager and Project Engineer.
- Black & Veatch will fill out any applicable permit applications on the City's behalf.

Deliverables for Task 2300:

1. Agendas and draft and final Meeting minutes – One (1) MS Word format for draft review and one (1) electronic pdf for final.
2. Applicable SDG&E permit applications.

TASK 2500 – ENGINEERING ANALYSIS

Task 2530 – Time History and FE Model Update and Reporting

Black & Veatch will review the updated SHA by Kleinfelder to reach agreement on the deterministic seismic hazard spectrum that will be used for design of the dam and the code-based spectral accelerations that will be used for design of other structures, systems and components. If the results from the SHA require changes to the design then this task will be performed. If the result from the SHA are found to be less than the currently designed systems this this task will not be performed.

The spectrally-matched time histories for the 3D finite element model of the dam will be updated to be consistent with the updated design spectrum. These time histories will then be input into the same 3D FEM of the dam that was used in the previous analyses. The results of the 3D FEM will be updated to include the revised seismic loading and the associated report text, tables and figures will be updated.

Assumptions for Task 2530:

1. Other loading condition evaluations for the dam besides the seismic loading (e.g., flood level, normal water conditions, etc.) are not included.
2. Time is not included for rebuilding the FEM. Black & Veatch checked to confirm the existing model will open and run in the current version of SAP; however, a new version is being released soon and Black & Veatch cannot verify the model will continue to run in all future versions of the software. If Black & Veatch has to re-build the model, this work would be performed under a future amendment.

Deliverables for Task 2530:

1. Time History Selection Memo Draft and Final – One (1) electronic copy in MS Word and portable document format (.pdf).

TASK 3100 – ENVIRONMENTAL

Task 3110 – Bio Assessment and Permitting

This task was originally scoped for Biological Assessment tasks. The following scope of work would replace the remaining scope of work in this task and funds would be supplemented to address changing regulations at the state and federal level.

Jurisdictional Wetland Delineation and California Rapid Assessment Method (CRAM)

1. Conduct updated field assessment to spot-check focused areas and affirm previous delineation per new regulations.
    - Field assessment requires two days and a team of two wetland specialists.
    - Up to eight soil pits will be evaluated to supplement the previous mapping. Wetland determination forms will be completed to record findings.
    - Where needed, federal and state boundaries will be recorded with sub-meter GPS equipment.
    - The 2020 supplemental data points will be compiled with the 2015 mapping.
2. Prepare a technical memorandum to supplement the 2015 JDR.
    - All new data forms completed and a map depicting the 2015 delineation boundaries and 2020 sample points will be included.
    - The 2015 JDR and the 2020 technical memorandum will contain the information required to support project permitting.
    - A draft technical memorandum will be provided to the City to review.
        - The technical memorandum will not include an impact analysis or mitigation section. Impacts to jurisdictional waters will be presented as a stand-alone enclosure with the 404, 401, and 1602 permits, and summarized in applications forms (refer to following task).
3. CRAM evaluation of wetland habitats will be conducted to support the waters permitting and mitigation plans.
    - AECOM assumes four Assessment Areas (AAs) will be established in the freshwater marsh/southern willow scrub at the upstream end of the reservoir and that a pre-activity CRAM survey of these AAs will be sufficient for the Lake Wohlford Dam Replacement Project's permitting needs and agency requirements.
    - CRAM surveys will be conducted over two days by a team of two trained CRAM practitioners.
    - Within 30 days of completion of CRAM surveys, a letter CRAM report summarizing the results of the pre-activity CRAM survey will be provided to the City in electronic format.

Permitting

1. AECOM will schedule and conduct a pre-application meeting with the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) to present and discuss the proposed regulated activities within federal and state jurisdictional waters, impacts, and proposed post-construction restoration and compensatory mitigation. AECOM assumes that the agency negotiations following the application submittal would fall under Task 3.6.1 (Ad Hoc Agency Coordination). Following the meeting, AECOM will complete the following permit application packages with supporting documents for submittal to these agencies:
    - Application for Discharges of Dredged or Fill Material to Waters of the U.S.

- Project construction and inundation impacts require application for an Individual Permit from USACE.
- AECOM will complete application package components, including cover letter, standard application form ENG FORM 4345, supporting information (project description, measures and best management practices for protecting aquatic resources, jurisdictional delineation and determination; aquatic resources condition, function and services assessment, restoration and compensatory mitigation plans), exhibits (proposed project and resource maps), and geographic information system (GIS) files of the jurisdictional waters boundaries.

- Application for Discharges of Dredged or Fill Material to Waters of the State
  - Project construction and inundation impacts require application for Water Quality Certification and Waste Discharge Requirements from RWQCB.
  - AECOM will complete the application package components, including cover letter, application form (as published May 28, 2020), supporting information (same as noted above for USACE permit, plus effects of the proposed action on beneficial uses), exhibits (proposed project and resource maps), and GIS files of the jurisdictional waters boundaries, and California Environmental Quality Act (CEQA) documentation.
  - New State Water Resources Control Board (SWRCB) procedures, effective May 28, 2020, will be addressed in the Watershed Evaluation Technical Memorandum and in the Long-term Vegetation Management Plan documents noted below.
- Notification for a Lake and Streambed Alteration Agreement (LSAA)
  - AECOM will complete the Notification package for project construction and inundation impacts to CDFW to request LSAA. Components include cover letter, LSAA Notification Form, supporting information (same as above for USACE permit, plus effects of the proposed action on streambed processes and riparian habitat), exhibits (proposed project and resource maps), GIS files of the jurisdictional waters boundaries, and CEQA documentation.

Assumptions for Task 3110:

1. The City will pay all application processing fees.
2. AECOM assumes one round of comments from the City before finalizing the deliverables to the agencies.

Deliverables for Task 3110:

1. Jurisdictional Wetland Delineation Technical Memorandum Draft and Final and all attachments – One (1) electronic copy in MS Word and portable document format (.pdf).
2. CRAM Report Draft and Final – One (1) electronic copy in MS Word and portable document format (.pdf).
3. Application for Discharges of Dredged or Fill Material to Waters of the U.S. Draft and Final and all attachments – One (1) electronic copy in MS Word and portable document format (.pdf).
4. Application for Discharges of Dredged or Fill Material to Waters of the State Draft and Final and all attachments – One (1) electronic copy in MS Word and portable document format (.pdf).

5. Notification for a Lake and Streambed Alteration Agreement (LSAA) Draft and Final and all attachments – One (1) electronic copy in MS Word and portable document format (.pdf).

Task 3111 – Protocol Surveys

To support USACE permitting, updated protocol surveys for the federally listed threatened coastal California gnatcatcher and endangered least Bell's vireo will be conducted.

- Coastal California gnatcatcher surveys require three separate surveys separated by 7 days between February 15 and August 30.
- Least Bell's vireo surveys require eight separate surveys separated by at least 10 days between April 10 and July 31.

Task 3190 – Watershed Evaluation

To support the USACE and RWQCB applications, and as required by the new RWQCB procedures issued in 2020, AECOM will prepare a Watershed Evaluation Technical Memorandum, including up to 10 pages of text with supporting figures and tables, as appropriate, that includes the following:

1. Watershed Profile evaluation with information on the abundance, diversity, and condition of aquatic resources in the project area.
2. Watershed Plan addressing aquatic resource restoration, establishment, enhancement, and preservation at the watershed level.
3. An assessment of the functions that would be gained, lost, or remain neutral through type conversion using the Aquatic Resource Type Conversion Framework guidance for compensatory mitigation, as required by the Water Boards.
    - Information for the Watershed Plan will be compiled from the MHCP, the City's watershed water quality improvement plan, and additional information provided by the City regarding other aquatic resource mitigation efforts in progress at the watershed level.
    - For the purposes of the Watershed Evaluation Technical Memorandum, the watershed (e.g., area of analysis) will be defined as the 8-square-mile Lake Wohlford Hydrologic Subarea. Context and available information about the 84-square-mile Escondido Creek Watershed (HUC 1807030304) will also be included. This approach will be confirmed during the agency pre-application meeting.

Deliverables for Task 3190 :

1. Watershed Evaluation Draft and Final Memorandum – One (1) electronic copy in MS Word and portable document format (.pdf).

Task 3520 – Upstream Restoration Plan 2

Downstream Post-construction Restoration Plan

AECOM will address comments and finalize the Draft Downstream Post Construction Restoration Plan, previously provided in October 2018, for inclusion with permit application packages.

Upstream Mitigation Plan

Using the memorandum provided to the agencies in 2019 as an outline, AECOM will prepare a mitigation plan (per EIR Measure Bio-3.1) describing proposed restoration of nonnative grasslands to southern

willow scrub habitat and the directed conversion of southern willow scrub within the 1,464-foot maximum inundation level to freshwater marsh. AECOM will submit a draft plan to the City for review. AECOM will respond to one round of City comments on the plan before finalizing the plan for submittal to the agencies as part of the application packages.

5-year Monitoring and Maintenance Plan

AECOM will draft this 5-year plan to outline yearly success criteria and remedial measures.

Upland Habitat Mitigation

It is assumed that no further efforts by AECOM will be required regarding the City's purchase of upland credits at their Daley Ranch mitigation site that will be used for the completion of the Upland Habitat Mitigation Measure (EIR Measure Bio-3.3).

Task 3530 – Long Term Habitat Management

AECOM would draft a Long-Term Habitat Management Plan, including the following elements:

- Monitoring protocols for vegetation management of existing and restored native vegetation communities surrounding the lake
- Protocols for invasive vegetation control
- Control for oak borer, if detected
- Cowbird control measures (per EIR Measure Bio-3.5)
- Non-native vertebrate removal
- Adaptive management to address SWRCB procedures and guidelines
- A conceptual cost analysis (per EIR Measure Bio-3.5) for implementation of the Long-Term Habitat Management Plan.

AECOM will submit a draft Plan including the above elements to the City for review. AECOM will respond to one round of City comments before finalizing the Plan for submittal to the agencies as part of the application packages.

TASK 4300 – FINAL DESIGN SUBMITTAL

This task includes the preparation of final bid documents. The final design documents completed in 2015 will be updated to current codes and technologies. The following updates are anticipated and included in this effort.

- Overall Design Update utilizing current building codes.
- Outlet Tower Design – Update structural plans, calculations, and specifications based on current CDC requirements and updated results of the FE modeling of the dam.
- Dam Monitoring Instrumentation – Update specifications to replace obsolete equipment.
- Foundation Grouting – Update specifications and drawings to current standards and methodology.
- Spillway/Stilling Basin Design - Update structural plans, calculations, and specifications based on current CDC requirements and updated results of the FE modeling of the dam.

The documents will be submitted to DSOD for final approval to construction. Upon receipt Approval to Construction Black & Veatch will work with the City to prepare the bid package.

Deliverables for Task 4300:

1. Submit final design package to DSOS for approval.
2. Provide electronic and pdf copies of bid documents to City.

TASK 6500 – AGGREGATE SUPPLIER NEGOTIATION SERVICES

Under this task BLACK & VEATCH shall help the City in the negotiations of aggregate pricing for the RCC components of the dam from the prequalified and selected supplier. As the RCC mix design has been previously approved by DSOD its imperative that the same aggregate be provided for the approved RCC mix design. This work assume the following:

- Up to three (3) meetings will be conducted between the supplier, City and Black & Veatch. Black & Veatch will prepare all meeting agendas and meeting notes. Meeting will be attended by Black & Veatch Project Manager and Project Engineer. Meetings are assumed to last up to two hours.
- The City's standard agreements will be used for the established aggregate prices and quantities.

Deliverables for Task 6500:

1. Agendas and draft and final Meeting minutes – One (1) MS Word format for draft review and one (1) electronic pdf for final.
2. Final City Agreement between City and Aggregate Supplier.

ASSUMPTIONS:

1. All permits will be paid for by the City.
2. Black & Veatch may request an adjustment of up to 3% in the labor billings rates a minimum of twelve months after the effective date of agreement to perform these services. If the request is made after the twelve month period, any subsequent request will not be considered prior to the end of the twelve month adjustment period previously granted. Retroactive rate adjustments will not be considered.

BLACK & VEATCH

Owner: City of Escondido

Project: Lake Wohlford Dam Replacement - Amendment No. 4

PHASE/Task (Billing Rate, $$,Hr.)		Sr. Project Manager $275.00	Admin $100.00	WIFIA Funding Lead $325.00	Engineering Manager $180.00	FEMA Funding Lead $190.00	Civil Engineer $125.00	Civil Director / QC $260.00	Structural Engineer $145.00	Structural Sr. Technician $130.00	Senior Architect $180.00	Bldg Mech Sr. Engineer $195.00	Electrical Director/QC $230.00	Electrical Sr. Engineer $205.00	Electrical Engineer $160.00	Electrical Sr. Technician $155.00
WORK BREAKDOWN STRUCTURE	**PHASE**															
WIFIA	0410															
WIFIA Application	0412	12	32	100	40	-	-	-	-	-	-	-	-	-	-	-
FEMA Hazard Mitigation Grant Assistance	0420															
HMGP Application	0422	12	-	-	40	80	120	12	-	-	-	-	-	-	-	-
Project Management	1100	32	16	-	16	-	-	-	-	-	-	-	-	-	-	-
Meetings and Workshops	1200															
Meetings	1201	4	-	6	8	6	-	-	-	-	-	-	-	-	-	-
DSOD Meetings	1202	16	8	-	32	-	-	-	-	-	-	-	-	-	-	-
Geotechnical Services	2200															
Seismic Hazard Analysis Update	2240	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Permitting	2300	16	-	-	24	-	-	-	-	-	-	-	-	16	-	-
Engineering Analysis	2500															
Time History and FE Model Update and Reporting	2530	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Environmental	3100															
Bio Assessment and Permitting	3110	2	-	-	8	-	-	-	-	-	-	-	-	-	-	-
Protocol Surveys	3111	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Watershed Evaluation	3190	2	-	-	8	-	-	-	-	-	-	-	-	-	-	-
Upstream Restoration Plan 2	3520	2	-	-	8	-	-	-	-	-	-	-	-	-	-	-
Long Term Habitat Management	3530	2	-	-	8	-	-	-	-	-	-	-	-	-	-	-
Final Design Submittal	4300	40	-	-	100	-	-	40	68	12	14	38	2	4	12	14
Aggregate Supplier Negotiation Services	6500	32	-	-	32	-	-	-	-	-	-	-	-	-	-	-
Total, Hours		**174**	**56**	**106**	**324**	**86**	**120**	**52**	**68**	**12**	**14**	**38**	**2**	**20**	**12**	**14**
Total, Billings		**$ 47,850**	**$ 5,600**	**$ 34,450**	**$ 58,320**	**$ 16,340**	**$ 15,000**	**$ 13,520**	**$ 9,860**	**$ 1,560**	**$ 2,520**	**$ 7,410**	**$ 460**	**$ 4,100**	**$ 1,920**	**$ 2,170**

BLACK & VEATCH

Owner: City of Escondido

Project: Lake Wohlford Dam Replacement - Amendment No. 4

PHASE/Task (Billing Rate, $$,Hr.)		I&C Director / QC $260.00	I&C Sr. Engineer $190.00	I&C Engineer $130.00	BIM Sr Technician $155.00	Finance $125.00	Project Controls $130.00	HC Civil Director / QC $270.00	HC Civil Sr. Engineer $195.00	Geotech Sr. Engineer $195.00	Geotech Engineer $135.00	Sr. Geologist $195.00	SUBTOTAL, hours	SUBTOTAL, Billings $	SUBTOTAL, EXPENSES
WORK BREAKDOWN STRUCTURE	**PHASE**														
WIFIA	0410														
WIFIA Application	0412	-	-	-	-	-	-	-	-	-	-	-	184	$ 46,200	$ -
FEMA Hazard Mitigation Grant Assistance	0420														
HMGP Application	0422	-	-	-	-	-	-	-	-	-	-	-	264	$ 43,820	$ -
Project Management	1100	-	-	-	-	40	40	-	-	-	-	-	144	$ 23,480	$ 600
Meetings and Workshops	1200														
Meetings	1201	-	-	-	-	-	-	-	-	-	-	-	24	$ 5,630	$ 600
DSOD Meetings	1202	-	-	-	-	-	-	36	-	-	-	8	100	$ 22,240	$ 2,000
Geotechnical Services	2200														
Seismic Hazard Analysis Update	2240	-	-	-	-	-	-	-	-	-	-	25	25	$ 4,875	$ -
Permitting	2300	-	-	-	-	-	-	-	-	-	-	-	56	$ 12,000	$ 200
Engineering Analysis	2500														
Time History and FE Model Update and Reporting	2530	-	-	-	-	-	-	-	-	-	-	300	300	$ 58,500	$ -
Environmental	3100														
Bio Assessment and Permitting	3110	-	-	-	-	-	-	-	-	-	-	-	10	$ 1,990	$ -
Protocol Surveys	3111	-	-	-	-	-	-	-	-	-	-	-	2	$ 550	$ -
Watershed Evaluation	3190	-	-	-	-	-	-	-	-	-	-	-	10	$ 1,990	$ -
Upstream Restoration Plan 2	3520	-	-	-	-	-	-	-	-	-	-	-	10	$ 1,990	$ -
Long Term Habitat Management	3530	-	-	-	-	-	-	-	-	-	-	-	10	$ 1,990	$ -
Final Design Submittal	4300	10	6	8	96	-	-	20	72	36	20	-	612	$ 114,940	$ 1,000
Aggregate Supplier Negotiation Services	6500	-	-	-	-	-	-	16	-	-	-	-	80	$ 18,880	$ -
Total, Hours		**10**	**6**	**8**	**96**	**40**	**40**	**72**	**72**	**36**	**20**	**333**	**1,831**		
Total, Billings		**$ 2,600**	**$ 1,140**	**$ 1,040**	**$ 14,880**	**$ 5,000**	**$ 5,200**	**$ 19,440**	**$ 14,040**	**$ 7,020**	**$ 2,700**	**$ 64,935**		**$ 359,075**	**$ 4,400**

BLACK & VEATCH

Owner: City of Escondido

Project: Lake Wohlford Dam Replacement - Amendment No. 4

PHASE/Task (Billing Rate, $$,Hr.)		SUBCONTRACTS		SUBTOTAL, SUBCONTRACTS w/o MULTIPLIER	SUBTOTAL, SUBCONTRACTS with 3% Markup	TOTAL Billings
		Kleinfelder (Geotechnical)	AECOM (Environmental)			
WORK BREAKDOWN STRUCTURE	**PHASE**					
WIFIA	0410					
WIFIA Application	0412			$ -	$ -	$ 46,200
FEMA Hazard Mitigation Grant Assistance	0420					
HMGP Application	0422			$ -	$ -	$ 43,820
Project Management	1100			$ -	$ -	$ 24,080
Meetings and Workshops	1200					
Meetings	1201			$ -	$ -	$ 6,230
DSOD Meetings	1202			$ -	$ -	$ 24,240
Geotechnical Services	2200					
Seismic Hazard Analysis Update	2240	$ 15,800		$ 15,800	$ 16,274	$ 21,149
Permitting	2300			$ -	$ -	$ 12,200
Engineering Analysis	2500					
Time History and FE Model Update and Reporting	2530			$ -	$ -	$ 58,500
Environmental	3100					
Bio Assessment and Permitting	3110		$ 5,900	$ 5,900	$ 6,077	$ 8,067
Protocol Surveys	3111		$ 35,548	$ 35,548	$ 36,614	$ 37,164
Watershed Evaluation	3190		$ 18,073	$ 18,073	$ 18,615	$ 20,605
Upstream Restoration Plan 2	3520		$ 41,982	$ 41,982	$ 43,241	$ 45,231
Long Term Habitat Management	3530		$ 41,702	$ 41,702	$ 42,953	$ 44,943
Final Design Submittal	4300	$ 35,080		$ 35,080	$ 36,132	$ 152,072
Aggregate Supplier Negotiation Services	6500			$ -	$ -	$ 18,880
Total, Hours						
Total, Billings		**$ 52,406**	**$ 147,501**		**$ 199,908**	**$ 563,383**

ORDINANCE NO. 2020-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, TO REPEAL AND REPLACE PROVISIONS OF ESCONDIDO MUNICIPAL CODE CHAPTER 2, ARTICLE 2, CONTROLS ON CAMPAIGN CONTRIBUTIONS

WHEREAS, the high cost of election campaigning creates problems of actual or perceived improper influence exercised by campaign contributors over elected officials; and

WHEREAS, the City Council for the City of Escondido ("City") has enacted the Campaign Control Contribution Ordinance ("Ordinance") to govern various aspects of campaign financing in the jurisdiction of the City; and

WHEREAS, the Ordinance at Escondido Municipal Code ("EMC") Section 2-100 recites the purpose and intent of creating reasonable limits on the amounts and types of campaign contributions and it is incorporated herein as though fully set forth; and

WHEREAS, mindful of first amendment constitutional principles, fundamental due process and fairness, there exists a compelling need and it is in the best interests of the citizens of this City to update and adopt reasonable and enforceable regulations related to election campaign fundraising conducted in the City; and

WHEREAS, such campaign regulations may be enacted pursuant to the authority granted to the City by Article XI, Section 7 of the California Constitution, and specifically authorized by the Political Reform Act.

NOW, THEREFORE, IT IS HEREBY RESOLVED and the City Council of the City of Escondido DOES HEREBY ORDAIN as follows:

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

ORDINANCE NO. 2020-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, TO REPEAL AND REPLACE ESCONDIDO MUNICIPAL CODE CHAPTER 2 ADMINISTRATION, ARTICLE 2, CITY COUNCIL, SECTION 2-24, SELECTION OF DEPUTY MAYOR

WHEREAS, California Government Code Section 36801 authorizes a City Council to appoint a mayor pro tempore; and

WHEREAS, the terms “mayor pro tempore” and “deputy mayor” are synonymous; and

WHEREAS, Escondido Municipal Code (“EMC”) Chapter 2, Administration, Article 2, City Council, Section 2-24 provides procedures for the City Council to appoint a deputy mayor; and

WHEREAS, in 2013, the City Council established four city council districts; and

WHEREAS, the City Council desires to update the deputy mayor selection procedures to better ensure a fair and equitable rotation among councilmembers representing their respective districts.

NOW, THEREFORE, IT IS HEREBY RESOLVED and the City Council of the City of Escondido DOES HEREBY ORDAIN as follows:

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. That EMC, Chapter 2, Administration, Article 2, City Council, Section 2-24 is repealed and replaced as follows:

Sec. 2-24. Deputy Mayor Selection.

(a) The city council shall meet on the first Wednesday following certification of the results of the general municipal election and select a deputy mayor by appointment from among the councilmembers. If the deputy mayor

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

ORDINANCE NO. 2020-29R

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, TO AMEND ESCONDIDO MUNICIPAL CODE CHAPTER 16, ARTICLE 3, BUSINESSES LICENSED FOR REVENUE AND REGULATION, BY ADDING DIVISION 6, TOBACCO RETAILER LICENSE

WHEREAS, California Penal Code Section 308 prohibits the sale or furnishing of cigarettes, tobacco products and smoking paraphernalia to minors, as well as the purchase, receipt, or possession of tobacco products by minors; and

WHEREAS, California Business and Professions Code Section 22956 requires that tobacco retailers check the identification of tobacco purchasers who reasonably appear to be under 21 years of age; and

WHEREAS, Chapter 22A, Smoking Regulations, of the Escondido Municipal Code regulates access to and use of tobacco products; and

WHEREAS, California Business and Professions Code Section 22971.3 authorizes local authorities to adopt tobacco retailer licensing laws to provide for the suspension and revocation of the local tobacco retailer license for any violation of a state tobacco control law; and

WHEREAS, the City of Escondido ("City") has a substantial interest in promoting compliance with federal, state and local laws intended to regulate tobacco sales and use to youth; and

WHEREAS, studies have shown that local tobacco retailer licensing programs coupled with a strong enforcement program substantially reduces youth access to tobacco; and

WHEREAS, the City intends to require compliance with state drug paraphernalia

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

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 14 **November 18, 2020** **File No. 0600-10**

SUBJECT: Adoption of Proposed Adjustments to City User Fees

DEPARTMENT: Finance Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-88 approving proposed adjustments to Escondido's User Fees that will become effective December 1, 2020.

FISCAL ANALYSIS:

The City provides many services in response to customer requests. Fees ("User Fees") are charged to recover the costs of staff time, administrative costs, and related expenses. Certain User Fees have been identified that no longer cover the costs of providing services and are currently absorbed by the City's funds. The User Fee adjustments will update existing City User Fees to reduce the subsidies and, in many cases, ensure full cost recovery. Accurate User Fees are one of many responsible financial steps to address the City's overall long-term structural financial situation, which has previously been discussed with the City Council.

PREVIOUS ACTION:

On April 8, 2020, City Council adopted Resolution No. 2020-29 approving proposed adjustments to User Fees for the Planning, Building, Engineering, Fire Prevention, and Utilities Administration departments as part of a User Fee Study conducted by Willdan Financial Services. However, none of the fees discussed in this action were addressed at that time.

BACKGROUND:

The City provides services funded by a variety of sources including taxes, user fees, special charges, fines, grants, and assessments. City services that benefit citizens as a whole are primarily funded by local taxes. Examples of these services include police and fire protection and access to the City's parks and library. However, other City services provide direct benefit to an applicant. Because of the specific and particularized benefit to an individual applicant, these fees should not be absorbed by the general public.

Local governments have broad authority to implement user fees that reasonably recover the costs of their operations. Cost recovery levels should be in direct proportion to the specific benefit received by the individual. If user fee levels fail to recover a jurisdiction's full costs of operations, then other activities may need to be scaled back to support the unrecovered costs of fee related activities. As result, there may be fewer resources for the jurisdiction to accomplish other goals. Some cities will "subsidize" user fees for activities that serve the greater public good (for example programs for youth

or seniors) or to further economic goals, community values, and market conditions. Nonetheless, cities generally do not subsidize user fees that benefit only the applicant.

California Government Code section 66014(a) and other supplementary legislation, specify that User Fees should be the "estimated reasonable cost of providing a service." The City contracted with Willdan Financial Services to conduct a thorough analysis of existing fees, develop fee models and recommendations, and prepare a well-documented and defensible plan for establishing rates for recovering billable costs for services in compliance with applicable statutory requirements. The Cost Allocation Plan was completed in November 2018 and fee adjustments were approved by City Council in April 2020.

However, City staff have continued to review the current fee schedule and have identified other proposed fee adjustments needed to match the cost of providing the service. The following is a summary (by department) of the proposed fee amendments listed in Exhibit "1" to Resolution No. 2020-88.

Engineering
The Engineering Department issues encroachment permits required for construction work in the public right-of-way. It is important that work in the street be conducted properly and the street returned to the same or better condition afterwards. SDG&E is currently participating in the City's annual fee program, which allows the company to take advantage of a streamlined encroachment permit process. The annual fee covers the processing and field inspection costs for Encroachment and Minor Work Permits submitted by SDG&E. The adjusted fee was calculated based on the average cost of SDG&E permits (Minor Work Permit fees were assessed at $100/permit) over a three-year period (2017-2019).

Community Facilities District
Two new fees have been added to the schedule which covers the cost to annex a new residential development project to the Citywide Services CFD. The first fee covers the cost to annex to the CFD, which involves preparation of a boundary map, as required by the Mello-Roos Act, and adoption of a resolution and recording fees for the special tax lien. The second fee is a deposit for the cost of preparation of a new fiscal impact assessment for unique residential uses, such as residential care, transitional housing and mixed-use projects. Because of the unique nature of the applicant's project, this type of study is necessary. Amounts not necessary for the study can be refunded.

Cityworks Online Payment Convenience Fee
In July 2020, the City completed the implementation of Cityworks, which is software (data management and electronic plan review) that creates efficiencies and improves the processes which will benefit City staff and more importantly, the customer base. Customers can range from individual citizens, small business contractors, or large, corporate developers. Cityworks provides a modern, "customer facing" web portal for online services and payments for interaction with Fire, Planning, Building, Engineering, and Field Engineering departments.

The City engaged with Invoice Cloud for online payment processing services in August 2017. The Utility Billing department went live with online payments on May 1, 2018. Starting March 2019, Business License payments were also accepted online and processed by Invoice Cloud.

Each time a person utilizes a credit card for a payment, the City absorbs a fee of $.70 per transaction plus all card brand fees. These card brand fees are known as “Interchange Fees”. Interchange Fees are charged by credit card companies and are non-negotiable. A typical Interchange Fee is comprised of a percentage of the total transaction plus a fixed amount, which is dependent on the type of card used. For example, debit cards have lower Interchange Fees than credit cards. Conversely, high-end rewards credit cards have higher Interchange Fees than non-reward cards.

Although the City absorbs the Interchange Fees and the $.70 charge for utility customers and business license applicants, the cost to absorb these similar fees for Planning, Building, Engineering, and Field Engineering would be a significant hit to the general fund. To a large degree, the City recognizes that credit card fees are part of the cost of providing services to our community and, therefore, does not directly recover these fees from customers. However, with the implementation of Cityworks and online payment portal, the use of credit cards and related processing costs are expected to increase. While it is possible to incorporate the overall credit card fees paid by the City into the development fees and permits, there are two reasons that suggest a different approach be used to recover these fees: (1) development-related fees can range from a few hundred dollars to several hundred thousand dollars, such that simply adding total credit card fees to the development fees creates inequities and subsidies from those who do not use a credit card; and (2) development-related services are more discretionary than, for example, utility services.

Fortunately, Invoice Cloud provides a pricing and service fee option to the City where the fees for processing online payments are passed on to the payer, called a Convenience Fee. A Convenience Fee can only be applied to non-face-to-face transactions, i.e. the convenience of not having to travel to the location to pay. Invoice Cloud offers the option of assessing a Convenience Fee of 2.95% for credit and debit card transactions processed through the online payment portal.

City Staff recommends that the City apply the convenience fee of 2.95% per credit card transaction for Planning, Building, Engineering, and Field Engineering transactions. These types of transactions are for permits and services currently charged within City Hall, are usually related to contractors, and tend to be a higher dollar amount than other types of transactions.

Police

The Police Department collects fees to offset the costs for certain administrative processing tasks such as providing crime analysis reports. The Department also charges to offset costs for special events and subpoenas, and regulatory permit activities. The proposed fee increases described below are due to increased material and staffing costs.

Fees are increased for special event staffing to be more in line with the current hourly expenses of sworn personnel.

The increased fee for CAD printouts illustrates the cost of personnel time, equipment usage, and supplies to cover the costs of producing these printouts.

Advances in technology have allowed the Police Department to increase efficiency and streamline services utilizing technology thus resulting in lower costs and decreased the fees for Bingo licenses and Massage establishment licenses.

The Police Department has added a new fee for renewal of Massage establishment licenses with multiple techs. This new fee is representative of the increased time needed to maintain and review multiple files involving licensing.

Lakes – Dixon and Wohlford
Dixon Lake offers fishing, camping, boating, hiking, and picnicking year-round. Fishing and boating are offered at Wohlford Lake. Staff has analyzed fees at both Lakes, and the following is a summary of the proposed adjustments.

The City charges a nightly fee for the use of camping spaces at Dixon Lake. Amenities included in the fee are an individual campsite, a picnic table, a barbecue grill, a food locker, a fresh water spigot nearby, and use of the camp showers. Deluxe campsites also offer water, electricity, and sewage disposal at the site. Increasing the camping rate from $25 per night to $30 per night for standard campsites and from $35 per night to $50 per night for deluxe campsites will put the City more in line with benchmark campsite rental fees of local agencies with similar amenities.

A review of facilities in the County, including County Parks, other cities that have cabins, and private campgrounds, has shown that the nightly fee for the City's ADA-accessible cabin at Dixon Lake are below all other similar facilities. Amenities included in the cabin are a fully accessible restroom, full kitchen, dining table/chairs, seating, beds for up to five people including an adjustable bed, outdoor picnic table, barbecue, outdoor seating, heating, and air conditioning. Dixon Lake staff are responsible for operating and maintain the cabin, and costs for maintenance, supplies, utilities, and staff time have increased since the fee was first established in 2009. In 2019 the cabin was fully refurbished, refurnished, and reroofed therefore the nightly fee for the use of the disabled accessible cabin at Dixon Lake are increasing from $50 per night to $100 per night.

Interest in hosting special events such as bicycle races, fun runs, and ultra-marathons at Escondido's lakes & open spaces has grown exponentially over the last year. Proposed fees for partial or full rentals of our lakes and open spaces for these types of special events are similar to existing fee structures at other local preserves, county parks, and parks and recreation agencies. Fees are justified in that they will offset most, if not all, of the associated costs and will support Escondido being recognized as a sports tourism destination within Southern California. Tangential benefits include increased tourism and visitors enjoying our local businesses and restaurants as well as staying in our local hotels.

Community Services
The Community Services Department offers a wide variety of recreational opportunities, facility and park rentals for the public, and special event permitting. The collection of user fees is designed to offset the costs of operating programs and services within the department. Facing rising operational costs through minimum wage increases the staff reviewed the department fee structure; the following is a summary of the proposed adjustments.

Rather than individually identifying each recreational program, these elements are now grouped together for consistency into cost ranges. The cost ranges are designed to provide the greatest flexibility in pricing programs and services that consider unanticipated cost adjustments, variable market rates, and individual-benefit versus community-benefit revenue generation as well as providing flexibility to capitalize on current trends or other factors.

Throughout the review process, the Community Services staff identified specific new groupings (e.g. team registration, drop-in activities, recreation programs (staff instructed), aquatic programs) that will serve as the overarching framework for the updated fee schedule. Fees that were previously identified individually on the fee schedule are now included in these new groupings. For example, instead of individually listing Tiny Tots and Camps, those fees are now included in the category Recreation Activities (staff instructed). Fees for specific programs and services will continue to be individually identified within the Recreation Guide and on the City's Recreation website to ensure transparency to users.

These changes were further facilitated by the Community Services Department's transition to a new registration software system that provides greater capabilities in managing recreation activities and services. This new software requires certain fee structure changes that will in effect decrease the customer's cost over the current system, increase the department's revenue, and provide greater staff efficiencies as there will be more operational functions for customers to complete themselves online.

SmartRec, the new registration software, provides a fee option to the City where the fees for processing transactions are passed on to the payer, called a Service Fee. The current Service Fee rate is 2.85% plus .30 cents per transaction. This is a significant savings to our customers compared to the 6.1% they were previously being charged. Staff are requesting a fee range to account for potential increases in the future.

New fees have also been added to benefit from various emerging trends as a result of the pandemic. This includes the addition of a group fitness activity fee within the parks and for the Fitness Court usage, identification of new reservable group picnic areas within various parks, and the development of digital advertising space in the Recreation Guide. Furthermore, new fees have been added with respect to Queen Califia Magical Circle Garden in order to build and maintain a reserve fund for repairs and operations.

Escondido Public Library
The Escondido Public Library offers informational, educational, literacy, and recreational opportunities to the public through a broad collection of circulating materials and current technology tools. The Library staff have analyzed their fees and are proposing the following adjustments.

The Turrentine Room is a large meeting space that is available for public meetings, events, and programs during open hours. The City charges an hourly rate as well as a cleaning deposit for the use of the room. In 2016, the rental rates for the room were increased. Since then there has been a decline in public room rentals and the room often sits vacant when not in use by the library. A study was conducted of the local San Diego libraries including Carlsbad, Oceanside, Poway, Chula Vista, Coronado, and San Diego County: San Marcos and Rancho Bernardo branches to get comparative pricing. The comparison showed that the Escondido Public Library had one of the highest rental rates along with Carlsbad and Rancho Bernardo. The proposed decrease in fees are in line with neighboring cities and will promote increased use of this community resource.

Nature Backpacks is a new program that will be offered through the Library once operations are back to normal capacity. The program consists of backpacks that members of the public can borrow from the library, like they would a book. The backpacks include field guides, activity books, binoculars, bug kits, a first aid kit, a compass, and more. These backpacks can be used for school field trips or families looking to get out and explore nature on their own. In the event that a backpack is lost and not returned to the library, this replacement fee would be charged to the patron for replacement of the bag and contents.

ENVIRONMENTAL REVIEW:

The establishment and increase of User Fees is statutorily and categorically exempt from the requirements of the California Environmental Quality Act ("CEQA," Public Resources Code Section 21000 *et. seq.*) because setting User Fees fits within the statutory exemptions for local agency decisions involving rates, tolls or other charges pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the CEQA Guidelines. This action approves and sets forth a procedure for determining fees for the purpose of meeting the operating expenses of City departments. This action does not "an essential step culminating in action which may affect the environment."

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Christina Holmes, Director of Finance
11/10/20 1:39 p.m.

ATTACHMENTS:

1. Resolution No. 2020-88
2. Resolution No. 2020-88 - Exhibit "1" – Adjustments to City User Fees

RESOLUTION NO. 2020-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ADOPTING FEES FOR CERTAIN SERVICES AND PERMITS AND THE REMOVAL OF FEES FOR SERVICES NO LONGER USED

WHEREAS, the City of Escondido ("City") charges user fees (User Fees) for services and permits ("Services"); and

WHEREAS, current service User Fees charged for the City's Services do not adequately recoup the City's costs of providing certain Services and thus, a significant amount of these costs are currently paid out of the City's general fund and, therefore, borne by the general public; and

WHEREAS, City staff has conducted an extensive analysis of its Services, the costs reasonably borne by the City in providing those Services, the beneficiaries of those Services, and the revenues produced by those paying User Fees and charges for special Services. Based on a cost analysis of Services, City staff recommends adjustments to certain existing fees, addition of new fees and removal of fees no longer required; and

WHEREAS, pursuant to Government Code Section 66000, *et seq*., the City is empowered to impose fees covering up to 100 percent of the actual costs of providing Services to applicants; and

WHEREAS, Government Code Section 66014 *et seq.* allows local agencies to charge fees for various activities as long as those fees do not exceed the estimated reasonable costs of provided the service for which the fee is intended; and

WHEREAS, California Government Code Section 66016 requires notice to be given and data made available at specified times prior to the adoption of increases in existing rates, fees, and charges, or the adoption of new rates, fees, and charges for use permits and building inspections sometime hereinafter at a public meeting of this City Council; and

WHEREAS, California Government Code Section 66018 requires notice to be published in accordance with California Government Code Section 6062a and data made available concerning rates, fees, and charges prior to conducting a public hearing with respect to the adoption of increases in rates, fees, and charges, or the adoption of new rates, fees, and charges for which no other procedure is provided by law; and

WHEREAS, pursuant to State law, the City Council has conducted and concluded a duly noticed public hearing with respect to the rates, fees, and charges prior to the adoption of this Resolution; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to adopt the adjustments in certain existing User Fees and add new User Fees, as presented in Exhibit “1,” which is attached to this Resolution and incorporated by this reference as though fully set forth herein.

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

1. That the above recitations are true.

2. The City Council finds that providing City Services is of special benefit to applicants both separate and apart from the general benefit to the public; and therefore, in the interests of fairness to the general public, the City

desires to better recover the costs of providing these Services from applicants who have sought the City's Services by revising its schedule of fees.

3. That the City Council approves the City User Fees contained in Exhibit “1.”

4. That the City User Fees shall be effective on December 1, 2020.

5. It is the desire of the City Council that all fees and charges for services, programs or products be set forth in one document for ease of reference. Accordingly, any and all provisions of prior Resolutions of the City Council establishing or modifying fees for the Services, programs or products set forth in Exhibit “A,” are hereby repealed and replaced as of the effective date of this Resolution in the manner set forth in Exhibit “1;” provided, however, that such repeal shall not excuse or affect the failure of any person or entity to pay any fee heretofore imposed upon such person or entity. The City Council desires to clarify that in adopting this Resolution, it is taking action only on those User Fees for the services, programs or products set forth in Exhibit “1,” which have been modified from prior resolutions of the City Council or are established as new fees. The remaining fees that have not been modified from prior resolutions shall remain in full force and effect.

6. Environmental Exemption. The adoption of this Resolution is exempt from the California Environmental Quality Act (“CEQA,” Public Resources Code Sections 21000 *et seq*.), because it approves and sets forth a procedure for determining fees for the purpose of meeting the operating expenses of

City departments, as set forth in Public Resources Code Section 21080(b)(8)(A).

Department	Fee Description	Current Fee / Charge	Unit Basis	**R2020-88 Proposed Fee**	Increase (Decrease)
NEW					
Community Development	Cityworks Online Payment Convenience Fee	**NEW**	transaction	**2.95%**	2.95%
Community Services	Administrative Fee - (Recreation Activities, Sports Teams, park/facility rentals)	**NEW**	transaction	**$1.00-$5.00**	$1.00-$5.00
Community Services	Drop-in Activities Multipass (except skatepark)	**NEW**	session	**$20.00-$100.00**	$20.00-$100.00
Community Services	Mobile Recreation	**NEW**	hour	**$50.00-$100.00**	$50.00-$100.00
Community Services	Recreation Programs (City staff instructed)	**NEW**	program/class/ session	**$12.00-$300.00**	$12.00-$300.00
Community Services	Recreation Special Events (City staff managed)	**NEW**	event	**$5.00-$25.00**	$5.00-$25.00
Community Services	Merchandise	**NEW**	each	**$1.00-$20.00**	$1.00-$20.00
Community Services	Rec Guide Digital Ad - Outside Back Cover Full Page	**NEW**	placement	**$665.00**	$665.00
Community Services	Rec Guide Digital Ad - Inside Front Cover Full Page	**NEW**	placement	**$615.00**	$615.00
Community Services	Rec Guide Digital Ad - Inside Back Cover Full Page	**NEW**	placement	**$615.00**	$615.00
Community Services	Rec Guide Digital Ad - Inside Front Cover 1/2 Page	**NEW**	placement	**$375.00**	$375.00
Community Services	Rec Guide Digital Ad - Inside Back Cover 1/2 Page	**NEW**	placement	**$375.00**	$375.00
Community Services	Rec Guide Digital Ad - Interior Full Page	**NEW**	placement	**$500.00**	$500.00
Community Services	Rec Guide Digital Ad - Interior 1/2 Page	**NEW**	placement	**$290.00**	$290.00
Community Services	Rec Guide Digital Ad - Interior 1/4 Page	**NEW**	placement	**$175.00**	$175.00
Community Services	Rec Guide Digital Ad - Interior 1/8 Page	**NEW**	placement	**$135.00**	$135.00
Community Services	Private Lessons	**NEW**	class	**$30.00-$50.00**	$30.00-$50.00
Community Services	Aquatic Programs	**NEW**	activity	**$5.00-$100.00**	$5.00-$100.00
Community Services	Aquatics Scholarship Adminstrative Fee	**NEW**	session	**$5.00-$10.00**	$5.00-$10.00
Community Services	Swim Diaper	**NEW**	each	**$3.00**	$3.00
Community Services	Facility Holiday Staffing Fee	**NEW**	hour	**$50.00**	$50.00
Community Services	Facility Staffing Fee	**NEW**	hour	**$30.00**	$30.00
Community Services	EVCC Children's Room - Class B	**NEW**	hour	**$30.00**	$30.00
Community Services	EVCC Children's Room - Class C	**NEW**	hour	**$35.00**	$35.00
Community Services	EVCC Children's Room - Class D	**NEW**	hour	**$70.00**	$70.00
Community Services	EVCC Children's Room - Class E	**NEW**	hour	**$80.00**	$80.00
Community Services	Grove Park Gazebo - Class B	**NEW**	reservation	**$50.00**	$50.00
Community Services	Grove Park Gazebo - Class C	**NEW**	reservation	**$50.00**	$50.00
Community Services	Grove Park Gazebo - Class D	**NEW**	reservation	**$70.00**	$70.00
Community Services	Grove Park Gazebo - Class E	**NEW**	reservation	**$90.00**	$90.00
Community Services	Queen Califia Group Tour	**NEW**	person	**$5.00**	$5.00
Community Services	Queen Califia Magical Circle Garden Merchandise	**NEW**	item	**$5.00-$50.00**	$5.00-$50.00
Community Services	Group Fitness Activity Fee - Class B	**NEW**	hour	**$10.00**	$10.00
Community Services	Group Fitness Activity Fee - Class C	**NEW**	hour	**$15.00**	$15.00
Community Services	Group Fitness Activity Fee - Class D	**NEW**	hour	**$20.00**	$20.00
Community Services	Group Fitness Activity Fee - Class E	**NEW**	hour	**$30.00**	$30.00
Community Services	Drop-in Skate Park w/Discount Card	**NEW**	session	**$5.00**	$5.00
Community Services	Park Avenue Community Center - Television, DVD & VCR	**NEW**	item	**$25.00**	$25.00
Community Services	Park Avenue Community Center - Digital Projector	**NEW**	item	**$25.00**	$25.00
Community Services	Park Avenue Community Center - Portable PA	**NEW**	item	**$25.00**	$25.00
Engineering	CFD - Annexation Fee	**NEW**	project	**$365.00**	$365.00
Engineering	CFD - Fiscal Impact Analysis Deposit	**NEW**	each	**$10,000.00**	$10,000.00
Lakes	Dixon Boat Rental - Bass Boat Full Day	**NEW**	day	**$60.00**	$60.00
Lakes	Dixon Boat Rental - Bass Boat Half Day	**NEW**	day	**$40.00**	$40.00
Lakes	Dixon Rec Area Reservation	**NEW**	reservation	**$100.00**	$100.00
Lakes	Dixon Eagle Peak Climbing Area for Classes/Groups over 10	**NEW**	reservation	**$50.00**	$50.00
Lakes	Wohlford Picnic Area Reservation (50 persons max)	**NEW**	reservation	**$50.00**	$50.00
Lakes	Dixon Lake: Rental of entire park ($1,000 refundable deposit required)	**NEW**	day	**$5,000 - $10,000**	$5,000 - $10,000
Lakes	Wohlford Lake: Rental of entire park ($1,000 refundable deposit required)	**NEW**	day	**$5,000 - $10,000**	$5,000 - $10,000
Lakes	Daley Ranch (excludes Ranch House): Rental of entire park ($1,000 refundable deposit required)	**NEW**	day	**$5,000 - $10,000**	$5,000 - $10,000
Lakes	Combination Rental of Daley and Wohlford parks ($2,000 refundable deposit required)	**NEW**	day	**$7,000 - $20,000**	$7,000 - $20,000
Lakes	Special Events: Base rental fee listed above or 10% of the gross revenue generated (gross revenue, merchandise sales, food/alcohol sales and catering, ticket sales, etc.), whichever is higher	**NEW**	event	**Fee or 10% of gross revenue**	Fee or 10% of gross revenue
Lakes	Daley Ranch (excludes Ranch House): Partial rental of the park ($1,000 refundable deposit required).	**NEW**	day	**$5 per participant**	$5 per participant
Library	Nature BackPack Replacement Fee	**NEW**	each	**$50.00**	$50.00
INCREASE					
Community Services	Drop-in Activities (except skatepark)	$2-$5	session	**$5.00**	$0.00-$3.00
Community Services	Washington Rec Bldg - Class B	$15.00	hour	**$45.00**	$30.00
Community Services	Washington Rec Bldg - Class C	$20.00	hour	**$50.00**	$30.00
Community Services	Washington Rec Bldg - Class D	$40.00	hour	**$75.00**	$35.00
Community Services	Washington Rec Bldg - Class E	$65.00	hour	**$95.00**	$30.00
Community Services	Team Registration Fee	$100-$950	team/season	**$100.00-$1200.00**	$0.00-$250.00
Community Services	Aquatics Training Program (e.g. lifeguard, WSI)	$125 - $325	course	**$125.00-$500.00**	$0.00-$175.00
Community Services	CIF Hockey	$1,800.00	team/season	**$1800.00-$2200.00**	$0.00-$400.00
Community Services	Cancellation/Late Fee	$20-$25	instance	**$20.00-$30.00**	$0.00-$5.00
Community Services	Skate Park Unlimited Annual Pass	$149.00	pass	**$200.00-$350.00**	$51.00-$201.00
Community Services	Skate Park Discount Card (formally ID card)	$10.00	card	**$25.00-$50.00**	$15.00-$40.00
Community Services	Learn to Swim Program (youth, teen, adult)	$8-$9	class	**$8.00-$12.00**	$0.00-$3.00
Engineering	Traffic Control Review	$25.00	sheet	**$60.00**	$35.00
Engineering	Traffic Control Inspection	$75.00	sheet	**$165.00**	$90.00
Engineering	Annual Permit Fee for AT&T Communication	$20,000.00	annual	**$30,300.00**	$10,300.00
Engineering	Annual Permit Fee for SDG&E	$33,000.00	annual	**$33,765.00**	$765.00
Lakes	Dixon Air Jump / Rock Climbing Wall (insurance verification)	$15.00	each	**$25.00**	$10.00
Lakes	Dixon Boat Rental > 1 p.m.	$14.00	day	**$15.00**	$1.00
Lakes	Dixon Boat Rental before 1 p.m.	$17.00	day	**$20.00**	$3.00
Lakes	Dixon Boat Rental w / motor > 1 p.m.	$30.00	day	**$30.00**	$0.00
Lakes	Dixon Boat Rental w / motor before 1 p.m.	$35.00	day	**$40.00**	$5.00

Department	Fee Description	Current Fee / Charge	Unit Basis	**R2020-88 Proposed Fee**	Increase (Decrease)
Lakes	Dixon Boat Rental w / motor-hourly 6 a.m. to 1 p.m.	$20.00	hour	**$25.00**	$5.00
Lakes	Dixon Boat Rental w / motor-hourly after 1 p.m.	$15.00	hour	**$20.00**	$5.00
Lakes	Dixon Boat Rental-hourly 6 a.m. to 1 p.m.	$12.00	hour	**$13.00**	$1.00
Lakes	Dixon Boat Rental-hourly after 1 p.m.	$10.00	hour	**$11.00**	$1.00
Lakes	Dixon Boat Rental-Night Motor	$30.00	day	**$35.00**	$5.00
Lakes	Dixon Boat Rental-Night Row	$14.00	day	**$15.00**	$1.00
Lakes	Dixon Camping / Non-camping Dump Fee	$35.00	each	**$50.00**	$15.00
Lakes	Dixon Campsite / Per Night - accessible handicap cabin	$50.00	vehicle	**$100.00**	$50.00
Lakes	Dixon Campsite / Per Night - deluxe March 2 - Nov 15	$35.00	vehicle	**$50.00**	$15.00
Lakes	Dixon Campsite / Per Night - deluxe Nov 16 - March 1	$35.00	vehicle	**$50.00**	$15.00
Lakes	Dixon Campsite / Per Night - regular March 2 - Nov 15	$25.00	vehicle	**$30.00**	$5.00
Lakes	Dixon Campsite / Per Night - regular Nov 16 - March 1	$25.00	vehicle	**$30.00**	$5.00
Lakes	Dixon Fishing Fee / Adult > 16 yrs.	$7.00	person	**$9.00**	$2.00
Lakes	Dixon Fishing Fee / Seniors > 60 yrs.	$5.00	person	**$6.00**	$1.00
Lakes	Dixon Fishing Fee / Youth 8-15 yrs.	$5.00	person	**$6.00**	$1.00
Lakes	Dixon Group Camping / Night: 50 people / 10 vehicles	$75.00	night	**$100.00**	$25.00
Lakes	Dixon Lake 2nd Rod Stamp	$2.00	each	**$3.00**	$1.00
Lakes	Dixon Lake Group BBQ Shelter	$30.00	reservation	**$40.00**	$10.00
Lakes	Dixon Lake Picnic Shelter	$30.00	reservation	**$50.00**	$20.00
Lakes	Dixon Paddle Boat Rental - 2 passenger & 4 passenger	$12.00	hour	**$15.00**	$3.00
Lakes	Dixon Paddle Boat Rental - 2 passenger & 4 passenger	$8.00	half hour	**$15.00**	$7.00
Lakes	Dixon Vehicle Entry RV / Bus-Vehicle > 20	$10.00	vehicle	**$25.00**	$15.00
Lakes	Wohlford Air Jump / Rock Climbing Wall (insurance verification)	$15.00	each	**$25.00**	$10.00
Lakes	Wohlford Boat Rental - Bass Boat	$35.00	half day	**$40.00**	$5.00
Lakes	Wohlford Boat Rental - Bass Boat	$50.00	day	**$75.00**	$25.00
Lakes	Wohlford Boat Rental > 1 p.m.	$14.00	day	**$15.00**	$1.00
Lakes	Wohlford Boat Rental before 1 p.m.	$17.00	day	**$20.00**	$3.00
Lakes	Wohlford Boat Rental w / motor > 1 p.m.	$30.00	day	**$35.00**	$5.00
Lakes	Wohlford Boat Rental w / motor before 1 p.m.	$35.00	day	**$40.00**	$5.00
Lakes	Wohlford Boat Rental w / motor-hourly 6 a.m. - 1 p.m.	$20.00	hour	**$25.00**	$5.00
Lakes	Wohlford Boat Rental w / motor-hourly after 1 p.m.	$15.00	hour	**$20.00**	$5.00
Lakes	Wohlford Boat Rental-Hourly 6 a.m. to 1 p.m.	$12.00	hour	**$13.00**	$1.00
Lakes	Wohlford Boat Rental-Hourly after 1 p.m.	$10.00	hour	**$11.00**	$1.00
Lakes	Wohlford Fishing Fee / Adult > 16 yrs.	$7.00	person	**$9.00**	$2.00
Lakes	Wohlford Fishing Fee / Seniors > 60 yrs.	$5.00	person	**$6.00**	$1.00
Lakes	Wohlford Fishing Fee / Youth 8-15 yrs.	$5.00	person	**$6.00**	$1.00
Lakes	Wohlford Gas - Outboard Motors	$6.00	gallon	**$7.00**	$1.00
Lakes	Wohlford Paddle Boat Rental - 2 passenger & 4 passenger	$12.00	hour	**$15.00**	$3.00
Lakes	Wohlford Paddle Boat Rental - 2 passenger & 4 passenger	$8.00	half hour	**$15.00**	$7.00
Library	Turrentine Room Rental / Class B	$25.00	hour	**$20.00**	$20.00
Library	Turrentine Room Rental / Class C	$40.00	hour	**$20.00**	$20.00
Library	Turrentine Room Rental / Class D	$75.00	hour	**$40.00**	$40.00
Library	Turrentine Room Rental / Class E	$90.00	hour	**$60.00**	$60.00
Library	Room Rental - Cleaning / Damage Deposit	$250.00	each	**$100.00**	$100.00
Police	CAD Printouts	$10.00	report	**$15.00**	$5.00
Police	Photographs (Digital): plus $40 hourly rate for redactions	$30.00	each	**$30.00**	$0.00
Police	Special Event Staffing Cost: CSO	$38.00	hour	**$50.00**	$12.00
Police	Special Event Staffing Cost: Public Safety Dispatcher	$45.00	hour	**$60.00**	$15.00
Police	Special Event Staffing Cost: Officer	$59.00	hour	**$80.00**	$21.00
Police	Special Event Staffing Cost: Sergeant	$81.00	hour	**$95.00**	$14.00
Police	Special Event Staffing Cost: Lieutenant	$88.00	hour	**$110.00**	$22.00
DECREASE					
Community Services	Processing Fees	6.1%-8%	transaction	**2.85%-3.25%**	(3.25%-4.75%)
Engineering	Annual Permit Fee for Cox Communication	$32,000.00	annual	**$28,130.00**	($3,870.00)
Police	Massage Establishments - Renewal (If needed, LiveScan costs additional $69)	$300.00	each	**$100.00**	($200.00)
Police	Massage Establishments - Initial Application	$600.00	each	**$469.00**	($131.00)
Police	Bingo Licenses / 1st year	$120.00	license	**$50.00**	($70.00)
Police	Bingo Licenses (renewal)	$37.00	license	**$25.00**	($12.00)
REMOVE					
~~Community Services~~	~~Adult Hockey League~~	~~$950.00-$1,100.00~~	~~team/season~~		
~~Community Services~~	~~Adult Softball Leagues~~	~~$400.00~~	~~team/season~~		
~~Community Services~~	~~Del Dios, Grant & Hidden Valley fields - Class B / Night~~	~~$12.00~~	~~Hour~~		
~~Community Services~~	~~Del Dios, Grant & Hidden Valley fields - Class C / Night~~	~~$17.00~~	~~Hour~~		
~~Community Services~~	~~Del Dios, Grant & Hidden Valley fields - Class D / Night~~	~~$22.00~~	~~Hour~~		
~~Community Services~~	~~Del Dios, Grant & Hidden Valley fields - Class E / Night~~	~~$35.00~~	~~Hour~~		
~~Community Services~~	~~Drop-in Open Swim~~	~~$4.00~~	~~session~~		
~~Community Services~~	~~Drop-In Skate Park~~	~~$5.00~~	~~session~~		
~~Community Services~~	~~Drop-In Skate Park - 10 session pass~~	~~$40.00~~	~~session~~		
~~Community Services~~	~~East Valley Community Center Drop-in Open Gym~~	~~$2.00~~	~~session~~		
~~Community Services~~	~~Escondido Sports Center - 6 Month Pass~~	~~$99.00~~	~~pass~~		
~~Community Services~~	~~Escondido Sports Center - Hockey Arena Drop-in Fee~~	~~$5.00~~	~~session~~		
~~Community Services~~	~~Escondido Sports Center Holiday Staffing Fee~~	~~$30.00~~	~~hour~~		
~~Community Services~~	~~Escondido Sports Center non-operational Staffing Fee~~	~~$25.00~~	~~hour~~		
~~Community Services~~	~~EVCC Gymnasium Drop-in Fee~~	~~$3.00~~	~~session~~		
~~Community Services~~	~~EVCC Gymnasium Open Gym Card~~	~~$50.00~~	~~20 visits~~		
~~Community Services~~	~~EVCC Holiday Staffing Fee~~	~~$30.00~~	~~hour~~		
~~Community Services~~	~~EVCC Non-operational Hours Staffing Fee~~	~~$25.00~~	~~hour~~		
~~Community Services~~	~~Facility Use Payment Late Fee~~	~~$10.00~~	~~instance~~		
~~Community Services~~	~~K.C. Amph - Staff Fee~~	~~$30.00~~	~~hour~~		
~~Community Services~~	~~Kit Carson Fitness Course Fee and Park areas - Class B~~	~~$10.00~~	~~hour~~		

Department	Fee Description	Current Fee / Charge	Unit Basis	**R2020-88 Proposed Fee**	Increase (Decrease)
Community Services	Kit Carson Fitness Course Fee and Park areas - Class C	$15.00	hour		
Community Services	Kit Carson Fitness Course Fee and Park areas - Class D	$20.00	hour		
Community Services	Kit Carson Fitness Course Fee and Park areas - Class E	$30.00	hour		
Community Services	Mathes Ctr. Holiday Staffing Fee	$30.00	hour		
Community Services	Mathes Ctr. Staffing Fee	$25.00	hour		
Community Services	On Track After School Program	$12.00-$15.00	day		
Community Services	Open Swim Card	$35.00	card		
Community Services	Park Avenue Community Center - Digital Projector / Class B	$5.00	item		
Community Services	Park Avenue Community Center - Digital Projector / Class C	$10.00	item		
Community Services	Park Avenue Community Center - Digital Projector / Class D	$25.00	item		
Community Services	Park Avenue Community Center - Digital Projector / Class E	$25.00	item		
Community Services	Park Avenue Community Center - Portable PA / Class B	$5.00	item		
Community Services	Park Avenue Community Center - Portable PA / Class C	$10.00	item		
Community Services	Park Avenue Community Center - Portable PA / Class D	$25.00	item		
Community Services	Park Avenue Community Center - Portable PA / Class E	$25.00	item		
Community Services	Park Avenue Community Center - Television, DVD & VCR / Class B	$5.00	item		
Community Services	Park Avenue Community Center - Television, DVD & VCR / Class C	$10.00	item		
Community Services	Park Avenue Community Center - Television, DVD & VCR / Class D	$25.00	item		
Community Services	Park Avenue Community Center - Television, DVD & VCR / Class E	$25.00	item		
Community Services	Park Avenue Community Center Holiday hours Staffing Fees	$30.00	hour		
Community Services	Park Avenue Community Center Non-operational hours Staffing Fees	$25.00	hour		
Community Services	Pete Coscaract Varsity & J.V. Baseball & West Soccer / Football Field - Class B / Night	$17.00	Hour		
Community Services	Pete Coscaract Varsity & J.V. Baseball & West Soccer / Football Field - Class C / Night	$27.00	Hour		
Community Services	Pete Coscaract Varsity & J.V. Baseball & West Soccer / Football Field - Class D / Night	$32.00	Hour		
Community Services	Pete Coscaract Varsity & J.V. Baseball & West Soccer / Football Field - Class E / Night	$37.00	Hour		
Community Services	Pool Reservation Cancellation Fee	$20.00	instance		
Community Services	Processing Fees - After School Program	.95%-3.5%	transaction		
Community Services	Recreation Camps	$98.00-$200.00	session		
Community Services	Recreation Camps Counselor in Training (CIT)	$70.00-$100.00	session		
Community Services	Recreation Camps Daily Rate	$40.00-$50.00	day		
Community Services	Red Cross Lifeguard Training	$125.00-$325.00	season		
Community Services	Teen / Adult Swim Programs	$60.00	session		
Community Services	Tiny Tots Late Payment Fee	$25.00	instance		
Community Services	Tiny Tots Parent Non-Participation Fee	$20.00	instance		
Community Services	Tiny Tots Preschool	$32.00-$194.00	class		
Community Services	Washingotn Rec Bldg. Holiday Staffing Fee	$30.00	hour		
Community Services	Washington Rec Bldg. Staffing Fee	$25.00	hour		
Community Services	Water Safety Instructor Training	$325.00	session		
Community Services	Youth Basketball - PAL	$45.00-$55.00	player		
Community Services	Youth Soccer League	$75.00-$100.00	pleayer/season		
Library	Turrentine Room - Piano Use	$25.00	each		
Library	Turrentine Room - Portable TV / DVD Use	$25.00	each		

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 15 **November 18, 2020** **File No. 0870-11**

SUBJECT: FY 2020-2021 HUD Annual Action Plan Substantial Amendment and Budget Adjustment

DEPARTMENT: Community Development Department; Housing & Neighborhood Services

RECOMMENDATION:

It is requested that City Council adopt Resolution No. 2020-154 to amend the 2020-2021 Housing and Urban Development ("HUD") Annual Action Plan to re-allocate Community Development Block Grant ("CDBG") funding and improve the physical, economic and social conditions in the City of Escondido ("City"). The request includes a budget adjustment in the amount of $1,292,500. The amendment will provide funding for the following:

1) Replacement of playground equipment in four parks - $775,000;
2) Installation of new safety lighting at Jesmond Dene Park parking lot - $150,000;
3) Preservation of the Hoffman Victorian at the Escondido History Center - $50,000;
4) Increasing capacity of the Graffiti Removal Project - $17,500
5) Outdoor improvements at the Park Avenue Community Center - $200,000; and
6) Improvements to the Urban Corps educational building - $100,000.

FISCAL ANALYSIS:

As an entitlement city, the City receives annual formula allocations of CDBG program funding from HUD. On October 22, 2020, HUD informed the City that there was an issue with HUD's formula, and that FY 2020-2021 CDBG allocation would be reduced from $1,818,942 to $1,818,665 (a $277 decrease). While these funds will pay for the initial costs of these projects, ongoing maintenance of the City assets will have to be absorbed in some fashion in the existing General Fund budget for years to come. This can be achieved, but is a reminder of the ongoing pressures associated with the General Fund budget from the addition of new amenities.

PREVIOUS ACTION:

Each year, the City receives an allocation of CDBG funding from HUD. However, the City must prepare a Citizen Participation Plan, a Five-Year Consolidated Plan, and an Annual Action Plan. The City already has a Citizen Participation Plan. In May 2020, the City held a public hearing and approved the current Five-Year Consolidated Plan. The Plan established priorities for the use of these federal funds over the five-year period, ending June 30, 2025, to benefit low-income residents and neighborhoods in the City. Each year, the City Council must also adopt an Annual Action Plan committing HUD funds to projects that support the Consolidated Plan.

BACKGROUND:

The CDBG program is authorized under Title I of the Housing and Community Development Act of 1974. Under the CDBG program, the City receives funds annually on a formula basis to devise and implement approaches to improve the physical, economic, and social conditions in the community. HUD regulations require that all CDBG-funded activities meet one of three national objectives:

- Benefit low-and moderate-income persons (earning up to 80% of the Area Median Income);
- Aid in the prevention or elimination of slums or blight; or
- Meet other community development needs having particular urgency or posing a serious and immediate threat to the health or welfare of the community.

Considering the needs in Escondido's low-income communities, funds are allocated to projects through a public participation process each spring. If a project is completed under budget, the excess funds return to a CDBG Unallocated account and become available for reprogramming. Approximately $695,000 from projects closed in 2019 and 2020 are now available to be reprogrammed. Staff also recommends that partial funding from two current projects (Neighborhood Improvement Plan & Homeless Day Center Site Purchase) be reallocated and still meet other Consolidated Plan objectives – and be completed rapidly to serve the community.

This report and the attachments present the proposed reprogramming and reallocations.

It should be noted that the reprogrammed and reallocated funds discussed below are separate and apart from the City's special CBDG funding from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act, H.R. 748) which have been presented and acted upon by the City Council separately.

ANALYSIS:

HUD requires a formal Action Plan Amendment when substantial changes are made to the existing plan. In this case, the substantial amendment is required because of the addition of new activities not previously identified in the Annual Plan. Substantial changes must be authorized by the City Council and publicly noticed. As required, the proposed changes were noticed in the newspaper on October 15, 2020 and posted to the City's website and at City Hall on October 19, 2020. No public comments have been received as of November 9, 2020.

Staff has identified and recommends six capital improvement projects: five to be completed by the City, and one by a non-profit subrecipient.

Neighborhood Revitalization Projects

Playground Equipment Replacement Project ($775,000)

In order to support outdoor play, staff recommends replacing playground equipment in four parks in CDBG-eligible areas (Jesmond Dene, Westside, El Norte, and Washington Parks). This benefits a wide range of residents throughout the City. Replacing equipment at multiple locations at one time should result in lower purchase costs and savings in maintenance of the equipment.

Jesmond Dene Parking Lot Lighting Project ($150,000)
Jesmond Dene Park hosts youth baseball with practice and games frequently extending past twilight. The front parking lot (parallel to Broadway) does not have lighting, causing negative impacts which have been a significant resident concern. Staff recommends installing LED lights to make this facility safer for the youth and discourage inappropriate after hours use of the parking lot.

Hoffman Victorian Preservation ($50,000)
In May 2020, City Council authorized funds for the Neighborhood Improvement Planning Project. The first project funded is a historic structure assessment report of the Hoffman Victorian at the Escondido History Center in Grape Day Park. The assessment will identify stabilization projects to preserve the house museum, and more importantly, is the first step in pursuing grant funding to address other long-term needs. In the meantime, this funding will allow staff to address the most urgent preservation needs. This project has been a high priority for the Escondido History Center and others concerned about Escondido's history.

Graffiti Removal ($17,500)
Escondido has maintained an award-winning and efficient graffiti eradication effort. The Graffiti Removal Project provides funding for graffiti removal in qualifying low-income census tracts and applies to private properties, including private homes, garages, fences and exterior surfaces of privately owned businesses. Funds would be used to provide additional labor hours.

Health & Human Development Projects

Park Avenue Community Center ("PACC") Courtyard Improvements ($200,000)
The PACC hosts the Senior Nutrition Program, offering lunch and enrichment activities to seniors. It has been closed to public access due to the COVID-19 pandemic. When it reopens, seniors will need facilities with increased social distancing opportunities. Staff recommends adding an ADA accessible surface, shade structures and seating to the main courtyard area next to the Park Avenue Café to allow seniors to eat outside, socialize safely, and provide an additional outdoor programming area.

Urban Corps Facilities Improvements ($100,000)
Urban Corps of San Diego County works with 18-26 year-old young adults without a high school diploma to develop job readiness skills and paid work experience.

Urban Corps is a valued community organization and an active partner with the City of Escondido on multiple grant projects including three ATP-funded projects ($3.7 million) and the Prop 68

Statewide Park Development Grant for the Escondido Creek Trail Expansion and Renovation Project ($8.5 million). They also assisted in providing information for an HCD grant ($500,000). They have secured funding from the Prop 68 Conservation Corps set-aside to do invasive plant removal at Harmony Grove ($92,000) and trail building/tree planting at Dixon Lake ($142,000). They also assisted with the National Fitness Campaign fitness court installation (and are working with Community Services to assist with future fitness courts).Work done by Urban Corps students not only tends to be less expensive than private contractors (they are not subject to state prevailing wage), but it also has the added benefit of providing on-the-job trade skills and work experience for at-risk youth. A strong partnership with Urban Corps strengthens City of Escondido grant applications.

In 2019, Urban Corps purchased 2200 Micro Place in order to expand North County programs. The building needs multiple tenant improvements to provide educational and workforce development programming. Urban Corps has requested funding to complete the third phase of improvements, including installation of drop ceilings and lighting, mechanical systems improvements (including an HVAC system) and renovation of the kitchens.

Urban Corps has already completed approximately $115,000 in improvements (improving the lobby, offices, parking lot, and purchasing computer equipment for the classrooms); and has applied for approximately $180,000 (Prop 68 Conservation Corps set-aside funding) to construct additional classroom spaces, rehabilitate the bathrooms, and install landscaping and fencing. Staff typically attempt to recommend only smaller non-profit capital improvement projects but there is precedent for funding larger scale projects of this type, and staff recommends this action as an investment of support for a valuable community resource.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Mike Strong, Director of Community Development
11/10/20 1:39 p.m.
Karen Youel, Housing and Neighborhood Services Manager
11/10/20 1:19 p.m.

ATTACHMENTS:

1. Attachment 1 - Budget Adjustment
2. Resolution No 2020-154
3. Resolution No 2020-154 Exhibit “A”

ATTACHMENT 1

CITY OF ESCONDIDO

BUDGET ADJUSTMENT REQUEST

Date of Request: 11/18/2020

Department: Community Development

Division: Housing and Neighborhood Services

Project/Budget Manager: Karen Youel (Name) 4518 (Extension)

Council Date (if applicable): 11/18/2020
(attach copy of staff report)

For Finance Use Only

Log # _____

Fiscal Year _____
ear

_____ Budget Balances
_____ General Fund Accts
_____ Revenue
_____ Interfund Transfers
_____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
CDBG Unfunded	115-CDBGUF		$692,243
Nghbrhd Improve Planning	115-346663		$208,245
Homeless Day Center	115-346669		$392,289
Playground Equipment Replacement Project	115-NEW	$775,000	
Jesmond Dene Parking Lot Lighting Project	115-NEW	$150,000	
Hoffman Victorian Preservation	115-NEW	$50,000	
Graffiti Removal	115-346610	$17,500	
PACC Courtyard Improve.	115-NEW	$200,000	
Urban Corps Facility Improve	115-NEW	$100,000	

Explanation of Request:

Budget Adjustment to cover project related costs

APPROVALS

NMS 11-10-20
Department Head — Date

City Manager — Date

Josh Cox 11/10/20
Finance — Date

City Clerk — Date

Distribution (after approval): Original: Finance

FM\105 (Rev.11/06)

RESOLUTION NO. 2020-154

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING THE CITY OF ESCONDIDO ONE-YEAR ACTION PLAN AND APPROVING SUBMITTAL OF AMENDED PLAN FOR CDBG TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, the City of Escondido ("City") is a recipient of Community Development Block Grant ("CDBG") funds from the United States Department of Housing and Urban Development ("HUD"); and

WHEREAS, the City must submit an approved Annual Action Plan listing all CDBG projects and their budgets before the beginning of each CDBG program year; and

WHEREAS, the City must file an Action Plan Amendment to make a substantial change to the Annual Action Plan including an addition, modification, or elimination of a Consolidated Plan goal; an addition of a new activity not previously identified in the Annual Plan; or a change that affects the funding level of more than $25,000 for projects budgeted at $100,000 or less, or greater than 25 percent of projects budgeted at more than $100,000; and

WHEREAS, on October 22, 2020, HUD informed the City of Escondido of a revised FY2020 CDBG allocation of $1,818,655 (a $277 decrease in the allocation); and

WHEREAS, multiple projects were closed in 2019 and 2020, with remaining budgets placed in the CDBG Unfunded account, making approximately $694,000 available for reprogramming; and

WHEREAS, there is currently $258,245 in the Neighborhood Improvements Planning Program and $552,289 in the Homeless Day Center Site Purchase project; and

WHEREAS, the City wishes to add $17,500 to the Graffiti Removal Program; and

WHEREAS, the City wishes to create five new projects – Playground Equipment Replacement Project, Jesmond Dene Parking Lot Lighting Project, Hoffman Victorian Preservation Project, PACC Courtyard Improvements, and Urban Corps Facility Improvements – to the FY 2020-2021 Annual Action Plan; and

WHEREAS, the City desires at this time and deems it to be in the best public interest to amend the FY 2020-2021 One-Year Action Plan for CDBG funds.

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 amendment of the FY 2020-2021 One-Year Action Plan, adding $17,500 in CDBG funds to the Graffiti Removal Program and creating the Playground Equipment Replacement Project with $775,000, Jesmond Dene Parking Lot Lighting Project with $150,000, Hoffman Victorian Preservation Project with $50,000, PACC Courtyard Improvements with $200,000, and Urban Corps Facility Improvements with $100,000.

3. That the City Council approves the submittal of the amended FY 2020-2021 One-Year Action Plan to the Department of Housing and Urban Development, including

modifications to Sections AP-15, AP-20 and AP-35. Draft changes are attached to this Resolution as Exhibit “1,” and is incorporated by this reference.

4. That the Community Development Director is hereby authorized to execute contracts with specific providers for use of CDBG funds in the amounts set forth above, provided such agreements have been approved as to form by the City Attorney.

EXHIBIT "1" DRAFT Amended Annual Action Plan

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of Escondido is a HOME participating jurisdiction and a CDBG and ESG entitlement jurisdiction, and anticipates receiving approximately $1,818,942 in CDBG funds, $622,298 in HOME funds, and $160,313 in ESG funds for FY 2020. Accordingly, the City anticipates receiving approximately $9,000,000 in CDBG funds, $3,000,000 in HOME funds, and $775,000 in ESG funds over the next five years. Escondido does not receive funding under the Housing Opportunities for Persons with AIDS (HOPWA) program. Program income received from the repayment of CDBG-owned rental property will be reprogrammed for permitted activities. Any additional Program Income funds also will be reprogrammed into allowable programs or projects, as identified during the Action Plan process.

As part of a FY2020-2021 substantial amendment, the City will reprogram $1,382,180 in CDBG funds to new/expanded projects. It also acknowledges a revision of the 2020 HUD allocations, resulting in a $277 decrease in CDBG funds and $148 decrease in HOME funds.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	1,818,942	0	0	1,818,665	7,181,058	It is estimated that the City will receive a CDBG allocation of approximately $9,000,000 over the five years of the Consolidated Plan based on past and current funding.
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	622,298	100,000	0	722,150	2,377,702	It is estimated that the City will receive a HOME allocation of approximately $3,000,000 over the five years of the Consolidated Plan based on past and current funding.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	160,313	0	0	160,313	614,687	It is estimated that the City will receive an ESG allocation of approximately $775,000 over the five years of the Consolidated Plan based on past and current funding.

Table 1 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The housing, community development and homeless needs far exceed the available HOME, CDBG and ESG funding. A variety of other non-federal funding sources, including grants and state funds, will be leveraged to meet as many needs in the City as possible.

The 100% match requirement for ESG funds will be satisfied with resources from service providers.

The HOME program requires that for every HOME dollar spent, the City must provide a 25 percent match with non-federal funds. The City currently has no match obligation since we been oversubscribed in our match obligation for several years.

Any match requirements for CDBG funds will be met with local or other funds.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City of Escondido does not own any land or property that will be used to address housing-related needs during the term of the Consolidated plan.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Create and preserve affordable rental housing	2020	2024	Affordable Housing	City of Escondido	Creation/preservation of affordable rental housing	HOME: $447,000	Rental units rehabilitated: 4 Household Housing Unit
2	Affordable ownership opportunities	2020	2024	Affordable Housing	City of Escondido	Conservation/expansion afford homeowner opportunities	HOME: $25,000	Direct Financial Assistance to Homebuyers: 1 Households Assisted
3	Support homeless shelter and other services	2020	2024	Homeless	City of Escondido	Homelessness services	CDBG: $45,000	Homeless Person Overnight Shelter: 180 Persons Assisted
4	Prov access to food, water, shelter and sanitation	2020	2024	Homeless	City of Escondido	Basic needs	CDBG: $166,700	Other: 500 Other
5	Access to rec, ed and healthcare (inc mentl hlth)	2020	2024	Non-Housing Community Development	CDBG Eligible Areas City of Escondido	Health and human development	CDBG: $77,900	Public service activities for Low/Moderate Income Housing Benefit: 250 Households Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
6	Improve the livability of neighborhoods	2020	2024	Non-Housing Community Development	Neighborhood Groups CDBG Eligible Areas	Neighborhood Revitalization	CDBG: $1,200,257	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 15000 Households Assisted
7	Economic development	2020	2024	Non-Housing Community Development	CDBG Eligible Areas	Economic Development	CDBG: $0	Jobs created/retained: 0 Jobs Businesses assisted: 0 Businesses Assisted
8	Keep HH at risk from becoming homeless	2020	2024	Non-Homeless Special Needs	City of Escondido	Homelessness prevention	ESG: $60,959	Homelessness Prevention: 12 Persons Assisted
9	Temporarily house homeless residents	2020	2024	Homeless	City of Escondido	Emergency Shelter Essential services to shelter residents	ESG: $0	Homeless Person Overnight Shelter: 0 Persons Assisted Overnight/Emergency Shelter/Transitional Housing Beds added: 0 Beds
10	Basic needs and case mgt to residents in shelter	2020	2024	Homeless	City of Escondido	Emergency Shelter Essential services to shelter residents	ESG: $87,441	Homelessness Prevention: 200 Persons Assisted
11	Engage/assess homeless indiv/families on street	2020	2024	Homeless	City of Escondido	Engagement of homeless individuals and families	ESG: $0	Homelessness Prevention: 0 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
12	Provide perm hsg to homeless households	2020	2024	Homeless	City of Escondido	Rapid rehousing for homeless individuals/families	ESG: $0	Tenant-based rental assistance / Rapid Rehousing: 0 Households Assisted Homelessness Prevention: 0 Persons Assisted

Table 2 – Goals Summary

Goal Descriptions

1	**Goal Name**	Create and preserve affordable rental housing
	Goal Description	Assist in the production of new, affordable rental housing through construction and acquisition/rehabilitation of existing rental units. Units would be affordable to extremely-low, very-low and low-income households.
2	**Goal Name**	Affordable ownership opportunities
	Goal Description	The City will provide direct assistance to first-time, low-income homebuyers for down payment or closing cost assistance. The City also will assist in the production of affordable ownership housing for lower income homebuyers.
3	**Goal Name**	Support homeless shelter and other services
	Goal Description	Provide shelter beds for homeless.
4	**Goal Name**	Prov access to food, water, shelter and sanitation
	Goal Description	Support basic needs, such as food, water, shelter, sanitation for homeless.
5	**Goal Name**	Access to rec, ed and healthcare (inc mentl hlth)
	Goal Description	Support educational and recreational activities and healthcare for all members of the community, including youth and seniors, as gaps in services are identified.

6	**Goal Name**	Improve the livability of neighborhoods
	Goal Description	Work with neighborhood leaders to develop anti-crime programs and strategies, and provide neighborhood group support. Street improvements will be coordinated as specific needs are identified.
7	**Goal Name**	Economic development
	Goal Description	Support local economy to benefit low-mod employees and businesses. Support adult education and job training.
8	**Goal Name**	Keep HH at risk from becoming homeless
	Goal Description	Prevent famillies and individuals from becoming homeless.
9	**Goal Name**	Temporarily house homeless residents
	Goal Description	Improve the number and quality of emergency shelters for homeless individuals and families and help operate them.
10	**Goal Name**	Basic needs and case mgt to residents in shelter
	Goal Description	Improve the quality of energency shelters for families and individuals. Provide case management for those in shelters to evaluate individual situations.
11	**Goal Name**	Engage/assess homeless indiv/families on street
	Goal Description	Outreach to homeless individuals and families on the street.
12	**Goal Name**	Provide perm hsg to homeless households
	Goal Description	Rapidly re-house homeless families and individuals.

Projects

AP-35 Projects – 91.220(d)

Introduction

The City of Escondido Housing and Neighborhood Services Division will serve as the lead agency in the administration of all HOME, CDBG and ESG projects proposed in this plan. The City will contract with local nonprofit agencies and organizations to administer fair housing activities and some public services, in addition to administering most programs and projects directly. Any contract agencies (subrecipients) will be responsible for program implementation and all performance will be monitored by the City of Escondido.

Projects

#	Project Name
1	CDBG Admin
2	Fair Housing
3	Public Services
4	Capital Improvements
5	Neighborhood Revitalization
6	Home Administration
7	Homebuyer Entry Loan Program
8	Housing development
9	HESG 2020
10	CHDO set-aside and administration

Table 3 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

AP-38 Project Summary

Project Summary Information

1	**Project Name**	CDBG Admin
	Target Area	Neighborhood Groups CDBG Eligible Areas City of Escondido
	Goals Supported	Support homeless shelter and other services Prov access to food, water, shelter and sanitation Access to rec, ed and healthcare (inc mentl hlth) Improve the livability of neighborhoods Economic development
	Needs Addressed	Homelessness services Basic needs Health and human development Neighborhood Revitalization Economic Development
	Funding	CDBG: $328,733
	Description	General Administration of the CDBG program. Staff costs for compliance, reporting, financial management and program monitoring.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	City of Escondido
	Planned Activities	Staff time, administration, compliance, reporting, financial management, and monitoring.
2	**Project Name**	Fair Housing
	Target Area	City of Escondido
	Goals Supported	Improve the livability of neighborhoods
	Needs Addressed	Neighborhood Revitalization
	Funding	CDBG: $35,000

	Description	Activities to affirmatively further fair housing. Provides accessible education and mediation services for Escondido tenants and landlords, ensuring equal opportunity in housing, increasing awareness of fair housing laws, and providing random fair housing testing.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	City of Escondido
	Planned Activities	Contract with provider for fair housing services, including landlord/tenant mediation and testing.
3	**Project Name**	Public Services
	Target Area	Neighborhood Groups CDBG Eligible Areas
	Goals Supported	Support homeless shelter and other services Prov access to food, water, shelter and sanitation Access to rec, ed and healthcare (inc mentl hlth) Improve the livability of neighborhoods Economic development
	Needs Addressed	Homelessness services Basic needs Health and human development Economic Development
	Funding	CDBG: $319,620
	Description	Public services in low-mod areas, provided by the City or local non-profit agencies and organizations.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	Citywide

	Planned Activities	Most of the City's public services programs have COVID-19 implications (funds that will, non-exclusively, address the City's response to COVID/needs created or exacerbated by the pandemic). Senior Transportation ($34,610), Senior Nutrition ($56,110), Senior CARE ($16,000), and Meals on Wheels ($25,000) serve one of the City's most COVID at-risk populations. We are working to provide basic needs for folks who need to primarily shelter in place, or when it is necessary to go out, to be socially distanced. Alliance for Regional Solutions ($45,000) services another highly at-risk population, homeless, providing shelter and the ability to shelter and monitor their health. Voices for Children ($10,000) and Project UP ($17,900) address the safety and mental health of children whose social safety nets have been dramatically cut during the COVID crisis. This totals $204,620/$1,818,942 = 11% Public service programs that do not directly respond to COVID are Learn to Swim ($15,000), Neighbor to Neighbor ($45,000), San Diego Children's Museum ($5,000). Operations will be modified, operations will be effected, but the programs themselves do not necessarily address COVID needs. Neighborhood Improvement Planning Program will include concept development and feasibility studies of projects that will address both COVID and non-COVID needs in our community ($50,000). This totals $115,000/$1,818,942 = 6%
4	**Project Name**	Capital Improvements
	Target Area	Neighborhood Groups CDBG Eligible Areas
	Goals Supported	Support homeless shelter and other services Prov access to food, water, shelter and sanitation Access to rec, ed and healthcare (inc mentl hlth) Improve the livability of neighborhoods Economic development
	Needs Addressed	Homelessness services Basic needs Health and human development Neighborhood Revitalization Economic Development
	Funding	CDBG: $160,000

	Description	Capital or public street improvements
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	City of Escondido
	Planned Activities	
5	**Project Name**	Neighborhood Revitalization
	Target Area	Neighborhood Groups CDBG Eligible Areas
	Goals Supported	Support homeless shelter and other services Prov access to food, water, shelter and sanitation Access to rec, ed and healthcare (inc mentl hlth) Improve the livability of neighborhoods Economic development
	Needs Addressed	Homelessness services Basic needs Health and human development Neighborhood Revitalization Economic Development
	Funding	CDBG: $1,757,180
	Description	Improve the livability of neighborhoods through education, outreach, and the beautification/enhancement of neighborhoods.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	Citywide

	Planned Activities	CDBG-funded Code Enforcement ($115,000) address maintenance and Code violations in CDBG eligible areas Grants to Blocks ($75,000)address neighborhood projects and livability issues in CDBG eligible areas Graffiti Removal ($157,500) graffiti removal on private property in CDBG eligible neighborhoods Project NEAT ($45,000) address maintenance and appearance issues in CDBG eligible areas Playground Equipment Replacement Project ($775,000), replace playground equipment in 4 parks in CDBG eligible neighborhoods: Jesmond Denes, Westside, El Norte, and Washington Parks Jesmond Dene Parking Lot Lighting Project ($150,000), add lighting in park used by youth at dusk to address safety concerns PACC Courtyard Improvements ($200,000) improve outside ADA accessibility at community center to meet the needs of seniors and increasing COVID-safer congregate meal settings Hoffman Victorian Preservation ($50,000) stabilization projects to preserve the historic Hoffman House to allow the continued use as a museum frequented by 3rd graders as part of the local history curriculum Urban Corps Facility Improvement Project ($100,000) assist local non-profit in the rehabilitation of their building to allow better job training of at-risk young adults
6	**Project Name**	Home Administration
	Target Area	City of Escondido
	Goals Supported	Create and preserve affordable rental housing Affordable ownership opportunities
	Needs Addressed	Creation/preservation of affordable rental housing Conservation/expansion afford homeowner opportunities
	Funding	HOME: $72,215
	Description	HOME administration costs
	Target Date	6/30/2021

	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	City of Escondido
	Planned Activities	Administrative support of HOME programs funds.
7	**Project Name**	Homebuyer Entry Loan Program
	Target Area	City of Escondido
	Goals Supported	Affordable ownership opportunities
	Needs Addressed	Conservation/expansion afford homeowner opport
	Funding	HOME: $25,000
	Description	Provide a low-interest loan which can be used toward the down payment or closing costs for first time homebuyers.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	One low-moderate income household.
	Location Description	Citywide
	Planned Activities	Provide down payment or closing cost assistance to low-income first time homebuyers.
8	**Project Name**	Housing development
	Target Area	City of Escondido
	Goals Supported	Create and preserve affordable rental housing Affordable ownership opportunities
	Needs Addressed	Creation/preservation of affordable rental housing Conservation/expansion afford homeowner opport
	Funding	HOME: $531,724
	Description	Provide affordable rental and owner housing development through new construction or acquisition/rehabilitation.
	Target Date	6/30/2021

	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	Citywide
	Planned Activities	New rental or owner housing. Acquisition/rehabilitation of rental or owner housing.
9	**Project Name**	HESG 2020
	Target Area	City of Escondido
	Goals Supported	Keep HH at risk from becoming homeless Temporarily house homeless residents Basic needs and case mgt to residents in shelter Engage/assess homeless indiv/families on street Provide perm hsg to homeless households
	Needs Addressed	Homelessness prevention Emergency Shelter Essential services to shelter residents Engagement of homeless individuals and families Rapid rehousing for homeless individuals/families
	Funding	ESG: $160,313
	Description	Funds for emergency shelter, homeless prevention, and rapid re-housing.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	Citywide
	Planned Activities	Administrative: $12,013 Emergency shelter operations: $87,441 Homeless prevention via rental assistance: $60,859
10	**Project Name**	CHDO set-aside and administration
	Target Area	City of Escondido

	Goals Supported	Create and preserve affordable rental housing Affordable ownership opportunities
	Needs Addressed	Creation/preservation of affordable rental housing Conservation/expansion afford homeowner opport
	Funding	HOME: $93,345
	Description	Mandatory CHDO set-aside and administrative costs associated with potential new project development.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	Citywide
	Planned Activities	Mandatory CHDO set-aside and administrative costs associated with potential new project development.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

HOME: The City of Escondido does not distribute HOME allocations for housing programs and projects geographically. Available allocations are spent citywide. There are areas of focus, including areas in the older, central core of the City, although no specific target areas have been established to focus the spending of HOME funds.

CDBG: The City of Escondido currently has 18 priority Neighborhood Groups, 17 of which are located in low-to-moderate income, CDBG-eligible census tracts. They are generally older areas and are either in or around the central core of the City. CDBG funds are directed to these 17 Neighborhoods and to other CDBG eligible areas within the City.

ESG: The City of Escondido does not distribute ESG allocations for programs and projects geographically. Funds are spent on clients within the City that are homeless or at risk of homelessness.

Geographic Distribution

Target Area	Percentage of Funds
Neighborhood Groups	
CDBG Eligible Areas	
City of Escondido	100

Table 4 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

See above discussion.

Discussion

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

In addition to federal funding, the City will continue to seek additional funding sources in order to support as many Escondido families as possible.

One Year Goals for the Number of Households to be Supported	
Homeless	1,142
Non-Homeless	5
Special-Needs	0
Total	1,147

Table 5 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	4
Acquisition of Existing Units	1
Total	5

Table 6 - One Year Goals for Affordable Housing by Support Type

Discussion

The City will leverage additional funding, including State funds, tax credits, and grants in order to assist as many additional households as possible.

AP-60 Public Housing – 91.220(h)

Introduction

There are no public housing units located in the City of Escondido and the City is not a public housing authority. The Housing Authority of the County of San Diego (HACSD) is the housing authority which administers public housing and the Housing Choice Voucher Program for Escondido residents.

Actions planned during the next year to address the needs to public housing

The public housing needs in the City of Escondido are addressed by the Housing Authority of the County of San Diego (HACSD). The City supports the HACSD in their efforts to address the needs of low-income households in Escondido

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Although the City of Escondido is not a public housing authority, the HACSD represents residents of Escondido. The HACSD has established a public housing resident advisory board for county public housing developments and the Housing Choice Voucher Program participants. The board meets regularly to discuss program issues and recommendations.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

N/A. The HACSD is not designated as troubled.

Discussion

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Although the majority of homeless individuals in Escondido lived in Escondido before becoming homeless, a number of homeless individuals come to the City Escondido because of the public services offered within the city. As a service hub in the North County area, Escondido participates in the Regional Continuum of Care (now known as the Regional Task Force for the Homeless), comprised of many other San Diego cities and the County of San Diego, non-profit service providers, and stakeholders. The RTFH coordinates and oversees the application process, and develops and vets programs to address issues regarding homelessness in the region. The RTFH also oversees the collection of regional homeless data, identifies gaps in services, and leads strategic planning initiatives to move people from homelessness to permanent housing. The City will continue to work with the RTFH as staffing and resources allow to support services and apply for funding to address (and end) homelessness in our region.

Addressing the emergency shelter and transitional housing needs of homeless persons

For FY 2020-21, the City plans to allocate CDBG funding to the Bridge Housing Network. Through a regional collaboration (Alliance for Regional Solutions), the Bridge Housing Network provides safe shelter, working with community members to secure safe, sustainable housing, while simultaneously offering a comprehensive array of support services to pave a concrete pathway towards self-sufficiency and stable housing. To accomplish such goals the Bridge Housing Network will provide:

-A safe environment for homeless individuals

-Access to a Case Manager to work on housing and income goals

-Access to support services to enhance the ability to be self sufficient

-Participant referrals to the CoC Coordinated Entry System which connects the most vulnerable to available rapid re-housing and permanent housing resources.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that

individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City's one year goal and actions for ending homelessness include expending Emergency Solutions Grant Funds towards helping homeless persons transition to permanent housing and independent living.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Key elements to homeless prevention include employment development and mental health. The goal is to enhance a person’s ability to obtain and keep a job so that they are able to make an adequate income to be self-sufficient while sustaining their mental health. In addition, the City works diligently to expand and conserve its affordable housing inventory, especially affordable rental housing that benefits the extremely low-income and low-income households who are most at risk of becoming homeless.

Discussion

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Both market and governmental factors can pose constraints to the provision of adequate and affordable housing. Two of the greatest barriers to affordable housing continue to be cost and supply. As demonstrated in this Consolidated Plan, there is a great need for affordable housing in Escondido. The City of Escondido will continue to remove any barriers to affordable housing possible by implementing a Housing Element in conformance with State law, and by reducing development and cost constraints to developing housing when possible**.** The City will continue to use available funding to mitigate some barriers to affordable housing as much as possible.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City of Escondido does experience barriers to affordable housing as idenfied in eth Consolidated Plan, including governmental constraints, market conditions, lack of funding sources, and land and construction costs. Many of the barriers are not controlled by the City, such as land and construction costs and state/federal constraints.

The City of Escondido will be updating its Housing Element in 2021. The City will follow up on any governmental constraints to housing development that are identified in the Housing Element, including appropriate amendments to the Zoning Code. In the meantime, the City continues to monitor zoning and development regulations, environmental requirements, and development processes, and will implement the streamlined permit process required by State law. The City will also continue to use available funding, including its HOME allocation, to provide asssitance to first time homebuyers and provide additional affordable housing help to mitigate some barriers to affordable housing.

Discussion:

See discussion above.

AP-85 Other Actions – 91.220(k)

Introduction:

This section discusses the City's underserved needs and institutional structure for delivering housing and community development activities, as identified in this Consolidated Plan.

Actions planned to address obstacles to meeting underserved needs

The City hopes to meet the goal of assisting in as many new/rehabilitated rental units and new affordable ownership units as possible. Something preventing this goal from being reached in the past is low participation in the first-time homebuyer program. The City will use every available resource to get stronger participation, including evaluating program requirements. The City also will hold additional lender training to try to increase participation.

The City will coordinate with private developers to leverage financing to provide as many affordable housing opportunities as possible.

Actions planned to foster and maintain affordable housing

When the affordability period of an existing affordable housing project is nearing the end, the City works with the owners of the project to try to extend the regulatory agreements and the affordability period, to maintain the City's affordable housing stock. The City has several options available to assist in preserving affordability, including refinancing an existing mortgage, providing incentives to the owner, and assisting in obtaining additional financing such as tax credits. The City also will encourage owners of existing projects with project-based vouchers, where loan terms are expiring, to convert to tenant-based voucher assistance.

Actions planned to reduce lead-based paint hazards

HUD requires all CDBG and HOME funded activities be in compliance with HUD's lead-based paint regulations. The City of Escondido is committed to addressing lead-based paint hazards. Federal law requires lead-based paint disclosure and education prior to leasing, renting, selling or purchasing most pre-1978 housing. The City will follow disclosure and warning requirements about lead-based paint, including incorporation of the "Protect Your Family from Lead in your Home" pamphlet in all applicable housing programs. The City will conduct required lead-based paint related activities for all HOME

funded activities under title X regulations, such as notification, paint testing, risk assessment, hazard reduction or abatement, and clearance. All abatement activities will be performed by a certified professional. The City will also send staff to EPA-compliance lead based paint hazard training, when possible.

Actions planned to reduce the number of poverty-level families

The City will implement its 5-year Strategic Plan, including a strategy to reduce the number of poverty-level families. The anti-poverty strategy includes economic development programs to increase busines opportunities, employment marketability and household income. It also includes an increase of housing options, rapid re-housing, and homelessness prevention programs. Activities will be focused in the urban core, but also in hte remainder of CDBG-eligible areas in the City. Efforts will be coordinated with other agencies and non profit organizations as much as possible.

Actions planned to develop institutional structure

The City's Housing and Neighborhood Services Division will ensure compliance with HUD entitlement grants. It will develop and implement ways to increase operational efficiencies of HUD programs through enhanced coordination, technical assistance and effective oversight. The Housing and Neighborhood Services Division will continue to work on a consistent basis with other departments within the City, other government agencies, non-profit groups, and private industry, in addition to the Regional Taskforce on the Homeless (the CoC), to coordinate provision of improvements, housing and services to the City's residents, while administering the HOME, CDBG and ESG programs.

Actions planned to enhance coordination between public and private housing and social service agencies

The City will continue to update its list of interested non-profits, affordable housing advocates, CHDOs, public agencies and community and neighborhood groups in order to facilitate the best coordination of services. During the Consolidated Plan period the City will continue to reach out to stakeholders to update progress and any new or changing needs. The City coordinates with many regional groups, including SANDAG, the Regional Task Force on the Homeless (RTFH), and the San Diego Regional Alliance for Fair Housing (SDRAFFH). The City will continue to be involved with various community groups involved with all aspects of community development, services and housing, and will assist them in the provision of affordable housing and services to help achieve the goals of the Consolidated Plan.

The Housing and Neighborhood Services Division will work closely with the City's Economic Development Division to coordinate economic development goals with private industry, social service

agencies, and businesses.

The Division also will continue to be involved with various community and neighborhood groups to coordinate provision of community facilities and services.

Discussion:

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

   None

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

   The City does not currently have any projects with recapture restrictions. The City would impose recapture requirements that comply with HOME Final Rule, 24 CFR 92.254. If a property that is assisted with HOME funds is no longer owner-occupied, is refinanced or is sold, the HOME loan becomes due. Recapture provisions limit the amount to be recaptured to the net proceeds of the sale (sales price minus loan repayment – other than HOME funds – and closing costs). This applies to all units regardless of nature of sale. Recapture funds are re-invested by the City into HOME-eligible activities.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

   The City of Escondido imposes recapture requirements that comply with the HONE Final Rule, 24 CFR 92.254. If a property that is assisted with HOME funds is no longer owner-occupied, is refinance or is sold during the first ten years, the homeowner is responsible for repaying the entire principal amount plus interest to the City. Since the maximum amount loaned in the first-time homebuyer program is the lesser of $25,000 or 5 percent of the purchase price, the required affordability period of 24 CFR 92.254(a)(4) is ensured. Interest is forgiven after ten years, but repayment of principal is still required. Recapture funds are re-invested by the City into the HELP first-time homebuyer program, housing development, or other HOME-eligible activities.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

   None.

Emergency Solutions Grant (ESG)
Reference 91.220(l)(4)

1. Include written standards for providing ESG assistance (may include as attachment)

   Written standards for providing ESG assistance is provided as an attachment in the "Unique Appendices" section.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

   The San Diego Continuum of Care, known as the Regional Taskforce on the Homeless (RTFH), uses a coordinated assessment system as directed by HUD. The system uses an assessment tool that scores individuals based on their needs and vulnerability to ensure that regional programs give priority to chronically homeless individuals and families who are at-risk for remaining un-housed.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

   The City conducts an open and competitive Request for Proposal (RFP) process for making awards. RFPs are publically announced on the City website and through email to members of the City's mailing list.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

   The City does not have any homeless or formerly homeless people on its City Council, which is the final approval authority for the City. However, the City does consult with the Regional Continuum of Care which has formerly homeless individuals as members. Subcontractors who administer the shelters and the homeless prevention programs have formerly homeless individuals in their organizations who help shape policies and make decisions about services and programs that receive ESG funding.

5. Describe performance standards for evaluating ESG.

See attachment in Unique Appendices.

Housing Trust Fund (HTF)
Reference 24 CFR 91.220(l)(5)

1. Distribution of Funds

a. Describe the eligibility requirements for recipients of HTF funds (as defined in 24 CFR § 93.2).

b. Describe the jurisdiction's application requirements for eligible recipients to apply for HTF funds.

c. Describe the selection criteria that the jurisdiction will use to select applications submitted by eligible recipients.

d. Describe the jurisdiction's required priority for funding based on geographic distribution, which is a description of the geographic areas of the State (including areas of low-income and minority concentration) in which it will direct assistance during the ensuing program year.

e. Describe the jurisdiction's required priority for funding based on the applicant's ability to obligate HTF funds and undertake eligible activities in a timely manner.

f. Describe the jurisdiction's required priority for funding based on the extent to which rents for units in the rental project are affordable to extremely low-income families.

g. Describe the jurisdiction's required priority for funding based on the financial feasibility of the project beyond the required 30-year period.

h. Describe the jurisdiction's required priority for funding based on the merits of the application in meeting the priority housing needs of the jurisdiction (such as housing that is accessible to transit or employment centers, housing that includes green building and sustainable development features, or housing that serves special needs populations).

i. Describe the jurisdiction's required priority for funding based on the location of existing affordable housing.

j. Describe the jurisdiction's required priority for funding based on the extent to which the application makes use of non-federal funding sources.

2. Does the jurisdiction's application require the applicant to include a description of the eligible activities to be conducted with HTF funds?

3. Does the jurisdiction's application require that each eligible recipient certify that housing units assisted with HTF funds will comply with HTF requirements?

4. **Performance Goals and Benchmarks.** The jurisdiction has met the requirement to provide for performance goals, consistent with the jurisdiction's goals established under 24 CFR 91.215(b)(2), by including HTF in its housing goals in the housing table on the SP-45 Goals and AP-20 Annual Goals and Objectives screens.

5. **Rehabilitation Standards.** The jurisdiction must establish rehabilitation standards for all HTF-assisted housing rehabilitation activities that set forth the requirements that the housing must meet upon project completion. The jurisdiction's description of its standards must be in sufficient detail to determine the required rehabilitation work including methods and materials. The standards may refer to applicable codes or they may establish requirements that exceed the minimum requirements of the codes. The jurisdiction must attach its rehabilitation standards below. If the jurisdiction will not use HTF funds for the rehabilitation of housing, enter "N/A".

In addition, the rehabilitation standards must address each of the following: health and safety; major systems; lead-based paint; accessibility; disaster mitigation (where relevant); state and local codes, ordinances, and zoning requirements; Uniform Physical Condition Standards; and Capital Needs Assessments (if applicable).

6. **Resale or Recapture Guidelines.** Below, the jurisdiction must enter (or attach) a description of the guidelines that will be used for resale or recapture of HTF funds when used to assist first-time homebuyers. If the jurisdiction will not use HTF funds to assist first-time homebuyers, enter "N/A".

7. **HTF Affordable Homeownership Limits.** If the jurisdiction intends to use HTF funds for homebuyer assistance and does not use the HTF affordable homeownership limits for the area provided by HUD, it must determine 95 percent of the median area purchase price and set forth the information in accordance with §93.305. If the jurisdiction will not use HTF funds to assist first-time homebuyers, enter "N/A".

8. **Limited Beneficiaries or Preferences.** Describe how the jurisdiction will limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population to serve unmet needs identified in its consolidated plan or annual action plan. If the jurisdiction will not limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population, enter "N/A."

Any limitation or preference must not violate nondiscrimination requirements in § 93.350, and the jurisdiction must not limit or give preferences to students. The jurisdiction may permit rental housing owners to limit tenants or give a preference in accordance with § 93.303 only if such limitation or preference is described in the action plan.

9. **Refinancing of Existing Debt.** Enter or attach the jurisdiction's refinancing guidelines below. The guidelines describe the conditions under which the jurisdiction will refinance existing rental housing project debt. The jurisdiction's refinancing guidelines must, at minimum, demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing. If

the jurisdiction will not refinance existing debt, enter “N/A.”

Discussion:

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 16 **November 18, 2020** **File No. 0860-20**

SUBJECT: Master and Precise Development Plan, Tentative Subdivision Map, and Grading Exemption – Nutmeg Homes Residential Project - South Portion (SUB 20-0007)

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATION:

It is requested that the City Council conduct a public hearing on the Nutmeg Homes Project – South Portion proposal ("Project"), which includes a Master and Precise Development Plan, Tentative Subdivision Map, and Grading Exemption, for the development of 97 townhome units on a property south of North Nutmeg Street between North Centre City Parkway and Interstate 15; and take action on the recommendations of City staff and the Planning Commission, which recommends that the City Council:

1. Introduce Ordinance No. 2020-30, to approve a Master and Precise Development Plan for the construction of 97 townhome units on a portion of the Project site (the "south portion" as described below), as well as associated parking, open space and landscaping, fencing, and stormwater facilities.

2. Adopt Resolution No. 2020-152, for a Tentative Subdivision Map for 97 units on the south portion of the Project site, and a Grading Exemption for a slope with retaining wall exceeding Grading Ordinance height standards.

PROJECT DESCRIPTION:

On June 15, 2018, an application was submitted to the Planning Division to develop a 6.7-acre site with a multi-family development of for-sale townhomes, known as Nutmeg Homes. This Project was assigned Case Number SUB 18-0005, and the environmental review was assigned Case Number ENV 18-0005. The full site consisted of three (3) separate lots under common ownership: two (2) lots on the north side of Nutmeg Street (APNs 224-260-46 and 224-260-47; herein referred to as the "north portion"), and one (1) lot on the south side of Nutmeg Street (APN 224-260-23; herein referred to as the "south portion"). The Project proposed a density of 18 units per acre and would potentially allow 134 units, since it would vacate right-of-way, primarily along Centre City Parkway, to increase the size of the site to 7.45 acres gross and net.

To implement this development, SUB 18-0005 proposed a General Plan Amendment from Office (O) to Urban III (U3); a Rezone from Residential Estates- 20,000 minimum lot size (RE-20) to Planned Development- Residential (PD-R); a Master and Precise Development Plan, a Tentative Subdivision

Map, a Specific Alignment Plan for Nutmeg Street and Centre City Parkway, and a Grading Exemption for a cut slope and retaining wall exceeding Grading Ordinance height standards.

As initially proposed, the Project would have involved extensive grading within the Caltrans right-of-way directly adjacent to Interstate 15. It also would have included a connection to a Caltrans-owned stormwater drain, and the establishment and maintenance of landscaped fuel modification zones, within that Caltrans right-of-way. These activities would have required the issuance of an encroachment permit from Caltrans, as well as the establishment of a landscape maintenance agreement between Caltrans and the City of Escondido. The establishment of this landscape maintenance agreement would have made the City responsible for future maintenance of the area, or would have required the City to make a separate agreement with the Project's homeowners' association, to ensure that they maintained it. (Caltrans does not enter into such agreements directly with private parties, only public agencies.)

During the course of reviewing the application material, Planning staff consulted with Caltrans and provided opportunities for them to review the application materials and submit comments. At that time, Caltrans did not indicate that an encroachment permit was infeasible. However, during the public review period for the Draft Environmental Impact Report ("EIR"), which ran from May 10, 2019, through June 24, 2019, Caltrans commented that they would not support issuance of an encroachment permit for this Project, as doing so would provide no benefit to the State. In response to comments received during the public review process of the Draft EIR, including, but not limited to, comments made by responsible agencies, the proposed Project needed to be modified from that proposed in the Draft EIR in order to reduce the total disturbed area of the Project site including the grading within the Caltrans right-of-way. Implementation of the Project would be impossible without the Caltrans encroachment permit. In response to these Caltrans comments, the proposed Project was modified in the Final EIR to eliminate grading within the Caltrans right-of-way and reduce the amount of site preparation and grading to accommodate the development Project. These modifications would reduce the size of the Project and lessen the amount of site work and potential environmental impacts.

The scope of SUB 18-0005 was therefore modified to the following elements:

- Certification of a Final EIR for development of the full Project site (north and south). The Final EIR identified reasonably foreseeable environmental impacts of the whole action (i.e. full build-out of the north and south portions) and recommended mitigation measures and alternatives to avoid or reduce those impacts, on the principle that the EIR process should examine all phases of the Project, rather than piecemealing individual parts viewed and analyzed separately.

- A General Plan Amendment to change the designation of the full Project site from Office (O) to Urban III (U3), to allow a multi-family residential development with density of at least 12.6 units/acre and not more than 18 units/acre.

- A Rezone to change the zoning classification of the full Project site from Residential Estates (RE-20; minimum 20,000-SF lot size) to Planned Development-Residential (PD-R-18; maximum 18 units/acre).

- A Tentative Subdivision Map for only the north portion to accommodate 37 townhomes.

- A Master and Precise Development Plan for only the north portion; to allow open space, guest parking, and building height standards deviating from those required for the Medium Multiple Residential zone (or R-3, the zoning classification generally associated with the U3 General Plan designation).

- A Grading Exemption for one cut slope plus soil nail retaining wall (located near the northwest corner of the north portion), exceeding the 20' height limit described in the City of Escondido Grading Ordinance.

- A Specific Alignment Plan for Nutmeg Street and Centre City Parkway, for street design deviating from typical City standards.

On November 20, 2019, City Council voted to approve SUB 18-0005 and adopt the Final EIR.

On June 9, 2020, the applicant submitted a new application (SUB 20-0007) for approvals for development of the south portion of Nutmeg Homes, including the following:

- A new Tentative Subdivision Map for only the south portion, to accommodate 97 townhomes (bringing the total for Nutmeg Homes to 134).

- A new Master Development Plan and Precise Development Plan for the south portion, including development standards for building height, fence height, and monument sign size that deviate from those of the R-3 zone.

- A Grading Exemption for a retaining wall up to 36 feet in height, along the west and south sides of the south portion. This retaining wall would enable the project to limit development to the project site, with no encroachment onto the Caltrans right-of-way.

The General Plan Amendment, Rezone, Specific Alignment Plan, and EIR approved under SUB 18-0005 covers the full project site (i.e. north and south portions). No further action is required for these components of the project.

FISCAL ANALYSIS:

The proposed Project is private development that will require the payment of development fees in effect at the time permits are requested.

Additionally, the Applicant/Owner has signed a "Letter of Intent to Offset and Fund Ongoing Public Services" to agree to enter into Community Facilities District (CFD) No. 2020-1. A condition of approval has been included to reflect the Applicant's submission of the letter of intent and interest to annex the Project into the CFD. Based on the adopted Resolution, the subject property falls under the "Category 2" rate at $743.00 per unit per year through June 30, 2021. This rate reflects the overall project density of 17.9 units/acre for the north and south portions combined), though the CFD will apply only to the 97 units on the south portion, since the development of the north portion was approved prior to May 13, 2020. Based on a 97-unit development, the current estimated annual amount for ongoing services is $72,071.00, subject to annual adjustments.

PLANNING COMMISSION RECOMMENDATION:

On October 13, 2020, the Planning Commission voted 5-0 to recommend that the City Council approve the series of actions related to the Project, based upon the findings and conditions of approval contained within the Planning Commission staff report. The Planning Commission attached an additional condition of approval to the Project, as follows:

> "An eight (8) foot tall noise wall shall be installed at the southwest side of the recreation area on the south portion, as shown on Figure 4.10-5 of the Final Environmental Impact Report (EIR) and described in Mitigation Measure MM NOI-1, unless a subsequent environmental review is conducted pursuant to CEQA that deems the wall no longer to be necessary, and a requisite environmental document is prepared and adopted by the decision-making body."

This noise wall was required as a mitigation measure for the project in the Final EIR adopted on November 20, 2019, but was omitted on the plans for SUB 20-0007. The applicant provided a revised noise study that indicated that a wall was no longer necessary next to the recreation area due to the placement of a noise/fire wall along the top of the retaining wall at the west and south borders of the site. However, because the original mitigation measure in the Final EIR was specific as to where the noise wall should be placed, this condition of approval is recommended to ensure that the wall is installed in the original location or that subsequent CEQA analysis (such as an Addendum to the EIR) is performed to modify or delete the original mitigation measure.

The Planning Commission also voted to modify a condition of approval that would have required the applicant to construct all 37 north portion units before obtaining certificates of occupancy for more than 91 units on the south portion. Since the applicant is unsure at this time if Nutmeg Homes will be constructed in phases or all at once, this condition was recommended to prevent a scenario where the south portion was developed at a density greater than 18 units per acre while the north portion

remained vacant. The modification as approved by the Planning Commission keeps the spirit of the condition intact, but allows the final six (6) certificates of occupancy for the south portion to be released as long as building permits have been issued and development fees have been paid for all units on the north portion.

The new condition of approval concerning the noise wall is included in the "Condition Added by the Planning Commission at 10/13/20 Public Hearing" section of Exhibit C to Resolution 2020-152, and the modified condition concerning development timing is included as #10 in the "Master and Precise Development Plan" section of the same exhibit. The Recommendation section of this report reflects the full Planning Commission recommendation.

Written and oral testimony was provided to the Planning Commission at their meeting on October 13, 2020. Two (2) comments were submitted through the public comment submission form on the City website in advance of the meeting, and were read by the Minutes Clerk during the meeting. The first comment was from a local citizen, who declined to take a position on the project, but asked a number of questions about the project design (particularly road design). Some of the questions included were addressed during staff's presentation and the subsequent discussion, and the commenter was able to communicate with staff directly via email for additional information. The second comment was received by a development professional who expressed approval for the project, on the basis that it would add housing and spur development at the north end of Escondido.

The Planning Commission staff report and draft Planning Commission meeting minutes are provided in Attachments 1 and 2, respectively. The meeting minutes provide detailed comments from the speakers and Commissioners.

PREVIOUS ACTION:

On November 20, 2019, City Council voted to approve SUB 18-0005 and ENV 18-0005. This approval included a General Plan Amendment and Rezone for the full project site (north and south portions); a Master and Precise Development Plan, Tentative Subdivision Map, and Grading Exemption for the north portion only; a Specific Alignment Plan for Nutmeg Road and Centre City Parkway; and adoption of a Final EIR for the development of the full project site.

ANALYSIS:

General Plan

Approval of SUB 18-0005 amended the General Plan designation of the full project site (north and south) from Office (O) to Urban III (U3), allowing a maximum density of 18 units per acre, and a minimum density of 12.6 units per acre. Approval of SUB 18-0005 also changed the zoning designation of the full project site from RE-20 (Residential Estates Zone; 20,000 SF minimum lot size)

to PD-R-18 (Planned Development- Residential Zone; maximum 18 units/acre), to align with the new General Plan designation.

Under SUB 18-0005, the 2.43-acre north portion was approved for 37 units, for a density of 15.2 units per acre. The 5.07-acre south portion would be developed with 97 units, for a density of 19.1 units per acre. Under the Planned Development Ordinance (Article 19 of the Escondido Zoning Code), residential planned developments may, and are encouraged to, depart from standard subdivision and housing design provided the overall residential density yield conforms with city policy and shall be governed by the residential density set forth in the General Plan. The combined density for the full Project would be 17.9 units per acre, which falls within the acceptable range for the U3 designation.

The applicant is unsure at this time if the Nutmeg Homes Project would be constructed in phases, or all at once. A proposed condition of approval states that if the south portion is developed first, certificates of occupancy shall be issued for units on the south portion only until the 18 units/acre maximum is reached. At that point, development of the north portion would need to be completed before the remaining six (6) certificates of occupancy could be issued for the south portion. This condition will prevent a scenario where the south portion is developed at a density greater than 18 units per acre while the north portion remains vacant.

Building Design, Open Space, and Amenities

In the south portion of Nutmeg Homes, 48 of the proposed 97 units would utilize a “villa” floor plan. Of these 48 units, 16 would contain two (2) bedrooms and would have approximately 1,104 square feet of living space, while the other 32 would contain three (3) bedrooms and approximately 1,339 square feet of living space. All villa units would have three (3) stories, with a two (2) car garage and foyer on the ground level; a kitchen, great room, half-bath, and private deck on the second level; and bedrooms, additional bathrooms, and laundry on the third level. (All units previously approved for the north portion under SUB 18-0005 will incorporate the same villa floor plans as described here.)

The remaining 49 units on the south portion would utilize four (4) “rowhome” plans. Rowhomes would range in size from 1,210 SF to 1,950 square feet, and would contain either two (2) or three (3) bedrooms, and two (2) to three (3) bathrooms. Most rowhomes would have three (3) stories, but twelve units adjacent to Nutmeg Street and Centre City Parkway would have two (2) stories. The three (3)-story rowhome units would follow a similar format to the villas, with garage and foyer on the ground level, kitchen and gathering spaces on the middle level, and bedrooms on the upper level; however, the largest plan (Plan 4) would also include a den on the ground level. The two (2)-story rowhome units would place the kitchen, living room, and dining room on the ground floor with the garage, and bedrooms and a loft area on the upper level.

The exterior design of the townhomes on the south portion would match that of the previously approved north portion. A neutral color palette would be used, with variation in materials for visual interest. Primary wall materials would be stucco and siding, in Toque White (off-white), Versatile

Gray (light gray), Keystone Gray (medium gray/tan) and Carriage Door (red/brown). Stone accent walls would be included at ground level for all buildings, primarily at the front doors of most units. Deck railings would be painted in Well-Bred Brown (dark brown), and some windows would include shutters, which would be painted in Oakmoss (olive green). Flat tile roofing in a dark brown shade would also be included. All proposed colors are by Sherwin-Williams, stone veneer is by Coronado Stone, and roofing is by Eagle Roofing. Since the provided plans do not call out a color scheme for eaves, window frames, front doors, or garage doors, General Condition of Approval #2 also requires that these features be painted to match or coordinate with other parts of the building.

The townhome buildings would vary in height from 34 feet, 11 inches to 39 feet at their highest points. If this were a standard multi-family development in the R-3 zone, the height limit would be 35 feet for all buildings. Therefore, a request for a deviation from the typical building height standards is included as part of the Project's Master and Precise Development Plan proposal.

Each townhome in the Project would enjoy private open space in the form of a deck or balcony, ranging in size from 51 to 100 SF. Common areas previously approved for the north portion would include a small park with spa, seating area, and exercise station. The south portion would offer additional social and recreational activities, in the form of a tot lot, picnic area with barbeque and overhead shading, grassy play areas, bench seating, and four exercise stations.

Grading, Fencing, and Landscaping

Development of the south portion would involve approximately 611 cubic yards of cuts, but approximately 154,668 cubic yards of fill, since most of the site is positioned at a lower elevation than Nutmeg Street and Centre City Parkway. To accommodate this large amount of fill material while preventing encroachment into the Caltrans right-of-way, the Project design for the south portion includes a geogrid retaining wall along the west and south sides of the site. This wall would consist of two tiers separated by an approximately five (5)-foot-wide landscaped bench. The total height of the wall (from the base of the lower tier to the top of the upper tier) is not expected to exceed 36 feet, and the base of the wall would be set back a minimum of three (3) feet from the property line. For safety purposes, a cable-railing fence would be installed along the edge of both tiers.

An eight (8)-foot-tall fire wall would be installed near the top of the retaining wall, as called for in the Fire Protection Plan included as Appendix E-1 in the Final Environmental Impact Report. This fire wall would be set back approximately five (5) feet from the edge of the upper tier of the retaining wall. (A similar fire wall would be installed along the west and north sides of the north portion of the development, as approved under SUB 18-0005.)

The Project proposes to install tubular steel fencing around bioretention basins, as well as along a portion of the Nutmeg Street frontage (within the front setback). A six (6)-foot-tall, split face block wall would be located along the Centre City Parkway frontage (within the street side setback). Per the Miscellaneous Development Standards (Article 56) in the Escondido Zoning code, multi-family

districts typically do not allow a solid, six (6)-foot wall in any setback adjacent to a street, though fencing of this height is allowed if the top three (3) feet are comprised of an open material, such as wrought iron. The applicants believe that a fully solid fence is appropriate along this frontage because it will enhance privacy and will be in scale with the height of the townhome buildings (which will be two to three stories and up to 39 feet tall). Furthermore, street trees and additional landscaping would be planted on the outer (public) side of the wall to enhance its appearance from Centre City Parkway. Therefore, a request for a deviation from the typical wall height standards is included as part of the Project's Master and Precise Development Plan proposal.

The Project also proposes to install a monument sign at the northeast corner of the site (visible from the Nutmeg/Centre City intersection) to identify the development name. This sign would consist of letters attached to a six (6)-foot-tall stone wall, which would tie into the above-described perimeter fencing. The stone used for this wall would be selected to coordinate with the stone elements on the townhome buildings. Per the City's Sign Ordinance (Article 66 of the Escondido Zoning Code), developments of at least 16 units are permitted one monument sign per project entrance, though that sign is limited to a height of three (3) feet when located within a required setback area. The applicants believe a six (6)-foot sign is appropriate in this area for visibility, and to coordinate with the perimeter fencing of the same height. Therefore, a request for a deviation from the typical sign standards is included as part of the Project's Master and Precise Development Plan proposal.

A conceptual landscape plan has been submitted for the Project, showing a range of trees, shrubs, grasses, and groundcovers to be planted throughout the site. The five (5)-foot-wide retaining wall bench would be planted with low shrubs and vines to cover the exposed faces of the wall. Street trees would be provided along the Nutmeg and Centre City frontages, at a rate of at least one (1) tree per 30 feet of frontage. The Project has been conditioned to require a formal landscape package submittal at the time of grading submittal, at which point more refined details about plantings and irrigation will be provided, including evidence that the Project meets water efficiency standards set forth by the State of California's Model Water Efficiency Landscape Ordinance.

Project Access and Street Improvements

Access to the south portion of the Project site would be via a 24'-wide, ungated driveway on Nutmeg Street. A secondary, gated, emergency-only access driveway would be provided on Centre City Parkway.

The previous approval of the north portion development under SUB 18-0005 included a Specific Alignment Plan to realign Nutmeg Street and Centre City Parkway for increased traffic safety. Additionally, numerous improvements were approved for both of these streets that would benefit the full Project site, as well as surrounding neighborhoods. These improvements are summarized below.

Currently, the Centre City Parkway right-of-way is 200 feet wide. A 58'-wide vacation along the west side of the right-of-way would add 0.97 acre to the overall Project site (0.16 on the north portion, and

0.81 on the south portion), and would reduce the right-of-way width to 142 feet. A five (5) foot wide sidewalk, six (6) inch curb, and gutter would be constructed along the Centre City frontage for both the north and south portions of the Project site. On the east side of the street, grading of a sloped area within the right-of-way would be included to make room for future street improvements on this side (though specific improvements to the east side of the street are not proposed under this Project). The northbound side of Centre City Parkway would continue to have a dedicated left-turn lane onto Nutmeg as well as a through lane. For the southbound side of Centre City Parkway, a dedicated right-turn lane (onto Nutmeg) would be constructed, and a dedicated left-turn lane (onto Coyote Hill) would be striped. A traffic signal would be installed at the Nutmeg/Centre City intersection. For Centre City Parkway, a portion of the street section would be replaced by the applicant in the process of making these improvements (the potion to be replaced would be the west half and twelve (12) feet of the east half).

For Nutmeg Street, which is curved in the portion that passes the Project site, the existing right-of-way (which varies in width) would be widened and realigned slightly to increase the turning radius, to enhance traffic safety. These activities would require small dedications and vacations of right-of-way, in various places along the Project frontage, as shown on the Tentative Subdivision Map. A five (5) foot wide sidewalk, six (6) inch curb, gutter, and five (5) foot to six (6) foot bicycle lane would be installed along each side of Nutmeg. Left-turn pockets would also be provided at the intersection of Nutmeg and the main Project entrance, to prevent motorists from blocking moving traffic while waiting for an opportunity to enter either the north or the south portion of the site. For Nutmeg, the entire street section would be replaced by the applicant in the process of making these improvements.

One mitigation measure included in the EIR would make improvements to the segment of Nutmeg Street between Country Club Lane and Via Alexandra, which is not adjacent to the development site but is expected to experience traffic impacts as a result of the Project. These improvements would widen the roadway to provide for a 14'-wide southbound lane with curb, gutter, and sidewalk, to be designed a green streets facility. The improvements would include removal and reconstruction of existing driveways to private driveway standards, and a parking restriction along the improved section, to the satisfaction of the City Engineer. A separate mitigation measure would require installation of a traffic signal at the Nutmeg/Country Club intersection, as well as restriping the southbound approach to create a shared left-turn/through lane and a dedicated right-turn lane. The mitigation measures described in this paragraph were also imposed on The Villages Project at the former Escondido Country Club site, with the understanding that whichever project reached its "trigger point" first would be responsible for completing the improvements (for Nutmeg Homes, the trigger point is first unit occupancy). Since The Villages is already under construction and on track to complete the street and signal improvements, it is likely Nutmeg Homes will need to.

ENVIRONMENTAL REVIEW:

A Final EIR for the full Project (north and south portions) was adopted by City Council on November 20, 2019 (State Clearinghouse No. 2018081063). The Final EIR includes mitigation measures to

reduce the potential for adverse impacts related to biological resources, cultural resources, hazards and hazardous materials, noise, and traffic and transportation.

The action to approve the Tentative Subdivision Map, Master and Precise Development Plan, and Grading Exemption for the south portion of the Project would be adequately covered by the Final EIR as previously certified. In-depth environmental review has already occurred, the time for challenging the sufficiency of the original EIR has long since expired, and none of the circumstances have changed enough to justify repeating a substantial portion of that CEQA process. No further documentation is required, pursuant to CEQA Guidelines Section 15162(a).

PUBLIC INPUT:

A number of public input opportunities for Nutmeg Homes took place in 2018 and 2019 in relation to the Project's EIR, which analyzed the impacts of developing the entire Project site (north and south portions). On August 29, 2018, a Notice of Preparation (NOP) and Initial Study were distributed for the Project in compliance with CEQA, to inform the public that an EIR was determined to be the appropriate format for analysis of Project-related environmental impacts. Six comments were submitted from state and local agencies and from a private citizen in response to the NOP; these comments and responses were included within the Draft EIR for the Project.

A public scoping meeting was held on September 6, 2018, to give attendees the opportunity to learn more about the Project and provide input on topics they believed should be addressed during the environmental review process for the Project. Concerns about drainage, the adequacy of guest parking within the development, and traffic safety on surrounding streets were raised during this meeting. The EIR that was later produced included analyses of hydrology and traffic issues, among others.

A Draft Environmental Impact Report (EIR) was prepared for the Project and circulated for a 45-day public review from May 10, 2019, through June 24, 2019. Six comments from state and local agencies were received during this review period, and responses to those comments were incorporated into the Final EIR.

In advance of the Planning Commission hearing on October 13, 2020, hearing notices were sent to nine (9) neighbors within a 500-foot radius of the Project site, and a notice was published in the Escondido Times-Advocate and posted at the Escondido Public Library. As noted previously in this report, two members of the public provided comments on the Project that were read by the Minutes Clerk during the hearing.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Mike Strong, Director of Community Development
11/10/20 1:39 p.m.

ATTACHMENTS:

1. Attachment 1 – Planning Commission Staff Report (October 13, 2020)
2. Attachment 2 – Planning Commission Hearing Minutes (October 13, 2020)
3. Resolution No. 2020-152
4. Resolution No. 2020-152 – Exhibits A, B, and C
5. Ordinance No. 2020-30
6. Ordinance No. 2020-30 – Exhibit A

ESCONDIDO
City of Choice

ATTACHMENT 1

PLANNING COMMISSION

Agenda Item No.: G.1
Date: October 13, 2020

PROJECT NUMBER / NAME: SUB 20-0007 / Nutmeg Homes South

REQUEST: A Tentative Subdivision Map, Master Development Plan, Precise Development Plan, and Grading Exemption for the development of 97 townhomes on a 5.07-acre parcel on the south side of North Nutmeg Street, between North Centre City Parkway and Interstate-15. The land use development application of 37 townhomes on a 2.43-acre site on the north side of Nutmeg Street was approved by City Council in November of 2019. This project request represents the second phase of the overall entitlement request, bringing the total number of units in the development to 134. An Environmental Impact Report ("EIR") was adopted for the full project in accordance with the California Environmental Quality Act ("CEQA").

LOCATION: South side of North Nutmeg Street, between North Centre City Parkway and Interstate-15

APN / APNS: 224-260-23

GENERAL PLAN / ZONING: U-3 (Urban III) / PD-R-18 (Planned Development-Residential; 18 units/acre)

APPLICANT: Consultants Collaborative

PRIMARY REPRESENTATIVE: Jason Greminger

DISCRETIONARY ACTIONS REQUESTED: Tentative Subdivision Map, Master Development Plan, Precise Development Plan

PREVIOUS ACTIONS: SUB 18-0005 and ENV 18-0005

PROJECT PLANNER: Ann Dolmage, Associate Planner, adolmage@escondido.org

CEQA RECOMMENDATION: Final Environmental Impact Report- adopted by City Council on November 20, 2019 (State Clearinghouse No. 2018081063)

STAFF RECOMMENDATION: Recommend approval by the City Council, as conditioned

REQUESTED ACTION: Approve Planning Commission Resolution No. 2020-14

CITY COUNCIL HEARING REQUIRED: ☒ YES ☐ NO

REPORT APPROVALS: ☒ Mike Strong, Community Development Director

A. BACKGROUND:

On June 15, 2018, the applicant submitted an application to develop three (3) lots under common ownership with 134 townhome units, plus associated parking, landscaping, and recreational amenities (Case Number SUB 18-0005). The three lots covered by the request included two (2) lots on the north side of Nutmeg Street (APNs 224-260-46 and 224-260-47), referred to in this report as the "north portion," and one (1) lot on the south side of Nutmeg Street (APN 224-260-23), referred to herein as the "south portion." The proposal included requests for a General Plan Amendment, Rezone, Tentative Subdivision Map, and Master Development Plan. Subsequent to the initial filing on June 15, 2018, requests for a Precise Development Plan, Grading Exemption, and Specific Alignment Plan were added to the package. An Environmental Impact Report ("EIR") was prepared to analyze the impacts of the proposed development, and the draft version was available for public review from May 10 through June 24, 2019.

As initially proposed, the project would have involved extensive grading within the Caltrans right-of-way directly adjacent to Interstate-15. It also would have included a connection to a Caltrans-owned stormwater drain, and the establishment and maintenance of landscaped fuel modification zones, within that Caltrans right-of-way. During the course of reviewing the application material, Planning staff consulted with Caltrans and provided opportunities for them to review the application materials and submit comments. During this time, Caltrans reviewed the project's traffic study, and stressed the need for an encroachment permit and landscape maintenance agreement, but did not indicate that an encroachment permit was infeasible. However, during the public review period for the Draft EIR, Caltrans commented that they would not support issuance of an encroachment permit for this project, as doing so would provide no benefit to the State.

In response to comments received during the public review process of the Draft EIR, including, but not limited to, comments made by responsible agencies, the proposed project needed to be modified from that proposed in the Draft EIR in order to reduce the total disturbed area of the project site including the grading within the Caltrans right-of-way. Implementation of the project would be impossible without the Caltrans encroachment permit. In response to these Caltrans comments, the proposed project was modified in the Final EIR to eliminate grading within the Caltrans right-of-way and reduce the amount of site preparation and grading to accommodate the development project. These modifications would reduce the size of the project and lessen the amount of site work and potential environmental impacts.

The scope of the project for SUB 18-0005 therefore was modified for the Planning Commission public hearing, held on October 22, 2019. At that time, the applicants sought the following approvals:

- Certification of the Final EIR for development of the full project site (north and south portions, with the analysis assuming that 135 units would be constructed, as a "worst case" scenario).

- A General Plan Amendment to change the designation of both the north and south portions from Office (O) to Urban III (U3), to allow a multi-family residential development with density of at least 12.6 units/acre and not more than 18 units/acre.

- A Rezone to change the zoning classification of both the north and south portions from Residential Estates (RE-20; minimum 20,000-SF lot size) to Planned Development-Residential (PD-R-18; maximum 18 units/acre).

- A Tentative Subdivision Map for only the north portion to accommodate 37 townhomes.

- A Master and Precise Development Plan for only the north portion; to allow open space, parking, and building height standards that deviated from those required for the Medium Multiple Residential zone (or R-3, the zoning classification generally associated with the U3 General Plan designation).

- A Grading Exemption for one cut slope plus soil nail retaining wall, exceeding the 20' height limit described in the City of Escondido Grading Ordinance (affected slope is located near the northwest corner of the north portion, just inside a proposed fire wall discussed later in this report).

- A Specific Alignment Plan for Nutmeg Street and Centre City Parkway, for street design that deviates from typical City standards.

The subject application required City Council approval, with an advisory recommendation from the Planning Commission. Planning Commission voted to recommend approval of the above requests, based on the findings and conditions of approval in the staff report, with the addition of two new conditions of approval. The first new condition required the applicant to include one additional guest parking space to the north portion of the project on future grading, landscape, and construction submittals, bringing the total number of guest spaces on the north portion from nine (9) to ten (10), in conformity with parking standards for the R-3 zone. The second new condition required the project to provide enough open space across the entire site to conform to the minimum open space requirement for the R-3 zone. With the addition of these two conditions, only the proposed building heights deviated from standards typically required for the R-3 zone.

On November 20, 2019, City Council voted to approve the project and adopt the Final EIR.

The applicant now seeks separate approvals for development of the south portion of Nutmeg Homes under a new land use development application (Planning Case Number SUB 20-0007). These approvals include the following:

- A new Tentative Subdivision Map for only the south portion, to accommodate 97 townhomes (bringing the total for Nutmeg Homes to 134).

- A new Master Development Plan and Precise Development Plan for the south portion to incorporate it into the overall project.

- A Grading Exemption for a retaining wall up to 36 feet in height, along the west and south sides of the south portion. This retaining wall would enable the project to limit development to the project site, with no encroachment onto the Caltrans right-of-way.

The General Plan Amendment, Rezone, Specific Alignment Plan, and EIR approved under SUB 18-0005 covers the full project site (i.e. north and south portions). No further action is required for these components of the project.

B. PROJECT ANALYSIS:

1. General Plan / Zoning

Approval of SUB 18-0005 amended the General Plan designation of the full project site (north and south) from Office (O) to Urban III (U3), allowing a maximum density of 18 units per acre, and a minimum density of 12.6 units per acre. Approval of SUB 18-0005 also changed the zoning designation of the full project site from RE-20 (Residential Estates Zone; 20,000 SF minimum lot size) to PD-R-18 (Planned Development-Residential Zone; maximum 18 units/acre), to align with the new General Plan designation.

Under SUB 18-0005, the 2.43-acre north portion was approved for 37 units, for a density of 15.2 units per acre. The 5.07-acre south portion would be developed with 97 units, for a density of 19.1 units per acre. Under the Planned Development Ordinance (Article 19 of the Escondido Zoning Code), residential planned developments may, and are encouraged to, depart from standard subdivision and housing design provided the overall residential density yield conforms with city policy and shall be governed by the residential density set forth in the General Plan. The combined density for the full project would be 17.9 units per acre, which falls within the acceptable range for the U3 designation.

The applicant is unsure at this time if the Nutmeg Homes project would be constructed in phases, or all at once. A proposed condition of approval states that if the south portion is developed first, certificates of occupancy shall be issued for units on the south portion only until the 18 units/acre maximum is reached. At that point, development of the north portion would need to be completed before the remaining six (6) certificates of occupancy could be issued for the south portion. This condition will prevent a scenario where the south portion is developed at a density greater than 18 units per acre while the north portion remains vacant.

2. Development Standards:

The table below contains development standards proposed for the south portion of Nutmeg Homes. Information on the development standards previously approved for the north portion is also provided, as well as standards for the R-3 Zone (Medium Multiple Residential Zone), which is typically associated with the U3 land use designation of the General Plan.

	Proposed Standards for South Portion	**Approved Standards for North Portion (under SUB 18-0005)**	**Zoning Code Development Standards for R-3** **(Multifamily zone with density comparable to project)**
Setbacks	Front: 15’ Side (interior/west): 25.3’ Side (street/east): 10’ Rear: 62’	Front: 15’ Side (interior/west): 23.4’ Side (street/east): 30’ Rear: 10’	Front: 15’ Side (interior): 5’ for first two floors; 10’ for third floor Side (street): 10’ Rear: 10’
Height Limit	Buildings range from 34’11” to 39’ at highest points. All buildings will be three stories.	Buildings range from 34’11” to 39’ at highest points. All buildings will be three stories.	35’ and three stories maximum. (General Plan limits heights to 2-4 stories for the U3 designation; no specific height limit or measurement noted.)
Floor Area Ratio	0.62	0.45	0.7
Parking	2-bedroom units: • 2 spaces provided per unit (56 spaces for 28 units) • All spaces would be covered (private garages) 3-bedroom units: • 2 spaces provided per unit (138 spaces for 69 units) • All spaces would	2-bedroom units: • 2 spaces provided per unit (18 spaces for 9 units) • All spaces would be covered (private garages) 3-bedroom units: • 2 spaces provided per unit (56 spaces for 28 units) • All spaces would be covered (private garages	2-bedroom units: • 1.75 spaces required per unit • At least one space per unit must be covered 3-bedroom units: • 2 spaces required per unit • At least one space per unit must be covered

	Proposed Standards for South Portion	Approved Standards for North Portion (under SUB 18-0005)	Zoning Code Development Standards for R-3 (Multifamily zone with density comparable to project)
	be covered (private garages Guest parking: • 25 spaces provided • All guest spaces would be uncovered Total parking provided for south portion: 219 (194 resident spaces and 25 guest spaces)	Guest parking: • 9 spaces provided • All guest spaces would be uncovered Total parking provided for north portion: 83 (74 resident spaces and 9 guest spaces)	Guest parking: • 1 space required per 4 units or fraction thereof Total parking required for full project (north and south): 258 resident spaces and 34 guest spaces
Usable Open Space (per definition in Section 33-108 of Zoning Code)	Usable open space provided: 87,779 SF	Usable open space provided: 26,135 SF	600 SF per 2-bedroom unit (37 units = 22,200 SF) 800 SF per 3-bedroom unit (97 units = 77,600 SF) Total usable open space required for full project: 99,800 SF

3. Design Review

The staff design review committee reviewed the proposed project on June 26, 2020. Because the townhome buildings on the south portion would match those previously approved for the north portion in terms of color palette, building materials, and overall appearance, revisions to building design were not made via the design review process (more details on building design are provided below). The design review committee did request contouring for the retaining wall to soften its appearance, which was added in subsequent resubmittals.

4. Residential Floor Plans

Two (2) "villa" floor plans were approved for the 37 units on the north portion: nine (9) units containing two (2) bedrooms and 2.5 bathrooms, and 28 units with three (3) bedrooms and 2.5 bathrooms. The smaller villa floor plan would contain 1,104 SF of living space, while the larger would contain 1,339 SF of living space. All villas would have three (3) stories, with a two (2) car garage and foyer on the ground level; a kitchen, great room, half-bath, and private deck on the second level; and bedrooms, additional bathrooms, and laundry on the third level.

In the south portion, 48 of the proposed 97 units would utilize the same villa floor plans as the north portion. Of these 48 units, 16 would utilize the two (2)-bedroom plan and 32 would utilize the three (3)-bedroom plan.

The remaining 49 units on the south portion would utilize four (4) "rowhome" plans. Rowhomes would range in size from 1,210 SF to 1,950 square feet, and would contain either two (2) or three (3) bedrooms, and two (2) to three (3) bathrooms. Most rowhomes would have three (3) stories, but twelve units adjacent to Nutmeg Street and Centre City Parkway would have two (2) stories. The three (3)-story rowhome units would follow a similar format to the villas, with garage and foyer on the ground level, kitchen and gathering spaces on the middle level, and bedrooms on the upper level; however, the largest plan (Plan 4) would also include a den on the ground level. The two (2)-story rowhome units would place the kitchen, living room, and dining room on the ground floor with the garage, and bedrooms and a loft area on the upper level.

5. Residential Exterior Building Design

As shown on the site plan for the project, the proposed townhome units would be grouped in clusters of two (2) to six (6) units. These clusters are labeled as follows:

- Villa Building A – six (6) units per building; six (6) buildings proposed
- Villa Building C – three (3) units per building; four (4) buildings proposed
- Rowhome Building A – four (4) units per building; 11 buildings proposed
- Rowhome Building B – five (5) units per building; one (1) building proposed

The exterior design of the townhomes on the south portion would match that of the previously approved north portion. A neutral color palette would be used, with variation in materials for visual interest. Primary wall materials would be stucco and siding, in Toque White (off-white), Versatile Gray (light gray), Keystone Gray (medium gray/tan) and Carriage Door (red/brown). Stone accent walls would be included at ground level for all buildings, primarily at the front doors

of most units. Deck railings would be painted in Well-Bred Brown (dark brown), and some windows would include shutters, which would be painted in Oakmoss (olive green). Flat tile roofing in a dark brown shade would also be included. All proposed colors are by Sherwin-Williams, stone veneer is by Coronado Stone, and roofing is by Eagle Roofing. Since the provided plans do not call out a color scheme for eaves, window frames, front doors, or garage doors, General Condition of Approval #2 also requires that these features be painted to match or coordinate with other parts of the building.

6. Grading, Retaining Wall, and Fencing

Development of the south portion would involve approximately 611 cubic yards of cuts, but approximately 154,668 cubic yards of fill, since most of the site is positioned at a lower elevation than Nutmeg Street and Centre City Parkway. To accommodate this large amount of fill material while preventing encroachment into the Caltrans right-of-way, the project design for the south portion includes a geogrid retaining wall along the west and south sides of the site. This wall would consist of two tiers separated by an approximately five (5)-foot-wide landscaped bench. The total height of the wall (from the base of the lower tier to the top of the upper tier) is not expected to exceed 36 feet, and the base of the wall would be set back a minimum of three (3) feet from the property line. For safety purposes, a cable-railing fence would be installed along the edge of both tiers.

An eight (8)-foot-tall fire wall would be installed near the top of the retaining wall, as called for in the Fire Protection Plan included as Appendix E-1 in the Final Environmental Impact Report. This fire wall would be set back approximately five (5) feet from the edge of the upper tier of the retaining wall. (A similar fire wall would be installed along the west and north sides of the north portion of the development, as approved under SUB 18-0005.)

The project proposes to install tubular steel fencing around bioretention basins, as well as along a portion of the Nutmeg Street frontage (within the front setback). A six (6)-foot-tall, split face block wall would be located along the Centre City Parkway frontage (within the street side setback). Per the Miscellaneous Development Standards (Article 56) in the Escondido Zoning code, multi-family districts typically do not allow a solid, six (6)-foot wall in any setback adjacent to a street, though fencing of this height is allowed if the top three (3) feet are comprised of an open material, such as wrought iron. The applicants believe that a fully solid fence is appropriate along this frontage because it will enhance privacy and will be in scale with the height of the townhome buildings (which will be two to three stories and up to 39 feet tall). Furthermore, street trees and additional landscaping would be planted on the outer (public) side of the wall to enhance its appearance from Centre City Parkway. Therefore, a request for a deviation from the typical wall height standards is included as part of the project's Master and Precise Development Plan proposal.

The project also proposes to install a monument sign at the northeast corner of the site (visible from the Nutmeg/Centre City intersection) to identify the development name. This sign would consist of letters attached to a six (6)-foot-tall stone wall, which would tie into the above-described perimeter fencing. The stone used for this wall would be selected to coordinate with the stone elements on the townhome buildings. Per the City's Sign Ordinance (Article 66 of the Escondido

Zoning Code), developments of at least 16 units are permitted one monument sign per project entrance, though that sign is limited to a height of three (3) feet when located within a required setback area. The applicants believe a six (6)-foot sign is appropriate in this area for visibility, and to coordinate with the perimeter fencing of the same height. Therefore, a request for a deviation from the typical sign standards is included as part of the project's Master and Precise Development Plan proposal.

7. Amenities and Landscaping

Each townhome in the project would enjoy private open space in the form of a deck or balcony, ranging in size from 51 to 100 SF. Common areas previously approved for the north portion would include a small park with spa, seating area, and exercise station. The south portion would offer additional social and recreational activities, in the form of a tot lot, picnic area with barbeque and overhead shading, grassy play areas, bench seating, and four exercise stations.

A conceptual landscape plan has been submitted for the project, showing a range of trees, shrubs, grasses, and groundcovers to be planted throughout the site. The five (5)-foot-wide retaining wall bench would be planted with low shrubs and vines to cover the exposed faces of the wall. Street trees would be provided along the Nutmeg and Centre City frontages, at a rate of at least one (1) tree per 30 feet of frontage. The project has been conditioned to require a formal landscape package submittal at the time of grading submittal, at which point more refined details about plantings and irrigation will be provided, including evidence that the project meets water efficiency standards set forth by the State of California's Model Water Efficiency Landscape Ordinance.

8. Project Access, Street Design, and Improvements

Access to the south portion of the project site would be via a 24'-wide, ungated driveway on Nutmeg Street. A secondary, gated, emergency-only access driveway would be provided on Centre City Parkway.

The previous approval of the north portion development under SUB 18-0005 included a Specific Alignment Plan to realign Nutmeg Street and Centre City Parkway for increased traffic safety. Additionally, numerous improvements were approved for both of these streets that would benefit the full project site, as well as surrounding neighborhoods. These improvements are summarized below.

Currently, the Centre City Parkway right-of-way is 200 feet wide. A 58'-wide vacation along the west side of the right-of-way would add 0.97 acre to the overall project site (0.16 on the north portion, and 0.81 on the south portion), and would reduce the right-of-way width to 142 feet. A five (5) foot wide sidewalk, six (6) inch curb, and gutter would be constructed along the Centre City frontage for both the north and south portions of the project site. On the east side of the street, grading of a sloped area within the right-of-way would be included to make room for future street improvements on this side (though specific improvements to the east side of the street are not proposed under this project). The northbound side of Centre City Parkway would continue to have a dedicated left-turn lane onto Nutmeg as well as a through lane. For the southbound side of Centre City Parkway, a dedicated right-turn lane (onto Nutmeg) would be constructed, and a

dedicated left-turn lane (onto Coyote Hill) would be striped. A traffic signal would be installed at the Nutmeg/Centre City intersection. For Centre City Parkway, a portion of the street section would be replaced by the applicant in the process of making these improvements (the potion to be replaced would be the west half and twelve (12) feet of the east half).

For Nutmeg Street, which is curved in the portion that passes the project site, the existing right-of-way (which varies in width) would be widened and realigned slightly to increase the turning radius, to enhance traffic safety. These activities would require small dedications and vacations of right-of-way, in various places along the project frontage, as shown on the Tentative Subdivision Map. A five (5) foot wide sidewalk, six (6) inch curb, gutter, and five (5) foot to six (6) foot bicycle lane would be installed along each side of Nutmeg. Left-turn pockets would also be provided at the intersection of Nutmeg and the main project entrance, to prevent motorists from blocking moving traffic while waiting for an opportunity to enter either the north or the south portion of the site. For Nutmeg, the entire street section would be replaced by the applicant in the process of making these improvements.

One mitigation measure included in the EIR would make improvements to the segment of Nutmeg Street between Country Club Lane and Via Alexandra, which is not adjacent to the development site but is expected to experience traffic impacts as a result of the project. These improvements would widen the roadway to provide for a 14'-wide southbound lane with curb, gutter, and sidewalk, to be designed a green streets facility. The improvements would include removal and reconstruction of existing driveways to private driveway standards, and a parking restriction along the improved section, to the satisfaction of the City Engineer. A separate mitigation measure would require installation of a traffic signal at the Nutmeg/Country Club intersection, as well as restriping the southbound approach to create a shared left-turn/through lane and a dedicated right-turn lane.

9. Fiscal Analysis

The Applicant/Owner has signed a "Letter of Intent to Offset and Fund Ongoing Public Services" to agree to enter into Community Facilities District (CFD) No. 2020-01. This letter is provided as Attachment 2 to this staff report. Therefore, a condition has been added to the Conditions of Approval, Exhibit "C" of Resolution No. 2020-14, to reflect the Applicant's submission of the letter of intent and interest to annex the Project into the CFD. Based on the adopted Resolution, the subject property falls under the "Category 2" rate at $743.00 per unit per year through June 30, 2021. This rate reflects the overall project density of 17.9 units/acre for the north and south portions combined), though the CFD will apply only to the 97 units on the south portion, since the development of the north portion was approved prior to May 13, 2020. Based on a 97-unit development, the current estimated annual amount for ongoing services is $72,071.00, subject to annual adjustments.

C. ENVIRONMENTAL STATUS:

A Final Environmental Impact Report ("Final EIR") for the full project (north and south portions) was adopted by City Council on November 20, 2019 (State Clearinghouse No. 2018081063). The

Final EIR includes mitigation measures to reduce the potential for adverse impacts related to biological resources, cultural resources, hazards and hazardous materials, noise, and traffic and transportation.

The action to approve the Tentative Subdivision Map, Master and Precise Development Plan, and Grading Exemption for the south portion of the project would be adequately covered by the Final EIR as previously certified. In-depth environmental review has already occurred, the time for challenging the sufficiency of the original EIR has long since expired, and none of the circumstances have changed enough to justify repeating a substantial portion of that CEQA process. No further documentation is required, pursuant to CEQA Guidelines Section 15162(a).

D. CONCLUSIONS:

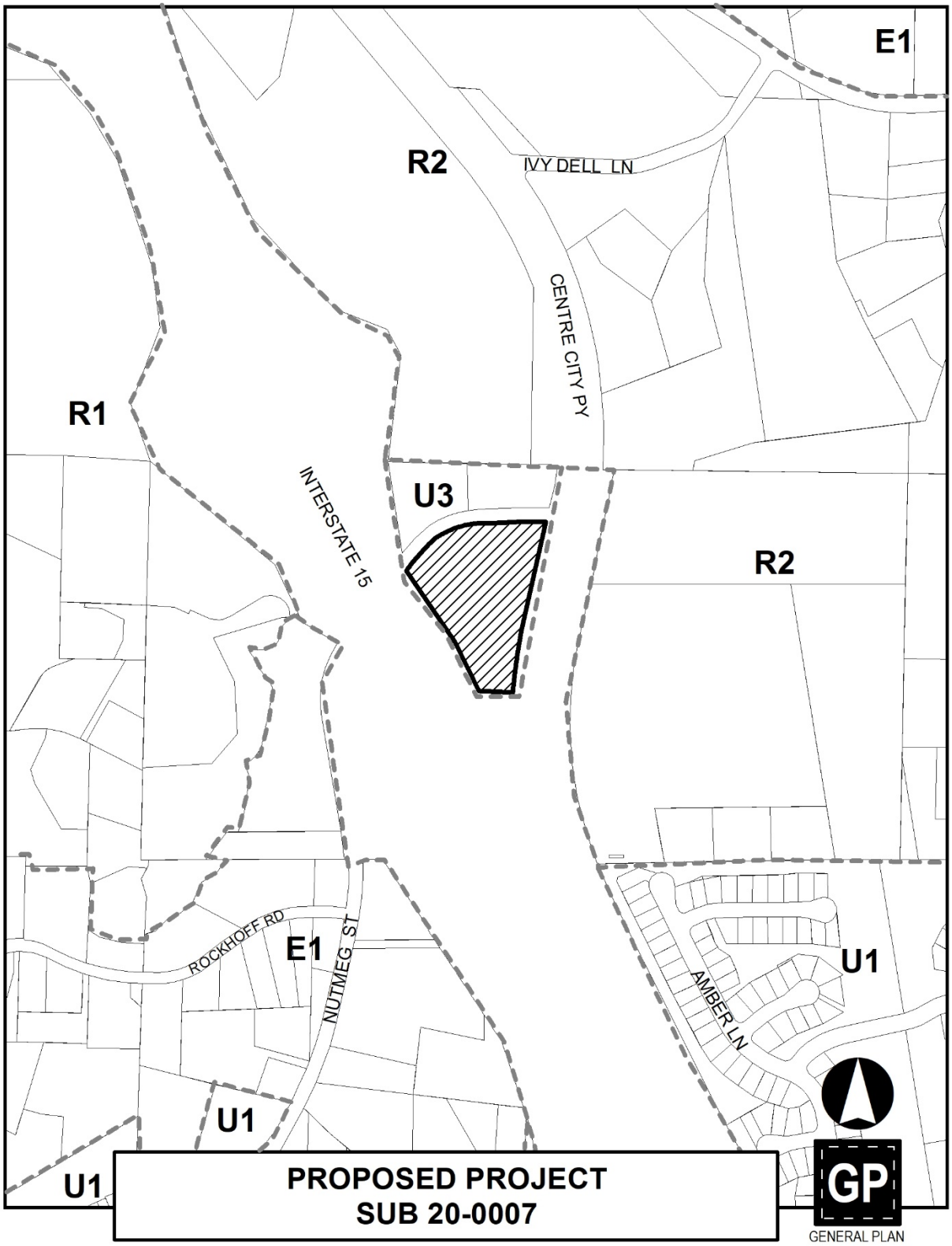
The Planning Commission is the authorized agency for granting discretionary approval of a Tentative Subdivision Map and Grading Exemption. However, the City Council is the authorized agency for granting approval of a Master and Precise Development Plan. When one concurrent application is filed for all of these approval types, the full project is brought to Planning Commission first for a recommendation on approval or denial, and is then brought to City Council for a final decision.

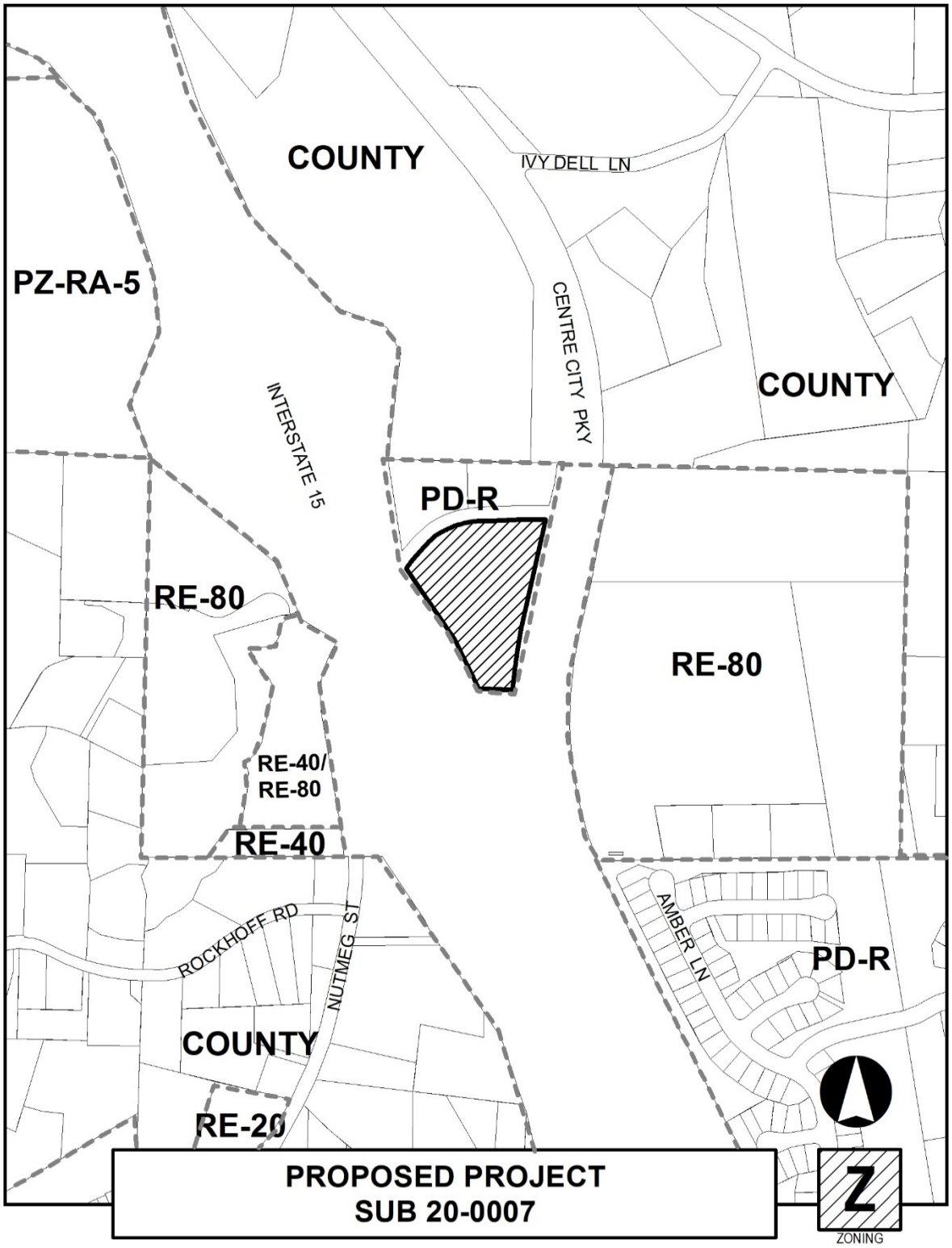
The proposed project is consistent with the General Plan, as well as with the development standards approved under the Master Development Plan. The project as proposed will not have a significant effect on the environment, as designed and conditioned. The Final EIR previously adopted on November 20, 2019, contains mitigation measures designed to minimize or eliminate possible significant environmental effects. The location, size, design, and operating characteristics of the proposed project will not be incompatible with adjacent land uses, and will not adversely affect or be materially detrimental to those uses. The site is suitable for the type and intensity of use or development which is proposed. Staff recommends that the Planning Commission recommend approval of Planning Case No. SUB 20-0007, based upon the factors/findings and conditions contained in the attached Planning Commission Resolution No. 2020-14 (Attachment 3).

ATTACHMENTS:

1. Location and General Plan Map
2. Letter of Intent to Offset and Fund Ongoing Public Services (signed September 17, 2020)
3. Resolution 2020-14

ATTACHMENT 1




COUNTY
IVY DELL LN
PZ-RA-5
CENTRE CITY PKY
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INTERSTATE 15
PD-R
RE-80
RE-80
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RE-40
ROCKHOFF RD
NUTMEG ST
AMBER LN
PD-R
COUNTY
RE-20
PROPOSED PROJECT
SUB 20-0007
Z
ZONING

ATTACHMENT 2

Letter of Intent to Offset and Fund Ongoing Public Services

The City of Escondido has determined that the cost to serve new residential development exceeds the revenue generated from such development. Therefore, in order to ensure new residents within the City continue to receive public services at their current level, each development will need to offset and fund ongoing public services costs required for the development. As one option, each new residential unit constructed within the City may annex into the Citywide Services Community Facilities District (CFD 2020-1), which has been created to fund municipal services associated with new residential development. If a development elects not to annex into CFD 2020-1, the development will need to demonstrate to the City how the development otherwise will offset and fund the ongoing public services costs required for the development.

CFD 2020-1 has established special tax rates for residential projects, which are provided in the following table:

Density Range	Less than 5.5 units/acre	5.5 to less than 18 units/acre	18 to less than 30 units/acre	30 or greater units/acre
General Plan Designation	Urban I Suburban Estate I / II Rural I / II	Urban II Urban III	Urban IV Urban V	SPA (Downtown Specific Plan)
Annual Special Tax Rate per Dwelling Unit	$536	$743	$725	$783

PLEASE COMPLETE THE FOLLOWING INFORMATION:

1) **Project Name:** NUTMEG SOUTH

2) **Property Address(es):** SWC NUTMEG & CENTER PARKWAY

3) **APN(s):** 224-260-2300

4) **Applicant:** JOHN MARTIN

5) **Applicant Phone Number and Email:** 949-378-5555
JOHN@MPACREALTY.COM

(continued on next page . . .)

6) Funding Mechanism (Please check the one option below that applies):

X a) Applicant agrees to annex into CFD 2020-1 to offset and fund the development project's ongoing public services costs.

____ b) Applicant agrees to provide the City with an upfront deposit, to be calculated by the City, sufficient to offset and fund the development project's ongoing public services costs.

____ c) Applicant advises that a special rate and method of apportionment is required for property uses that do not fit the above General Plan designations and/or the property is outside the current city limits. Applicant agrees to offset and fund the development project's ongoing public services costs at the special rate and method of apportionment and shall fund a fiscal impact analysis specific to the development project to determine the rate and method of apportionment.

____ d) Applicant agrees to offset and fund ongoing public services costs required for the development project through an alternative mechanism:

Description of how the proposed development project will offset ongoing public services costs (attach additional sheets as necessary):

_____
_____
_____
_____
_____
_____
_____
_____
_____

Applicant agrees, on behalf of itself and its successors or assigns, to offset and fund the ongoing public services costs required for the Project in the manner provided above, which shall be made a condition of approval of the Project. This Letter of Intent shall be binding on Applicant and its successors or assigns, but only to the extent the Project is approved.

X _____ JOHN MARTIN 9/17/20
(Signature) **(Print First and Last Name)** **(Date)**

MANAGING MEMBER
(Title)

(Above signature must be notarized; Acknowledgment page follows.)

ACKNOWLEDGMENT

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

STATE OF CALIFORNIA]

COUNTY OF Orange]

On Sept. 17, 2020, before me, Cyndi Bueschel, a Notary Public, personally appeared John Martin, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature: _____ (Seal)

CYNDI BUESCHEL
COMM. #2291874
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires July 5, 2023

ATTACHMENT 3

Planning Commission
Hearing Date: October 13, 2020
Effective Date: October 14, 2020

PLANNING COMMISSION RESOLUTION NO. 2020-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, RECOMMENDING APPROVAL OF A TENTATIVE SUBDIVISON MAP, MASTER AND PRECISE DEVELOPMENT PLAN, AND GRADING EXEMPTION FOR 97 TOWNHOMES ON THE SOUTH PORTION OF THE NUTMEG HOMES SITE

APPLICANT: Jason Greminger, Consultants Collaborative

CASE NO: SUB 20-0007

WHEREAS, Jason Greminger of Consultants Collaborative ("Applicant"), filed a land use development application (Planning Case No. SUB 20-0007) constituting a request for a Tentative Subdivision Map along with a Master and Precise Development Plan and Grading Exemption, for the proposed development of 97 townhome units ("Project"). The site currently is 4.37 acres in size and would be approximately 5.07 acres after all proposed land dedications and vacations are complete. The site generally is located on the south side of North Nutmeg Street, between North Centre City Parkway and Interstate 15 (APN 224-260-23); and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as though fully set forth herein ("Property"); and

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

WHEREAS, multi-family residential development (air-space townhome units) are permitted uses within the Planned Development- Residential zone, subject to the approval of a Tentative Subdivision Map and Master and Precise Development Plan; and

WHEREAS, pursuant to CEQA and 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, a Final Environmental Impact Report ("Final EIR") was prepared for the Project (State Clearinghouse No. 2018081063) and the City Council certified it per Resolution No. 2019-166; and

WHEREAS, the Planning Division did study said request, performed necessary investigations, prepared a written report, and does recommend approval of the Project as depicted on the plan set shown in Exhibit "D," 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.

WHEREAS, on October 13, 2020, the Planning Commission of the City of Escondido did hold a duly noticed public hearing as prescribed by law. At said hearing, this 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 respecting said matter. 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 October 13, 2020, 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, said 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; and

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

1. That the above recitations are true and correct.

2. A Final Environmental Impact Report ("EIR") has been prepared in compliance with all requirements contained in CEQA, CEQA Guidelines, and Article 47

(Environmental Quality Regulations) of the Escondido Zoning Code, and was adopted by

City Council on November 20, 2019. The Planning Commission, it its independent judgment, finds that the Final EIR that was previously prepared and adopted retained its relevancy. Mitigation measures were developed to reduce potential impacts to biological resources, cultural/tribal cultural resources, hazards and hazardous materials, noise, and traffic and transportation. The Applicant has agreed to implement all mitigation measures identified in the Final EIR in order to reduce all potentially significant environmental impacts to a less-than-significant level, in accordance with the Mitigation Monitoring Reporting Program ("MMRP") prepared for the Project. The MMRP has been added as conditions to support the full Project's implementation (i.e., north and south portions).

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 "B," 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. The application to use the subject property for said purpose specified above and subject to each and all of the conditions, hereinafter set forth in Exhibit "C," is hereby recommended by the Planning Commission for approval by the City Council. This Planning Commission expressly declares that it would not have approved this land use development application except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the Applicant, the

owner, and all subsequent owners of the subject property, and all persons who use the subject property for the use permitted hereby.

5. The Planning Commission, therefore, recommends City Council approval of the Project as described in the October 13, 2020 Planning Commission staff report, and as attached as Exhibit "D".

6. Said plan is on file in the Planning Division of the Community Development Department and is available for inspection by anyone interested herein, and said development plan is incorporated herein by this reference, the same as if it were fully set forth herein.

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

1. NOTICE IS HEREBY GIVEN that the Project is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval. The Project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Public Works Departments. The Applicant shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued. It is the City's intent that the costs representing future development's share of public facilities and capital improvements be imposed to ensure that new development pays the capital costs associated with growth. The Applicant is advised to review the Planned Fee Updates portion of the web page, www.escondido.org, and regularly monitor and/or review fee-related information to plan for the costs associated with undertaking the Project.

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

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 13th day of October, 2020, by the following vote, to wit:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

_____
STAN WEILER, 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.

_____
KIRSTEN PERAINO, Minutes Clerk
Escondido Planning Commission

EXHIBIT "A"

LEGAL DESCRIPTION

Planning Case No.: SUB 20-0007

ALL THAT PORTION OF LOTS 1 AND 2 IN SECTION 5, TOWNSHIP 12 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING WESTERLY OF THE WESTERLY LINE OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED MAY 15, 1947 IN BOOK 2380, PAGE 435 OF OFFICIAL RECORDS, SOUTHEASTERLY AND SOUTHERLY OF THE CENTER LINE OF COUNTY ROAD SURVEY NO. 1113 AS DESCRIBED IN DEED TO THE COUNTY OF SAN DIEGO RECORDED MAY 6, 1948 AS DOCUMENT NO. 45789 IN BOOK 2786, PAGE 349 OF OFFICIAL RECORDS AND EASTERLY AND NORTHERLY OF THE LAND CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED SEPTEMBER 28, 1971 AS FILE NO. 220908 OF OFFICIAL RECORDS.

(Assessor's Parcel Number 224-260-23-00)

EXHIBIT "B"
Findings of Fact/Factors to be Considered
SUB 20-0007

Environmental Determination(s)

1. Pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Title 14 California Code of Regulations Section 15000 et. seq., the City is the Lead2 Agency for the Project, as the public agency with the principal responsibility for approving the proposed Project.

2. The Final EIR that was adopted by City Council on November 20, 2019, identifies the reasonably foreseeable environmental impacts of the whole action (i.e. full build-out of the north and south portions). The Final EIR recommends mitigation measures and alternatives which can avoid or reduce those impacts associated with the full project. This approach follows the principle that the EIR process should be combined with the project approvals to examine all phases of the project, rather than piece-mealing individual parts viewed and analyzed separately. None of the circumstances requiring the preparation of a subsequent EIR exist, as listed in Section 15162(a) of the CEQA Guidelines.

3. The Final EIR and Mitigation and Monitoring and Reporting Program ("MMRP") that were adopted by City Council remain relevant and the Project Applicant would be required to implement all mitigation measures to avoid or substantially reduce the project's significant environmental impacts.

4. Based on the Planning Commission's review of the Project, no special circumstances exist that would create a reasonable possibility that development of the south portion of Nutmeg Homes, as proposed under SUB 20-0007, would have a significant effect on the environment beyond what was previously analyzed and disclosed in the adopted Final EIR.

Tentative Subdivision Map Determination(s)

1. The Planning Commission makes the finding that none of the findings (a) through (g) below in Section 66474 of the California Government Code, which require a City to deny approval of a Tentative Subdivision Map, apply to this Project for the reasons stated as follows:

Findings for Tentative Map Approval	Explanation of Finding
A. That the proposed map is consistent with applicable general and specific plans as specified in Section 65451 of the Subdivision Map Act	The General Plan land use designation for the site is Urban III (U3). The proposed subdivision is consistent with the allowed uses for the U3 land use designation. The U3 land use designation allows a maximum density of 18 dwelling units per acre, and a minimum density of 12.6 units per acre (70 percent of the maximum). The proposed Tentative Map would construct 97 units on the south portion of the project site, for a density of 19.1 units per acre on this south portion. When combined with the 37 units previously approved for the 2.43-acre north portion, the overall density of the site would be within the range of acceptability. The Project site is not located within an existing or proposed specific plan.
B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.	The proposed subdivision would conform to the minimum and maximum densities allowed for the U3 land use designation. A Master and Precise Development Plan are proposed in conjunction with the Tentative Map. Development standards are proposed under the Master Development Plan; however, the Project's proposed street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fuel modification zones; traffic access; grading; and recreational amenities were all reviewed for compliance to relevant City policies and codes. As conditioned, the design and improvements of the proposed subdivision are consistent with the General Plan. Furthermore, the payment of development impact fees, as well as annexation into CFD No. 2020-01 or establishment of another funding mechanism, is necessary to avoid or lessen the likelihood of future impacts related to the provision of public services, as well as to maintain consistency with Housing Element

	and Growth Management policies related to assessing fiscal impacts of new development and ensuring provisions to offset costs to public facilities and services.
C. The Project site is physically suitable for the proposed type of Project.	The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development, in an EIR adopted by City Council per Resolution No. 2019-166 (State Clearinghouse #2018081063). As appropriate, the Final EIR requires measures to mitigate potential impacts to reduce those impacts to a less than significant level. The site is suitable for the residential type of development proposed since adequate access and utilities can be provided to the site. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the site is not located on a skyline or intermediate ridge, and does not contain any significant topographical features. A conceptual landscape plan provided by the applicant proposes to plant a variety of trees, shrubs, and groundcovers throughout the project site, including street trees along Nutmeg for screening between the site and the street corridor.
D. That the site is physically suitable for the proposed density of development.	The granting of the Tentative Subdivision Map would not violate the requirements, goals, policies, or spirit of the General Plan. The Urban III land use designation allows for a maximum of 18 dwelling units per acre and a minimum of 12.6 dwelling units per acre. Adequate access to the site for residents can be provided via Nutmeg Street, and an additional emergency vehicle entrance can be provided from Centre City Parkway. Necessary utilities are available or can be provided. The portions of the site that contain slopes over 35 percent would be precluded from grading or development activities, or are small and isolated and therefore do not meet the standards of steep slope protection as

	envisioned by the General Plan or its implementing ordinances. The Project also would not be out of character for the area because the proposed development would be well integrated into its surroundings. The new residences would incorporate compatible and integrated architecture, materials, and colors. The project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties.
E. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.	The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development, in an EIR adopted by City Council per Resolution No. 2019-166 (State Clearinghouse #2018081063). Impacts to nesting birds, sensitive vegetation communities, and mature or protected trees were identified in the EIR, and mitigation measures were adopted to reduce those impacts to a less than significant level.
F. That the design of the subdivision or the type of improvements is not likely to cause serious public health concerns.	The design of the map and the type of improvements are not likely to cause serious public health problems. The Project's proposed street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fuel modification zones; unit configuration; traffic and emergency access; grading; and open space and recreational amenities were all reviewed for compliance to relevant City policies and codes. Realignment of Nutmeg Street via a previously approved Specific Alignment Plan, and additional street improvements approved under SUB 18-0005 (such as the installation of traffic signals at two intersections and the creation or striping of turn lanes and bicycle lanes), would improve traffic safety for both the residents of the development and other road users. The proposed subdivision map has been designed

	to meet the requirements of the City and other service agencies standards. All necessary public facilities and services are in place or can be extended to serve the Project, which comes with support from fire, sewer, water, and school service providers, indicating that existing facilities are available to service the Project. New homes are not proposed to be located in areas that contain earthquake faults, flooding or dam inundation potential. Environmentally sensitive areas and drainage courses are maintained and incorporated within the plan. The design of the subdivision would not result in serious health problems and would not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
G. That the design of the subdivision or the type of improvements would not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.	The design of the map and type of improvements would not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map. All easements identified in the preliminary title report for the subject property are shown on the proposed Tentative Subdivision Map. No conflicts with easements of record have been identified.

2. All permits and approvals applicable to the proposed Tentative Map pursuant to Chapter 33 of the Municipal Code have been obtained, or conditions of approval have been proposed to ensure they will be obtained. Approval of a Master and Precise Development Plan and Grading Exemption along with the Tentative Map will allow the applicant to implement the design of the subdivision as shown on the map. The project has been conditioned to require several permits necessary to construct the project as proposed, including grading, landscape, building, and encroachment permits.

3. The proposed Tentative Map shall be in conformity with the zone in which it is located. The project site currently is zoned PD-R-18 (Planned Development- Residential; 18 units/acre). The density of the south portion of the site would be 19.1 units per acre, which is greater than allowed for the zoning classification or for the applicable General Plan land use designation of U3. However, the total density for the project site would be 17.9 units per acre (134 total units across 7.5 acres). Under the Planned Development Ordinance

(Article 19 of the Escondido Zoning Code), residential planned developments may, and are encouraged to, depart from standard subdivision and housing design provided the overall residential density yield conforms with city policy and shall be governed by the residential density set forth in the General Plan. The findings for SUB 18-0005 (the Tentative Map for the north portion) noted that when an application was submitted to add the south portion of the site to the development via a second Tentative Map, the overall density of the project would be limited to 18 units per acre, and the project does conform to that finding. The Tentative Subdivision Map has been conditioned appropriately to provide all infrastructure improvements including sufficient open space and landscaping.

4. All applicable requirements of the Map Act and any ordinance of the City of Escondido regulating land divisions have been satisfied.

Planned Development Determinations

1. The location, design, and residential density of the proposed Planned Development is consistent with the goals and policies of the Escondido General Plan and any applicable specific plan or with any policies adopted by, or being considered by the Escondido City council, or in the process of being prepared and adopted. The proposed Master and Precise Development Plan would create 97 townhomes on 5.07 acres on the south side of Nutmeg Street, for a density of 19.1 units/acre on that south portion. While the south portion alone would exceed the 18 units per acre allowed by the zoning classification and General Plan land use designation, the overall project site (north plus south) would contain 134 townhomes on 7.5 acres, for a combined density of 17.9 units per acre. Under the Planned Development Ordinance (Article 19 of the Escondido Zoning Code), residential planned developments may, and are encouraged to, depart from standard subdivision and housing design provided the overall residential density yield conforms with city policy and shall be governed by the residential density set forth in the General Plan. The project site is not covered under any existing or proposed specific plans.

2. The payment of development impact fees, as well as annexation into the CFD or establishment of another funding mechanism, is necessary to avoid or lessen the likelihood of future impacts related to the provision of public services, as well as to maintain General Plan conformance to enable Project approval and implementation. There are a number of policies in the Housing Element and Growth Management Element portions of the General Plan that are directly related to assessing fiscal impacts of new development and ensuring provisions to offset costs to public facilities and services:

    - 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.
    - Public Facility Financing Policy 3.1: Maintain and periodically update development impact fees and major infrastructure financing programs to assure that all new and infill developments contribute their proportionate share of funding for necessary municipal infrastructure and public facilities.

- Public Facility Financing Policy 3.2: At the discretion of the city, require larger developments to prepare a fiscal impact analysis and a public facilities financing plan that articulates infrastructure and public facilities requirements, as well as costs and funding mechanisms which document the effects upon the city's operating budget over time.
- Public Facility Financing Policy 3.3: Encourage the use of development agreements and other appropriate financing mechanisms to ensure the timely provision of com-munity facilities at adequate levels to support the demands from new and existing development.

3. The proposed location allows the Planned Development to be well integrated with its surroundings. The project site is immediately surrounded by residential neighborhoods characterized mostly by larger-lot, single-family homes; however, there are residential planned developments in the broader area that utilize small single-family lots to provide for common space or to meet other objectives, and an approved project on the former Escondido Country Club site would include condominiums in its unit mix. Proposed development standards are largely consistent with those assigned to the City's R-3 (Medium Multiple Residential Zone). The design of the proposed structures would incorporate a range of building materials (stucco, paneling, and stone) in a palette of neutral colors that would coordinate with the surrounding terrain and existing development in the area. Landscaping has been proposed for aesthetic purposes and to screen the development from surrounding roads.

4. All vehicular traffic generated by the Planned Development will be accommodated safely and without causing undue congestion upon adjoining streets. A traffic impact analysis was prepared for the project and mitigation measures were included in the EIR previously adopted by City Council on November 20, 2019. These mitigation measures would include improvements to the Nutmeg/Centre City and Nutmeg/Country Club intersections via the installation of traffic signals and construction or striping of turn lanes; the creation of left-turn pockets at the intersection of Nutmeg and the project access point; and the widening of Nutmeg Street between Country Club and Via Alexandra for the addition of a southbound travel lane with curb, gutter, and sidewalk designed as a green streets facility. A Specific Alignment Plan for Centre City Parkway and Nutmeg Street also was approved on November 20, 2019.

5. The proposed location and design allows residents within the zone to be adequately serviced by existing or proposed public facilities and services and does not provide an undue or negative impact on existing public facilities and services. All utilities intended for the site are already in place or can be extended to serve the site. Police and fire services are available and sufficient for the development.

6. The overall design of the proposed Planned Development produces an attractive, efficient and stable environment. The project underwent design review in June of 2020 and the design of the proposed retaining wall was enhanced as a result of that review, in terms of contouring and bench landscaping. The proposed residences would incorporate a neutral

color palette and a mixture of exterior finishes to coordinate with the surrounding environment. Amenities on the south side of the project would include a tot lot, picnic area with barbeque, play areas, exercise stations, and bench seating. A conceptual landscape plan has been provided that includes attractive and regionally-appropriate plantings.

7. The Planned Development is well integrated with its settings, does not require destruction of desirable natural features, is not visually obstructive or disharmonious with surrounding areas and facilities, and does not substantially harm major views from adjacent properties. While grading will be necessary to construct the project, the development has been designed to coordinate with the existing topography of the site, and the project's effects on views from surrounding streets and residences has been analyzed within the project's EIR.

8. The uses proposed would have a beneficial effect not obtainable under existing zoning regulations, and any departure from existing ordinance requirements shall be warranted by the design and the amenities incorporated in the Planned Development in accord with adopted city policy. Under SUB 18-0005, the full project site (north and south) was rezoned from Residential Estates (RE-20) to Planned Development- Residential (PD-R), and the General Plan land use designation was changed from Office (O) to Urban III (U-3), to accommodate a multi-family development. Rezoning the site to a zoning classification allowing office uses was not ideal, since office uses could have generated thousands more daily trips to and from the site than a 134-unit townhome development, per trip generation rates published by SANDAG (the San Diego Association of Governments). Additionally, while a well-planned office development would have added jobs to the City, would not have helped the City increase its supply of for-sale housing, and it would not be more compatible with the single-family character of the surrounding area than a townhome development.

9. California law requires each city and county to develop local programs within their housing element in order to meet their "fair share" of existing and future housing needs for all income groups, as determined by the California Department of Housing and Community Development. The Regional Housing Needs Allocation ("RHNA") is a State mandated process devised to distribute planning responsibility for housing need throughout California. As more cities and counties consider loosening zoning restrictions to allow for more housing, the proposed project provides an opportunity to focus on the moderate density opportunities and achieve the development potential of available land resources to support housing development in the City of Escondido.

10. As described in the Planning Commission staff report of October 13, 2020, aside from proposed building heights, wall heights, and monument sign size, the development standards proposed for the south portion of Nutmeg Homes are largely in conformity with standards applicable to projects in the Medium Multiple Residential (R-3) zone.

Grading Exemption Determinations:

1. Granting the proposed Grading Exemption is consistent with the Grading Design Guidelines for the following reasons:

    a. While the EIR anticipated that the project will have impacts to sensitive vegetation communities and to mature and/or protected trees, mitigation measures have been proposed in the EIR to reduce these impacts to a less than significant level, and the development shall incorporate erosion control measures as defined in the City's stormwater management requirements.
    b. The proposed Grading Exemption would not create a negative visual impact upon neighboring properties. The proposed retaining wall would be up to 36' in height, but would be located along the west and south sides of the project site, and primarily would face Interstate 15, instead of adjacent residential properties. The wall would be contoured and planted with vines to soften its appearance for passing motorists on the interstate.
    c. The proposed Grading Exemption would not intrude into or disturb the use of any adjacent property or adversely block the primary view of any adjacent parcels; disturb any utilities or drainage facilities; obstruct circulation patterns or access; nor preclude the future development of any adjacent parcel. The retaining wall covered by the Grading Exemption would be located entirely on the project site, so as to avoid any encroachment onto the adjoining Caltrans right-of-way.
    d. The proposed design of the retaining wall would not adversely affect any adjoining septic systems. The wall would be located along the west and south property lines, adjacent to the Caltrans right-of-way, and there are no septic systems in these areas. The proposed project will be provided with sewer service.
    e. The project's EIR includes a visual analysis that indicates that no significant impacts to aesthetics or visual quality would arise as a result of the project.
    f. All graded areas shall be protected from wind and water erosion through compliance with the City's stormwater management requirements. The development will be required to incorporate interim erosion control plans, certified by the project engineer and reviewed and approved by the City's Engineering Services Department.

Hillside and Ridgeline Protection Overlay Determinations:

1. The bulk, scale, density, and overall character of the proposed development is compatible with the surrounding neighborhood and with the natural, cultural, scenic and open space resources of the area. The density of the project does not exceed the maximum allowed for the U3 land use designation of the General Plan. Proposed development standards are comparable with standards for a development in the R-3 (Medium Multiple Residential Zone), and any deviations (such as the one for building height) are discussed in the

October 13, 2020 Planning Commission staff report and accounted for as part of the proposed Master and Precise Development Plan. Open space areas have been proposed for protection of fuel modification zones, stormwater management facilities, and recreational amenities.

2. The location and design of the proposed development respects and preserves the natural landform, vegetation, and wildlife of the project. Slopes exceeding 35% are located along the Centre City Parkway frontage of the south portion, as well as in small, isolated areas near the northwest corner of the site. Staff have determined that these slopes do not meet the standards of steep slope protection envisioned by the General Plan or its implementing ordinances. The EIR adopted for the project includes mitigation measures to compensate for impacts to sensitive biological habitat. No ridgelines are located on the project site per the hillside and ridgeline overlay map on file at the Community Development Department.

3. The location and design of the development does not substantially alter the natural appearance and land form of the hillsides and ridges. No ridgelines are located on the project site per the hillside and ridgeline overlay map on file at the City.

4. The location and design of the proposed development will protect the safety of current and future residents, and will not create a significant threat to life and property due to slope instability, fire, flood, mud flow, erosion, or other hazards. City Engineering staff have reviewed the project's conceptual grading design, and will review the final grading plan submittal as a condition of approval for the project. A geotechnical report, fire protection plan, and drainage study were prepared to inform the environmental analysis in the project EIR, and mitigation measures were adopted where appropriate to minimize threats to life and property. No flood hazard zones exist on the site per FEMA's flood hazard maps.

5. All grading associated with the project has been minimized to the extent possible, preserving the character of the property while utilizing appropriate erosion control practices as determined by Engineering staff to avoid erosion, slides, or flooding, in order to have as minimal an effect on said environment as possible. Grading information has been provided with the project application and reviewed by Engineering staff. Conditions of approval have been proposed to require issuance of a grading permit prior to any ground-disturbing activities, and to require the use of erosion-control measures during grading.

Proceedings:

1. The Record of Proceedings upon which the Planning Commission bases its decision includes, but is not limited to: (1) the Final EIR and the appendices and technical reports cited in and/or relied upon in preparing the Final EIR; (2) the staff reports, City files and records and other documents, prepared for and/or submitted to the City relating to the Final EIR and the Project itself; (3) the evidence, facts, findings and other determinations set forth in herein; (4) the General Plan and the Escondido Municipal Code; (5) all designs, plans, studies, data and

correspondence submitted to the City in connection with the Final EIR and the Project itself; (6) all documentary and oral evidence received at public workshops, meetings, and hearings or submitted to the City during the comment period relating to the Final EIR and/or elsewhere during the course of the review of the Project itself; (7) all other matters of common knowledge to the to the City, including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the City and its surrounding areas.

EXHIBIT "C"

CONDITIONS OF APPROVAL

Planning Case No.: SUB 20-0007

Nothing in this permit shall relieve the Applicant from complying with conditions and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. **This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.**

Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the conditional use permit conditions.

MITIGATION MEASURES

The following mitigations measures were contained within the Mitigation Monitoring and Reporting Program (MMRP) that was adopted with the Nutmeg Homes Final Environmental Impact Report on November 20, 2019, under ENV 18-0005. Unless specifically noted, they are in effect for the entire project site.

MM BIO-1: Prior to the issuance of any permit (i.e. grading, tree-trimming, or vegetation removal) by the City the Project Applicant shall demonstrate to the satisfaction of the City Community Development Director or City designee that if initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird breeding season for migratory birds and raptors (January 15 and September 15), the Project Applicant shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and California Fish and Game Code. The pre-construction survey shall be performed no more than seven (7) days before the start of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.

MM BIO-2: Prior to the issuance of any grading permit that would impact coastal California gnatcatcher (CAGN) protocol surveys in accordance with Wildlife Agency criteria shall be accomplished. (This includes: from March 15 to June 30, a minimum of six (6) surveys shall be conducted at least one week apart; or, between July 1 and March 14, nine (9) surveys are required, to be conducted at minimum two (2) week intervals.) If surveys document absence of CAGN no additional avoidance or minimization measures are required. If surveys document the presence of CAGN occupied coastal sage scrub shall be fenced and construction within 500 feet

of occupied habitat shall occurs only between September 1 and February 15 to avoid indirect impacts to nesting CAGN. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with Resources Agencies. The noise barrier shall attenuate noise levels to 60 dBA or less at the edge of breeding habitat.

No permit (i.e. grading, tree-trimming, or vegetation removal) that would impact Coastal Sage Scrub, Southern Mixed Chaparral, or Coast Live Oak Woodland habitat on the project site shall be issued until the Project Applicant shall demonstrates to the satisfaction of the City Community Development Director or City designee that they will/have purchased off-site of suitable habitat within a City approved mitigation bank (such as the Daley Ranch Conservation Bank) at mitigation ratios noted in Table 4.3-2.

MM BIO-3: Prior to the issuance of any permit (i.e. grading, tree-trimming, or vegetation removal) by the City the Project Applicant shall demonstrate to the satisfaction of the City Community Development Director or City designee that the replacement of impacted mature trees will occur. Unless otherwise determined by the City mature trees will be replaced at a minimum 1:1 ratio. The Project Applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City's Director of Community Development or City designee.

MM CR-1: The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The Pauma tribe shall be consulted prior to contracting with the Native American Monitor. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.

MM CR-2: Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the

MM CR-3: The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

MM CR-4: During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

MM CR-5: In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor, shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

MM CR-6: If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.

MM CR-7: The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

MM CR-8: As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall

be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

MM CR-9: If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

MM CR-10: Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

MM HAZ-1: Prior to the issuance of any building permit, the project applicant shall demonstrate to the satisfaction of the City Building Department that all windows adjacent to preserved vegetation are dual paned with both panes tempered.

MM HAZ-2: Prior to the approval of the Final Landscape Plan, the wall and fence component shall provide a noncombustible, 8-foot wall at the rear or side yard that would function as a heat-deflecting landscape wall as shown on Figure 4.7-1 to the satisfaction of the City Community Development Department.

MM HAZ-3: (Eliminated in Final EIR)

MM HAZ-4: Prior to the issuance of the first Certificate of Occupancy the project applicant shall provide CC&R's that demonstrate to the satisfaction of the City's Community Development Department and City Attorney that the annual review of landscape maintenance plans includes a third party evaluation of Fuel Modification Zones (FMZ) area that meet the requirements of the FMZ and City's Fire Department (EFD).

MM NOI-1: In order to reduce the noise levels at the two proposed outdoor recreation areas, the project applicant shall construct two 8-foot sound walls, with one located on the south side of the outdoor recreation area that is located on the north side of Nutmeg Street and the other wall located southwest of the outdoor recreation area that is located on the south side of Nutmeg Street. The sound walls shall be constructed of a solid material (e.g., glass, concrete block, or plaster). The locations of the proposed outdoor recreation area sound walls are shown in Figure 4.10-5.

MM NOI-2: The project applicant will provide a "windows closed" condition for each proposed residential townhome. A "window closed" condition is a term that means that a home is capable of providing adequate ventilation and temperature control without opening the windows. A "windows closed" condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system with a filtered outside air intake vent for each residential unit.

MM NOI-3: For the P1-Villas, the project applicant shall require all windows and exterior doors on the northwest, southwest, and southeast sides of Building 1 to have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors are shown on Figure 4.10-5.

MM NOI-4: For the P2-Villas, the project applicant shall require all windows and exterior doors on the southwest side of Buildings 12 to 18, the northwest side of Building 18, and the northwest side of the westernmost unit of Buildings 16 and 17 to have a minimum STC rating of 35 STC. In addition, all windows and exterior doors on the northwest side of Buildings 19 and 20 and southwest side of Building 19 and the southeast and northwest sides of Buildings 12 to 18 that were not covered by the 35 STC requirement shall have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors is shown on Figure 4.10-5.

MM TRA-1: Prior to the occupancy of the proposed project the intersection of North Centre City Parkway/North Nutmeg Street will be improved to the satisfaction of the City as noted below:

- Installation of a traffic signal;
- Restripe the southbound approach to provide a dedicated left-turn lane; and,
- Construct a dedicated right-turn lane on the southbound approach of the intersection.

MM TRA-2: The proposed project at the intersection of West Country Club Lane/ North Nutmeg Street will provide the following:

- Installation of a traffic signal at the intersection; and,
- Restripe the southbound approach to provide a shared left-turn/through lane and a dedicated right-turn lane.

MM TRA-3: Prior to the occupancy of the proposed project the existing right-of-way on North Nutmeg Street from West Country Club Lane to Via Alexandra will be widen to provide for a 14' wide southbound lane with curb, gutter, and sidewalk designed as a green streets facility. Improvements shall include removal and reconstructions of existing driveways to private driveway standards and a parking restriction along the improved section of Nutmeg Street to the satisfaction of the City Engineer.

MM TRA-4: The proposed project at the intersection of North Centre City Parkway/North Nutmeg Street intersection will provide the following minimum storage lengths for left turn and right-turn lanes:

- Eastbound Left-Turn Lane: 100 feet; and,
- Southbound Right-Turn Lane: 125 feet

MM TRA-5: The proposed project at the intersection of Nutmeg Street/Project Access will provide 50-foot left-turn pockets for the eastbound and westbound left-turn lanes.

GENERAL

1. All conditions of approval for SUB 18-0005, as noted in Exhibit B to City Council Resolution No. 2019-168, are still in effect.

2. This project is conditionally approved as set forth on the application and project drawings submitted to the City of Escondido, all designated as approved by the City Council on [placeholder until City Council hearing], and shall not be altered without express authorization by the Director of Community Development.

3. The Project shall be completed in substantial conformance to the plans approved, except as modified herein. The Project shall be constructed and operated by the Applicant in accordance with the authorized use as described in the application materials and plans on file with the Office of the Clerk of the City of Escondido. Any additional uses or facilities other than those approved with this permit, as described in the approved plans, will require a separate application and approval. Colors and materials shall conform to the approved plans and the exhibits and references in the staff report, to the satisfaction of the Planning Division. For building features that do not have a specific material and/or color called out on the plans and exhibits (e.g., eaves, window frames, front doors, and garage doors), selected materials and colors should match the rest of the development.

4. Approval of all Project-related permits will expire 36 months after the approval of this Project, unless the conditions have been met or an extension of time has been approved pursuant to the Municipal Code.

5. Applicant shall and does hereby agree to indemnify, protect, defend, and hold harmless the City of Escondido, its Council members, officers, employees, agents, and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of the series of actions that this Project comprises, and/or (b) City's approval or issuance of any permit or action, whether discretionary or ministerial, in connection with the land use and activity contemplated described by this Project. This obligation survives until all legal proceedings have been concluded and continues even if the City's approval is not validated.

6. If any of the following conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

7. If any condition for construction of any public improvements or facilities, or the payment of any fees in-lieu thereof, imposed by this approval or imposed by law on this Project are challenged, this approval shall be suspended as provided in Government Code Section 66020. If any such condition is determined to be invalid, this approval shall be invalid unless the City Council determines that the project without the condition complies with all requirements of law.

8. Community Facility District or Separate Funding Mechanism. The Applicant shall fund all on-going operational costs of providing municipal services required for the Project, the amount of such funding to be determined by the City Council at the time of Project approval. Such funding shall occur through either an agreement to form or annex into a Community Facilities District ("CFD") or the establishment of another lawful funding mechanism reasonably acceptable to the City ("Public Services Funding Agreement"). The provisions of the Public Services Funding Agreement shall specify any terms and limitations necessary to implement the CFD or other funding mechanism to offset the impacts to public services associated with the project. The City Manager, or City Manager's designee, shall be authorized to approve and execute the Public Services Funding Agreement, and the Public Services Funding Agreement shall be finalized prior to the City's issuance of any permit for the Project.

TENTATIVE SUBDIVISION MAP

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when permits are issued, including any applicable City-Wide Facilities fees.

2. Three copies of a revised Tentative Map, reflecting all modifications and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading plans, landscape plans and the final map.

3. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.

4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

5. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.

6. All new utilities shall be underground.

7. All project-generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.

8. No street names are established as part of this approval. A separate request shall be submitted prior to final map.

9. Access roads and project grading must comply with SDG&E guidelines for any encroachment to, and into, right of way. Any grading to be performed within SDG&E right of way requires a "permission to grade" letter.

10. All utility connections shall be designed to coordinate with the architectural elements of the site so as not to be exposed except where necessary. Locations of pad mounted transformers, meter boxes, and other utility related items shall be included in the site plan submitted with the building permit application with an appropriate screening treatment. Transformers, terminal boxes, meter cabinets, pedestals, ducts and other facilities may be placed above ground provided they are screened with landscaping.

11. All pedestrian passageways in the designated trail connection as depicted on the approved Tentative Subdivision Map shall have walkway non-slip surfaces, such as decomposed granite, to enable multi-generational use, designed to prevent dust, and otherwise be designed to allow convenient use for outdoor activities. There shall be no obstructions above the open space except for devices to enhance its usability, such awning structures.

MASTER AND PRECISE DEVELOPMENT PLAN

1. The Project includes a Fire Protection Plan which is located in amended form in the Final EIR as Appendix E-1. The Fire Protection Plan describes the wildland fire resistance features incorporated into the project. The key fire resistance features incorporated into the project are listed below:
   - The project shall maintain Fuel Modification Zones (FMZs) as described in Figure 5 (Conceptual Fuel Modification Plan) and Table 5 of the Fire Protection Plan (as well as Figure 4.7-1 of the Final EIR).
   - A noncombustible, 8-foot wall shall be installed as shown in Figure 5 (Conceptual Fuel Modification Plan) to function as a heat-deflecting wall.
   - Dual-pane, tempered glass shall be used for all windows adjacent to preserved vegetation.

2. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.

3. All exterior residential lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code.

4. Setbacks shall be as described in the October 13, 2020 Staff Report and depicted on the Master Plan/Tentative Map.

5. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the Master and Precise Development Plan where specified. All other signs must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code) standards for the RE (Residential Estates) zone.

6. Prior to issuance of a grading permit, the emergency access road width, pavement and gate specifications shall be reviewed and approved by the Fire Department.

7. This Master Development Plan and Precise Development Plan approval adopt development standards for area, coverage, light and air orientation, building height, sign placement and design, site planning, street furniture placement and design, yard requirements, open spaces, off-street parking, and screening, per Section 33-401(f) of the City of Escondido Zoning Code, and as described in the October 13, 2020 Staff Report.

8. All new home design or development and/or improvement shall comply with or meet the intent of the Master and Precise Development Plan criteria through methods listed in the standards and guidelines, as listed in the October 13, 2020 Staff Report, or through alternative methods that achieve the same objective.

9. As specified by the Planning Commission at the public hearing on October 22, 2019, future requests to develop the south portion of the project site shall demonstrate that the full project (north and south combined) can conform to the minimum standards for “usable open space” for the R-3 zone, as defined in Section 33-108(b) of the City of Escondido Zoning Code. These standards require 400 square feet of usable open space per dwelling unit, as well as an additional 200 square feet for each bedroom over one (1) in said dwelling unit.

10. The south portion alone exceeds the maximum density of 18 units/acre allowed by the zoning classification and General Plan land use designation, as permitted through the approval of the Planned Development Permit. Should the south portion be developed first, certificates of occupancy will be issued for the south portion only to a maximum of 18 units/acre (i.e., certificates of occupancy will be issued for up to 91 units assuming a 5.07-acre site). Certificates of occupancy for the additional six (6) units on the south portion may be issued once the north portion is completed.

GRADING AND GRADING EXEMPTION

1. An exemption from the Grading Ordinance is approved as part of this project, as described in the October 13, 2020 Staff Report. This exemption includes a tiered geogrid retaining wall at the west and south property lines, exceeding the 20’ height limit described in the City of Escondido Grading Ordinance.

2. All project grading shall conform with the approved Tentative Subdivision Map. In cases where the grading plan later submitted is not consistent with the approved Tentative Subdivision, the Applicant shall be required to obtain a substantial conformance determination or map amendment for grading prior to issuance of grading permits.

3. A plan shall be submitted for approval by the Director of Community Development, the Engineering Services Department, and the Fire Department regarding the security treatment of the site during the construction phase, the on- and off -site circulation and parking of construction workers' vehicles, and any heavy equipment needed for the construction of the Project.

4. All roadways shall be a minimum of 24 feet in width during construction and maintained free and clear, including the parking of vehicles, in accordance with the California Fire Code and the Escondido Fire Department.

5. The Postmaster shall approve final location of mailbox kiosks associated with this Project prior to issuance of a precise grading permit.

LANDSCAPING

1. Four copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Services Department, prior to issuance of grading or building permits. The detailed landscape and irrigation plans shall be equivalent or superior to the planting plan attached as an exhibit, to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of, a licensed landscape architect.

2. Details of project fencing and walls, including materials and colors, shall be depicted on the landscape plans. All retaining and other freestanding walls, fences, and enclosures shall be architecturally designed in a manner similar to, and consistent with, the primary structures. The 8' fire wall described in the Fire Protection Plan shall conform to Caltrans design standards and/or be compatible with similarly-designed freestanding walls located along the I-15 corridor. These items shall be approved by the Director of Community Development prior to the issuance of building and/or grading permits.

3. All fencing within the front and street side setbacks shall conform to the height limits and design standards contained within Sections 33-1080 and 33-1081 of the City of Escondido Zoning Code, with the exception of the split face block wall along the Centre City Parkway frontage, which may be six (6) feet tall and completely solid as requested as part of the Master and Precise Development Plan.

4. All masonry freestanding or retaining walls visible from points beyond the project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be of a type satisfactory to the Director of Community Development. The Applicant and/or HOA shall be responsible for the removal in a timely manner of any graffiti posted on such walls.

5. All fencing for basin areas shall be set back at least five feet from back of sidewalk or edge of pavement to allow the appropriate integration of landscape screening to the satisfaction of the Planning Division.

6. Landscaping adjacent to preserved land shall not include species listed as highly or moderately invasive by the California Invasive Plant Council (Cal- IPC 2013).

7. Plants on the Prohibited Plant List (Appendix D of the Fire Protection Plan) shall not be planted on the site unless otherwise approved by the Escondido Fire Department.

8. All vegetation (including existing vegetation to be retained) shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.

9. The Homeowners Association (HOA) shall be responsible for maintenance of landscaping in all common areas and fuel modification zones, in compliance with the requirements detailed within the Fire Protection Plan and as determined by the Escondido Fire Department. Prior to issuance of building permits, all fuel modification zones shall be permanently marked at the property line to delineate the zones and aid ongoing maintenance activities.

10. All fuel modification zone vegetation management activities shall be completed annually by May 15 and more often as needed for fire safety, as determined by the Escondido Fire Department.

11. The installation of the common area and right-of-way landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.

12. Street trees shall be provided along street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.

CC&Rs

1. Applicant shall establish a homeowner's association (HOA) and corresponding covenants, conditions and restrictions (CC&Rs). Prior to recordation of the Final Map, two copies of the CC&Rs shall be submitted to the Planning Division for review and approval. Except for those public improvements located in the public right-of-way, the CC&Rs shall contain provisions for the maintenance of any common landscaping, open space, walls, common drainage facilities, fuel modification zones, etc. to the satisfaction of the Planning and Engineering Divisions. A review fee established in the current fee schedule shall be collected at the time of submittal.

   Prior to issuance of a building permit, the Applicant shall provide the Planning Division with a recorded copy of the official CC&Rs that have been approved by the Department of Real Estate and the Planning and Engineering Divisions. At a minimum, the CC&Rs shall contain the following provisions:

a. Notice and Amendment. A copy of any proposed amendment shall be provided to the City in advance. If the proposed amendment affects the City, City shall have the right to disapprove. A copy of the final approved amendment shall be transmitted to City within 30 days for the official record.

b. Failure of Association to Maintain Common Area Lots and Easements. In the event that the Association fails to maintain the "Common Area Lots and/or the Association’s Easements,"

the City shall have the right, but not the duty, to perform the necessary maintenance. If the City elects to perform such maintenance, the City shall give written notice to the Association, with a copy thereof to the Owners in the Project, setting forth with particularity the maintenance which the City finds to be required and requesting the same be carried out by the Association within a period of 30 days from the giving of such notice. In the event that the Association fails to carry out such maintenance of the Common Area Lots and/or Association's Easements within the period specified by the City's notice, the City shall be entitled to cause such work to be completed and shall be entitled to reimbursement with respect thereto from the Owners as provided herein.

c. Special Assessments Levied by the City. In the event the City has performed the necessary maintenance to either Common Area Lots and/or Association's Easements, the City shall submit a written invoice to the Association for all costs incurred by the City to perform such maintenance of the Common Area Lots and or Association's Easements; and pursue collection.

d. Landscape Maintenance Responsibilities. The HOAs and individual lot or unit owner landscape maintenance responsibilities shall be established.

e. Homeowner improvements such as balconies, trellis, and decks. The CC&Rs shall set forth requirements for the HOA to review and approve all homeowner landscape and hardscape plans to ensure compliance with local, State and Federal laws. The CC&Rs shall state the individual lot or unit owner allowances and prohibitions regarding balconies, trellis, decks and other improvements as regulated by the Project approval.

ENGINEERING CONDITIONS OF APPROVAL

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.
2. The location of all existing on-site and adjacent utilities and storm drain facilities shall be determined by the Developer's engineer. If a conflict occurs with the proposed project or improvements, arrangements for relocation of the conflicting utilities/facilities shall be made with the owner of the utility/facility prior to approval of the Grading plans and Final Map. This utility/facility relocation work shall be completed prior to issuance of Building Permits.
3. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a Landscape Architect.

4. The Developer shall post securities in accordance with the City prepared Bond and Fee Letter based on a final Engineer's Estimate of Grading and Improvements Cost prepared by the project engineer. The Developer is required to provide a Cash Clean Up deposit for all grading, landscaping, private Improvements and onsite drainage improvements prior to approval of Grading Plans and issuance of Grading Permit. This Cash Clean Up Deposit amount shall be 10% of the total cost of the project private improvements, drainage and landscaping. The Developer is required to provide Performance (100% of total public improvement cost estimate), Labor and Material (50% of total public improvement cost estimate) and Guarantee and Warrantee (10 % of total public improvement cost estimate) bonds for all public improvements prior to approval of the Improvement Plans and issuance of Building Permits. All improvements shall be completed prior to issuance of a Certificate of Occupancy.
5. All final engineering plans for the construction of all required off-site and on-site improvements and grading shall be approved and surety bonds and agreements in a form acceptable to the City Attorney shall be posted by the Developer with the City of Escondido prior to approval and recording of the Final Map for this Subdivision.
6. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
    a) All conditions of the Tentative Subdivision Map have been fulfilled, or
    b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
7. If site conditions change adjacent to the proposed development prior to completion of the project, the Developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
8. All project construction shall be constructed in a manner that does not damage existing public improvements. Any damage shall be corrected by the Developer to the satisfaction of the City Engineer.
9. The Developer's engineer shall submit to the Planning Department 3 copies of the Tentative Map as presented to the Planning Commission and approved by the City Council together with any changes contained in the adopted final conditions of approval. The Tentative Map will be certified by the Planning Department verifying that they are an accurate reproduction of the approved and conditioned Tentative Map and must be included with the first Final Engineering submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance and to the satisfaction of the City Engineer. Specific details, including

final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall construct frontage street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets adjoining the project boundary:

STREET	CLASSIFICATION
N. Nutmeg Street	Local Collector per Specific Alignment Plan**
N. Centre City Parkway	Collector per Specific Alignment Plan**

**Specific Alignment Plan as approved with City Council Resolution 2019-0168.

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The Developer shall construct a new four leg offset traffic signal at the intersection of N. Centre City Parkway and N. Nutmeg Street, designed to accommodate and control the existing private road to the east, prior to the first project occupancy. Any work on this private road will require permission from the private property owner(s) involved.
4. The Developer shall construct/install traffic signal interconnect conduits and cables to the existing traffic signal at Country Club Lane and Center City Parkway prior to first project occupancy.
5. The Developer shall construct a new traffic signal at the intersection of W. Country Club Lane and North Nutmeg Street prior to the first project occupancy.
6. The Developer shall submit separate traffic signal and signing and striping improvement plans prepared by a Traffic Engineer for review and approval by the City Engineer. The traffic signal design shall be per current City, Caltrans, and MUTCD Standards and shall include video detection, APS, and interconnect conduits and cables to an existing traffic signal controller. The Developer's Traffic Engineer will also be responsible for all new timing plans and coordinating traffic signal work with the Developer's Contractor(s) and Equipment Suppliers and City staff.
7. Prior to the first occupancy, the existing N. Nutmeg Street roadway, from West Country Club Lane to Via Alexandra, shall be widened to provide for a 14' wide southbound lane with curb, gutter, and sidewalk designed as a green streets facility. Improvements shall include removal and reconstruction of existing driveways to private driveway standards and a parking restriction along the improved section of N. Nutmeg Street to the satisfaction of the City Engineer.
8. The N. Centre City Parkway and N. Nutmeg Street intersection improvements shall include minimum vehicle storage lengths of 100 feet and 125 feet for the eastbound left-turn lane and westbound right-turn lane, respectively. Taper lengths for the westbound right-turn lane shall

be per current City, Caltrans, and MUTCD Standards and to the satisfaction of the City Engineer.

9. The project shall provide a minimum 60-foot long westbound left-turn pocket with a minimum 129' transition for the project entrance off N. Nutmeg Street per current City, Caltrans, and MUTCD Standards.

10. Access to this project shall be improved with an alley-type driveway in accordance with Escondido Standard Drawing No. G-5-E with a minimum throat width of 24 feet. The final project design including grading and landscape design shall ensure that the required 385' sight distance from this driveway entrance to the south along Nutmeg Street will be met.

11. All on-site roadways, alleyways, and parking areas shall be private. Typical sections, alignments, curb return, and design details shall be to the satisfaction of the City Engineer, Community Development Director, and City Fire Marshal. The private street improvements shall include, but not be limited to, the construction of concrete curb and gutter, sidewalks (one side only), street lights, paving and base.

12. The entrances to the private alleyways off the private roadways serving garages for the units within Project shall be designed and constructed where possible with 10' minimum radius curb returns, concrete cross gutters, and pedestrian ramps (on side of the private roadways with sidewalk). Where a 10' radius curb return is determined to be infeasible by the City Engineer, an absolute minimum curb return radius of 5' may be allowed.

13. The address of each dwelling unit shall either be painted on the curb or posted in such a manner that the address is clearly visible from the private roadways. The address shall be placed in a manner and location approved by the City Engineer, Community Development Director, and Fire Marshal.

14. Plans for construction within any right-of-way under a jurisdiction other than the City of Escondido will be subject to the review by both the City of Escondido and the other jurisdiction. For the second Final Engineering submittal to be accepted by the City, the developer shall provide the City documentation demonstrating Final Engineering submittals have been made to other these other agencies from whom permits must be obtained. The developer shall be responsible for securing all necessary permits from the appropriate agencies prior to approval of the Grading Plans. Permission and/or permits for all improvements located within another jurisdiction's right of way or on private property shall be obtained prior to approval of the Final Map. If permits or permission cannot be obtained, the project shall be re-designed to avoid the need for the permit/permission to the satisfaction of the City Engineer.

15. An Encroachment Permit shall be obtained from the Engineering Department for all work within the public right-of-way. Contact the Engineering Field Office at 760 839-4664 to arrange for the Encroachment Permit and inspections, and note on the plans.

16. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior to the issuance of an Encroachment Permit for construction within the City of Escondido's public right-of-way.

17. The developer's engineer shall prepare and submit for approval by the City a complete signing and striping plan for all improved roadways. The developer's contractor shall complete all necessary removal of existing striping and signage and shall install all new signing and striping per the approved plans and as directed by the Field Engineer.
18. The developer may be responsible for a grind and overlay of N. Centre City Parkway due to the many utility trenches necessary to serve this project. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.
19. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping shall be provided as needed for adequate sight distance and subject to the approval of the City Engineer.
20. The developer shall be required to construct a minimum 24-foot-wide emergency access road to the satisfaction of the City Engineer and City Fire Marshal.
21. An encroachment permit shall be obtained from CALTRANS for all work within the CALTRANS right-of-way prior to the approval of any plans or permits for the project.
22. The improvement of N. Centre City Parkway shall include a striped Class II bicycle path. The width, design and precise location of the bicycle path shall be to the satisfaction of the City Engineer.
23. The project shall be designed to comply with the maximum grade of intersecting streets of 6% per the Escondido Design Standards.
24. Street lighting shall be required on all on-site private streets. It shall be the responsibility of the Home Owner's Association to adequately maintain the street lighting system and such maintenance responsibility shall be clearly stated in the CC&R's.
25. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer and the City Building Official.

GRADING and RETAINING WALLS

1. A site grading and erosion control plan prepared by a registered Civil Engineer shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.
3. All private driveways and parking areas shall be paved with a minimum of 3" asphalt concrete over 6" of aggregate base or 7" portland concrete cement over 6" asphalt base. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.

4. Cut slope setbacks shall be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
5. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
6. A Construction General Permit is required from the State Water Resources Control Board for all storm water discharges associated with a construction activity where clearing, grading, and excavation results in a land disturbance of one or more acres.
7. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
8. Prior to approval of the grading plan, the developer will be required to obtain permission from adjoining property owners for any off-site grading and slopes necessary to construct the project and/or the required improvements.
9. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in their report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by the Regional or City Standard Drawings. The cost of any independent third-party review deemed necessary by the City Engineer shall be reimbursed by the developer. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Department plan review and permit process.
10. All retaining walls and screen walls, stairs and raised landings shall be constructed completely within the Project property and shall not encroach into the public R/W.
11. The placement of geo-fabric or any other gravity wall anchoring system will not be allowed under any of the proposed bio-retention basins (including side slopes) or other storm water treatment or detention facilities. Details for pipe penetrations through the proposed retaining walls shall be shown on and designed with the retaining wall structural plan sheets.
12. The foundations and anchoring for all safety fencing and screen walls along the top of or integral to the proposed retaining walls shall be shown on and designed with the retaining wall structural plan sheets.
13. Any proposed placement of geo-fabric or any other gravity wall anchoring system under a proposed building foundation will require the design, loading criteria, structural calcs, and details for both the retaining walls and the building foundations be reviewed by and approved (with signature and seal) of the geotechnical engineer for the project grading and foundations, the structural engineer(s) responsible for the retaining wall system design and the structural engineer(s) responsible for the building foundations in question. All must agree that the proposed retaining wall design and anchoring will adequately support the building foundations being placed above and meet the minimum vertical and lateral requirements.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of Work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The drainage from this project will flow directly onto adjoining property within the jurisdiction of the CALTRANS. Any drainage plans for facilities within the jurisdiction of other agencies shall be subject to their review and approval. The developer shall be responsible for securing all necessary permits from the appropriate agencies prior to approval of the Grading Plans.
3. All on-site storm drains are private. The responsibility for maintenance of these storm drains shall be that of the Home Owner's Association. Provisions stating this shall be included in the CC&R'S.
4. All basins and post-construction BMP's facilities constructed with this project (including those within the public right-of-way) are private. The responsibility for maintenance of these storm drains shall be that of the Home Owner's Association.
5. The project shall limit 100-year drainage flows to their pre-construction rates. Details and calculations for the detention basins shall be submitted and approved as part of the grading plan check.
6. A Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared for all newly created or replaced onsite impervious areas, impervious frontage, and required offsite improvements. The SWQMP shall be submitted for approval with the final improvement and grading plans. The SWQMP shall include hydro-modification calculations, treatment calculations, post-construction storm water treatment measures, and maintenance requirements.
7. Site Design and Source Control Best Management Practices (BMPs) shall be implemented to the maximum extent practicable. Downspouts from buildings shall be directed to landscaping to allow the infiltration of runoff into the ground. Where feasible, runoff from the hardscape areas shall be directed to landscaped areas to allow infiltration into the ground.
8. Trash enclosures shall be constructed to comply with storm water quality management requirements to the satisfaction of the City Engineer.
9. The developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement.
10. Infiltration testing shall be provided at the location of proposed infiltration BMPs, and be included in the preliminary soils and geotechnical report signed by the Soils Engineer. Infiltration rates of proposed BMPs shall meet flood-control and hydromodification flow attenuation and drawdown times in accordance with the City's Storm Water Design Manual. If infiltration BMPs are deemed infeasible for the site, changes to the project design shall be implemented to the satisfaction of the City Engineer and Community Development Director.

Project design changes could include, but shall not be limited to, reduction in impervious areas by reducing building footprints or designing biofiltration basins that connect to a storm drain.

WATER SUPPLY

1. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
2. This project is located within the Rincon Del Diablo Municipal Water District. It will be the developer's responsibility to make arrangements with the Rincon District as may be necessary to provide water service for domestic use and fire protection. The developer shall provide evidence of such arrangements prior to recordation of the Final Map, to the satisfaction of the City Engineer. The City of Escondido and the Rincon District will sign approval of the improvement plans with respect to the water mains.

SEWER

1. Required sewer main improvements for the project include construction of an 8-inch public sewer main in N. Centre City Parkway, from W. Country Club Lane up to and across a portion of the Project frontage. An 8-inch public sewer will then extend into the Project from N. Centre City Parkway, then extend up through the Project to N. Nutmeg Street, and then across N. Nutmeg Street and into to serve the previously approved subdivision north of the Project as shown on both Tentative Maps.
2. The location and sizing of all sewer mains shall be per City of Escondido Design Standards and to the satisfaction of the Utilities Engineer.
3. Improvement plans for all proposed sewer mains shall be prepared by a Civil Engineer and shall be submitted to the City for review and approval.
4. A minimum 20-foot all weather access road suitable for use by the City's vactor trucks shall be required to all sewer manholes.
5. A private 4" minimum PVC sewer lateral with a standard clean-out within 18" of the public utilities easement/sewer easement/right-of-way shall be constructed for each single family dwelling unit and up to four attached residential units. All other uses shall have a minimum 6" sewer lateral. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings and Uniform Plumbing Code. The sewer laterals shall be included in the improvement & grading plans and bonding quantities.
6. No trees or deep-rooted bushes shall be planted within 10' of any sewer lateral, or within 15' of any sewer main. Sewer laterals shall be 5-feet horizontally clear from other utilities.
7. There shall be no permanent structures or private utilities located within public sewer or public utility easements. Where it is necessary that the private storm drains share a public easement, they shall be placed on the outer-most edge away from the public sewer.

8. All sewer laterals will be considered a private sewer system to the public main. The property owners' association will be responsible for all maintenance of their individual sewer laterals to the sewer main. Provisions stating this shall be included in the CC&Rs.
9. The developer may be responsible for a 12-wide grind and overlay of N. Centre City Parkway due to the offsite sewer trench necessary to serve this project. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.
10. Any new development whose wastewater discharge may contain pollutants not normally found or in concentrations in excess of those normally found in domestic wastewater shall require a wastewater discharge permit according to the Escondido Municipal Code, Chapter 22, Article 8. New users shall apply at least ninety (90) days prior to connecting to or contributing to the City's wastewater system and a permit must be obtained prior to commencement of any discharge to the system.

LANDSCAPE

1. A site landscaping and irrigation plan shall be submitted to the Engineering Department with the second submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees in effect at the time of the submittal.
2. Permanent landscaping shall be installed on the project frontage along both sides of N. Nutmeg Street and the west side of N. Centre City Parkway (from the County of San Diego boundary to Caltrans boundary) and all areas disturbed by the project (including offsite areas). This frontage and all onsite landscaping, including storm water treatment BMPs, shall be maintained by Home Owners Association. Provisions stating this shall be included in the CC&Rs.
3. A Continuing Encroachment Permit for this project's required maintenance of the landscaping in the surrounding public right-of-ways must be applied for, and in conjunction, a perpetual liability insurance policy with the City as an additionally insured must be put in place.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications (or, if appropriate, offer of dedications) for public rights-of-way on the following streets contiguous to the project to bring the roadways to the indicated classification.

STREET	CLASSIFICATION
N. Nutmeg Street	Local Collector per Specific Alignment Plan

2. The project is subject to the vacation of public rights-of-way within or adjoining the project boundary. Specific areas to be vacated shall be determined to the satisfaction of the City Engineer. The developer shall pay the current Street Vacation Processing fee in effect at the time of the Street Vacation application submittal. The street vacation must be approved by

the City Council prior to or concurrent with recordation of the Final Map. The developer shall be responsible for relocation of any existing utilities within this street vacation. The developer and their Title Company shall determine if the City is the underlying fee owner of portion of the public right-of-way to be vacated for the project. If the City is the underlying fee owner, the developer shall pay for an appraisal and shall compensate the City fair market value for the property being vacated.

3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
4. Necessary public utility easements for sewer, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
5. The developer is responsible for making the arrangements to vacate all streets or quitclaim all easements of record which conflict with the proposed development prior to approval of the Grading Plan. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Grading Plan. Building permits will not be issued for buildings in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of $5,000 up to a maximum of $50,000, unless a higher amount is deemed necessary by the City Engineer.
2. This subdivision is contiguous to the facilities of another public agency. This agency may be required to review and/or sign the improvement plans. It will be the responsibility of the developer to establish an account with this jurisdiction to pay for all fees for plan checking and permit approval.
3. The developer shall be required to pay all development fees of the City in effect at the time, and in such amounts as may prevail when building permits are issued.
4. The project has consented to annex into the Citywide Services CFD to offset the ongoing costs to provide municipal services.

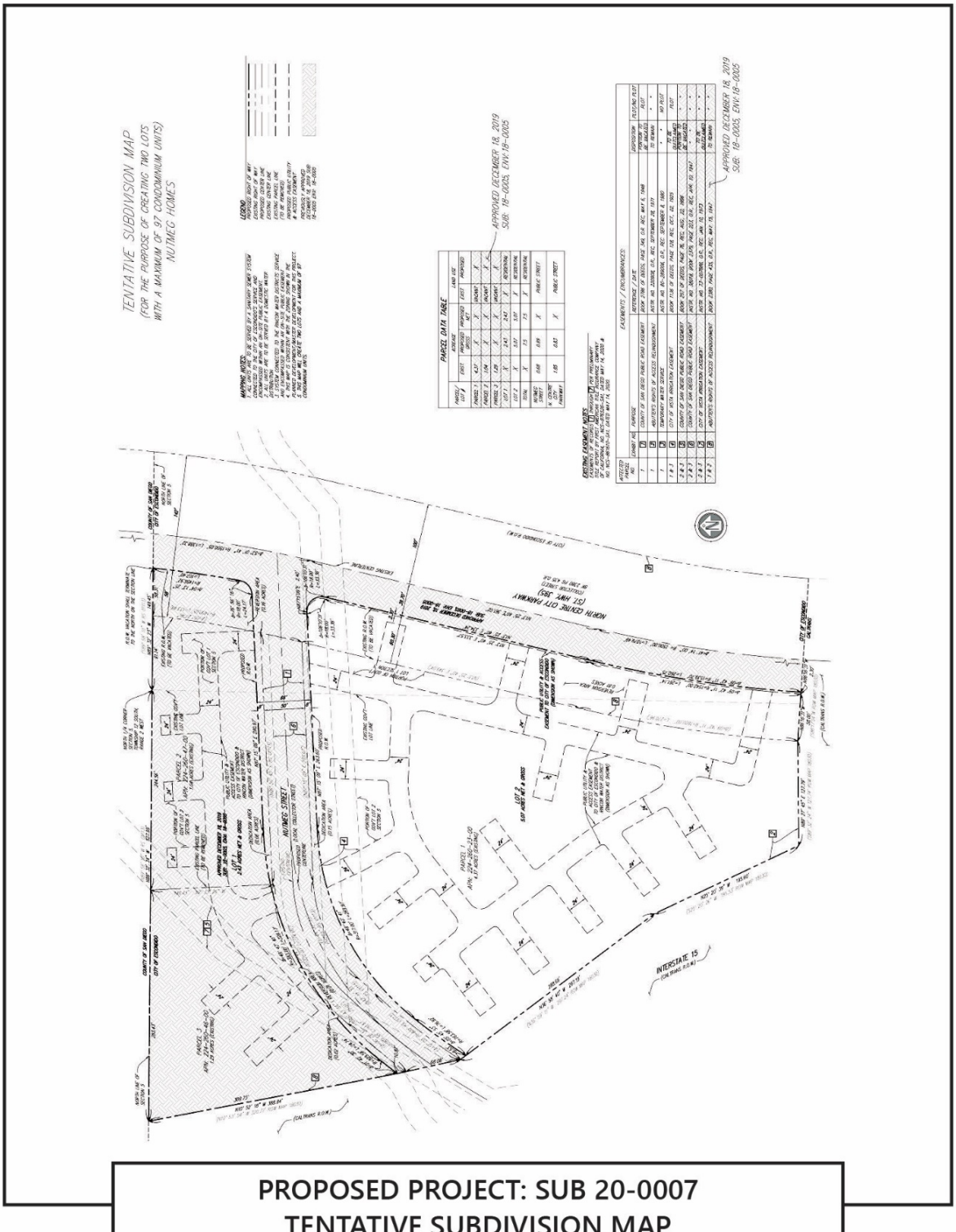
CC&R's

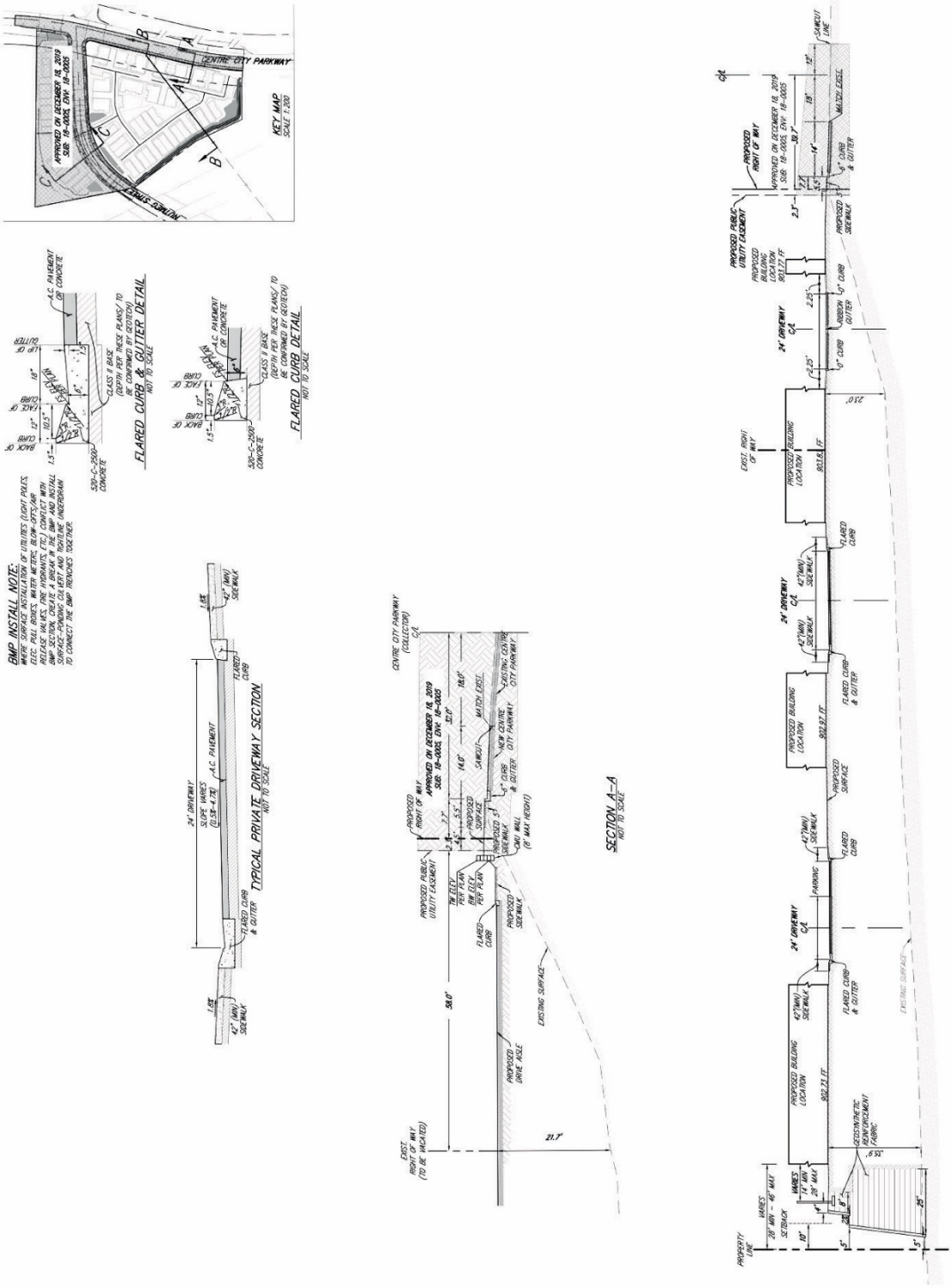
1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.
2. The developer shall make provisions in the CC&R's for maintenance by the Home Owners' Association of private roadways, driveways, parking areas, private utilities, drainage and storm water facilities, private street lighting, storm drains, and any common open spaces and landscaping. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. The CC&Rs shall make provisions for the Home Owners' Association maintenance of the Project's frontage landscaping, irrigation, fencing, retaining walls along all project frontages on N. Nutmeg Street, N. Centre City Parkway, and the retaining walls facing I-15. The Developer as Declarant will be required to obtain a Continuing Encroachment Permit to conduct this ongoing landscape maintenance in the City Right-of Way.
4. The CC&R's must state that the Home Owners' Association assumes liability for damage and repair to City utilities in the event that damage is caused by the property owners' association when repair or replacement of private utilities is done.
5. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan (SWQMP) for the project.
6. The CC&R's must state that (if stamped concrete or pavers are used in private streets) the Home Owners' Association is responsible for replacing the stamped concrete or pavers in-kind if the City has to trench the street for repair or replacement of an existing utility.

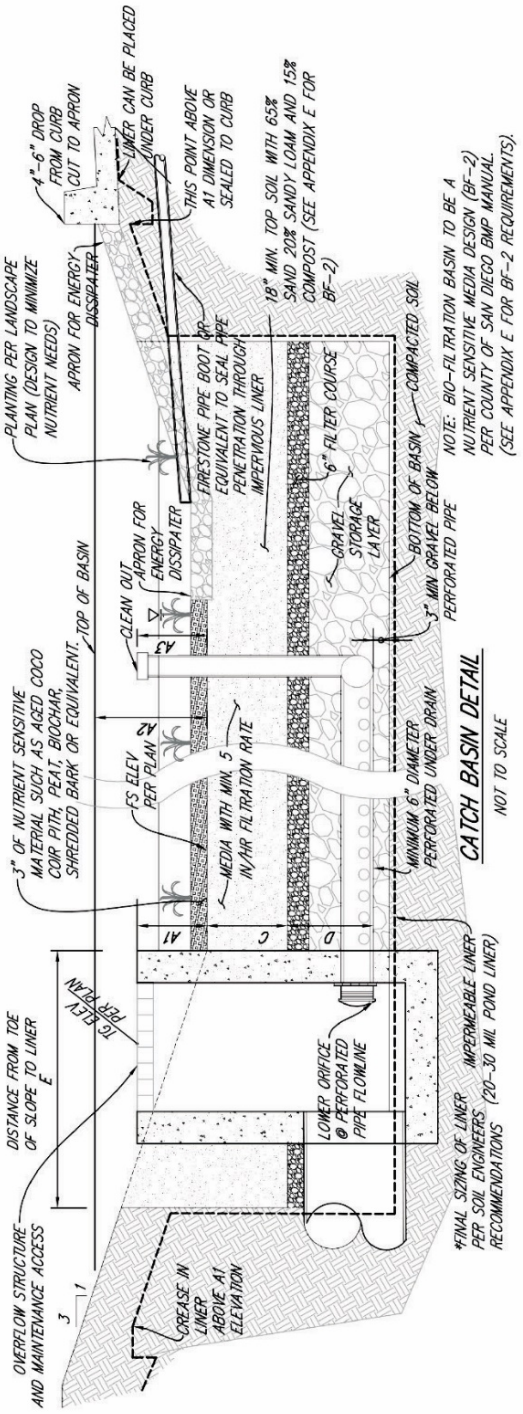
UTILITY UNDERGROUNDING AND RELOCATION

1. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

EXHIBIT "D"
Project Plans

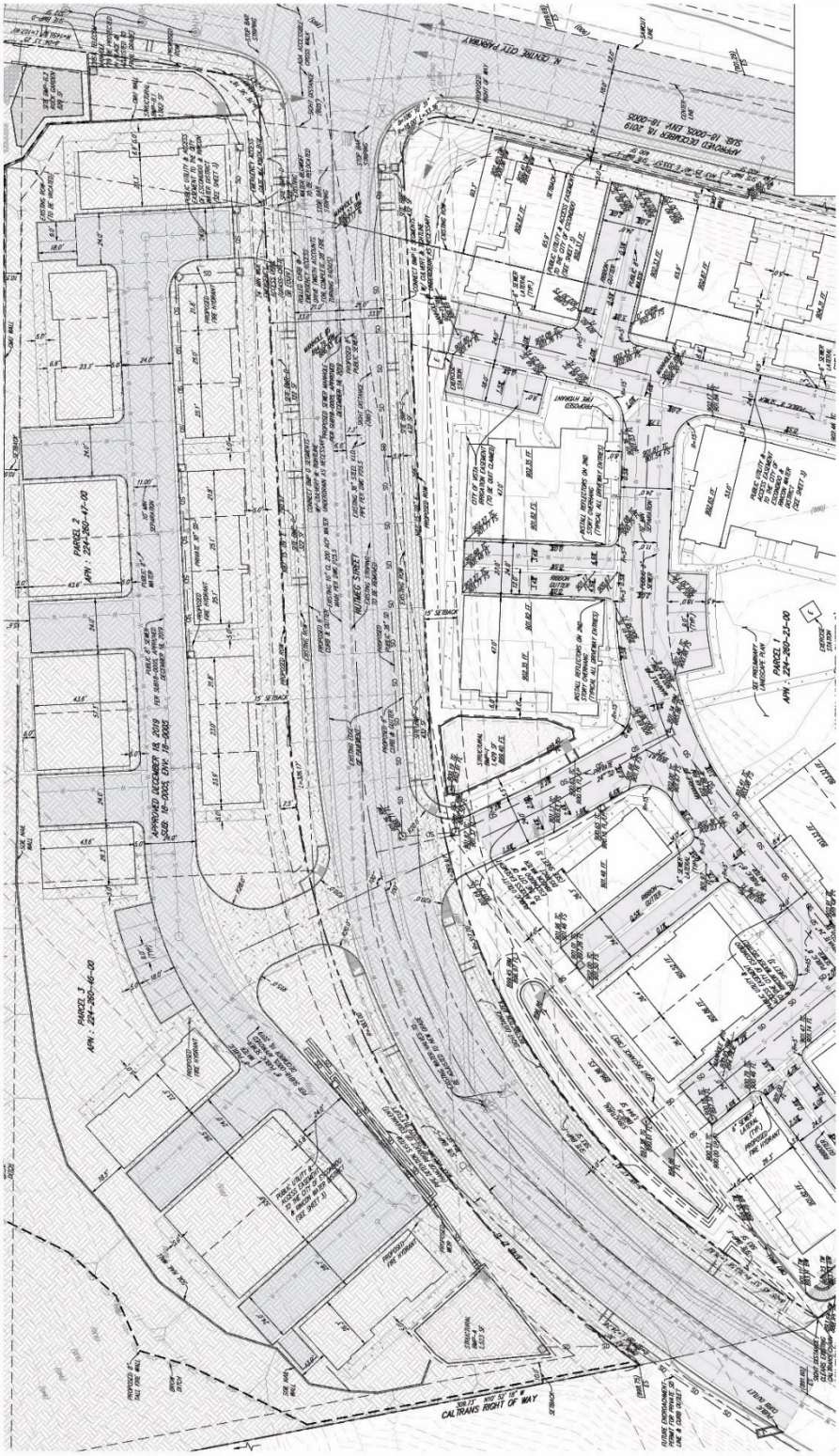



KEY MAP
SCALE 1:200
CENTRE CITY PARKWAY
FLARED CURB DETAIL
NOT TO SCALE
FLARED CURB & GUTTER DETAIL
NOT TO SCALE
BMP INSTALL NOTE:
TYPICAL PRIVATE DRIVEWAY SECTION
NOT TO SCALE
SECTION A-A
NOT TO SCALE
PROPOSED PROJECT: SUB 20-0007
SECTIONS & DETAILS



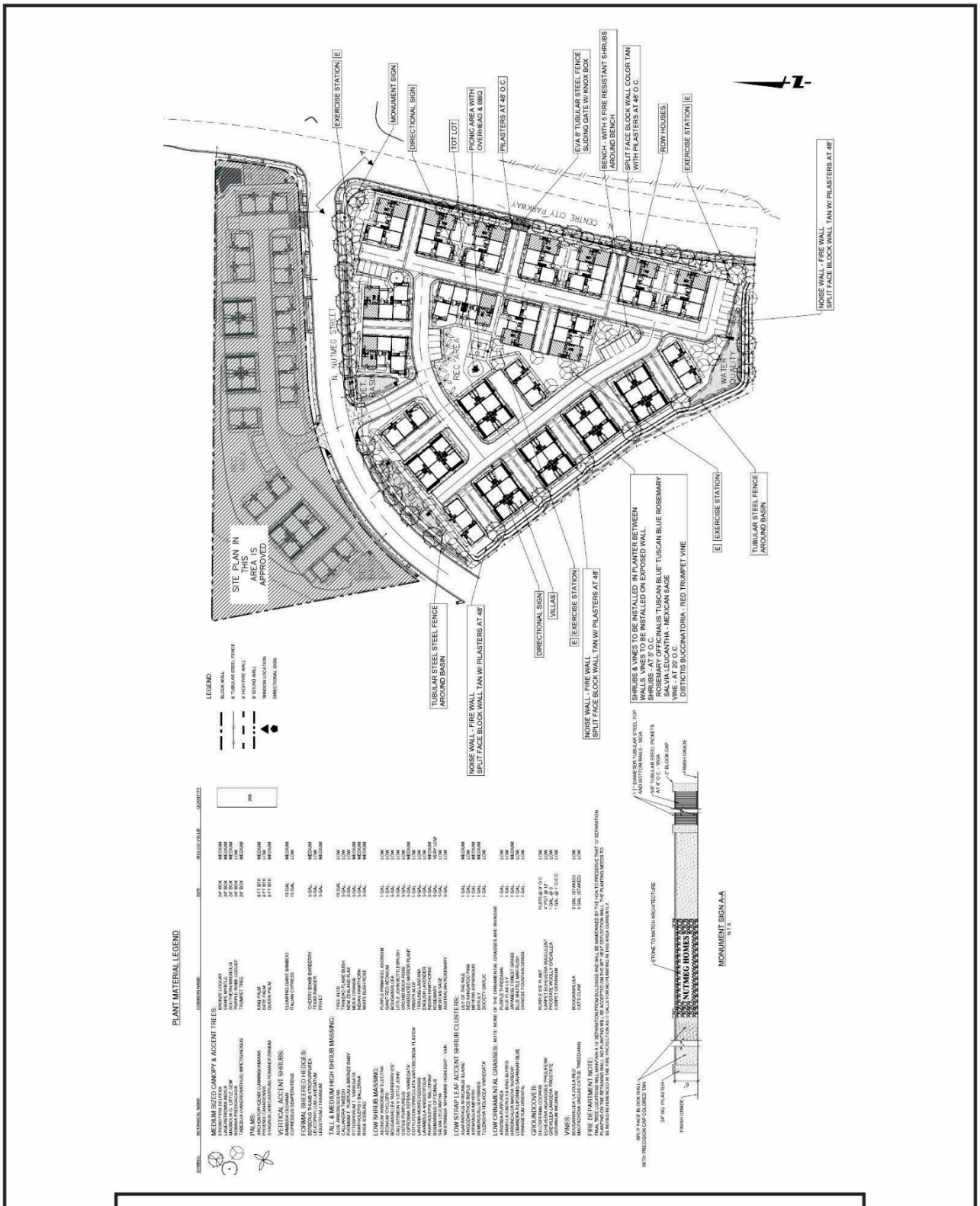
PROPOSED PROJECT: SUB 20-0007
SECTIONS & DETAILS

PROPOSED PROJECT: SUB 20-0007
RETAINING WALL SECTIONS

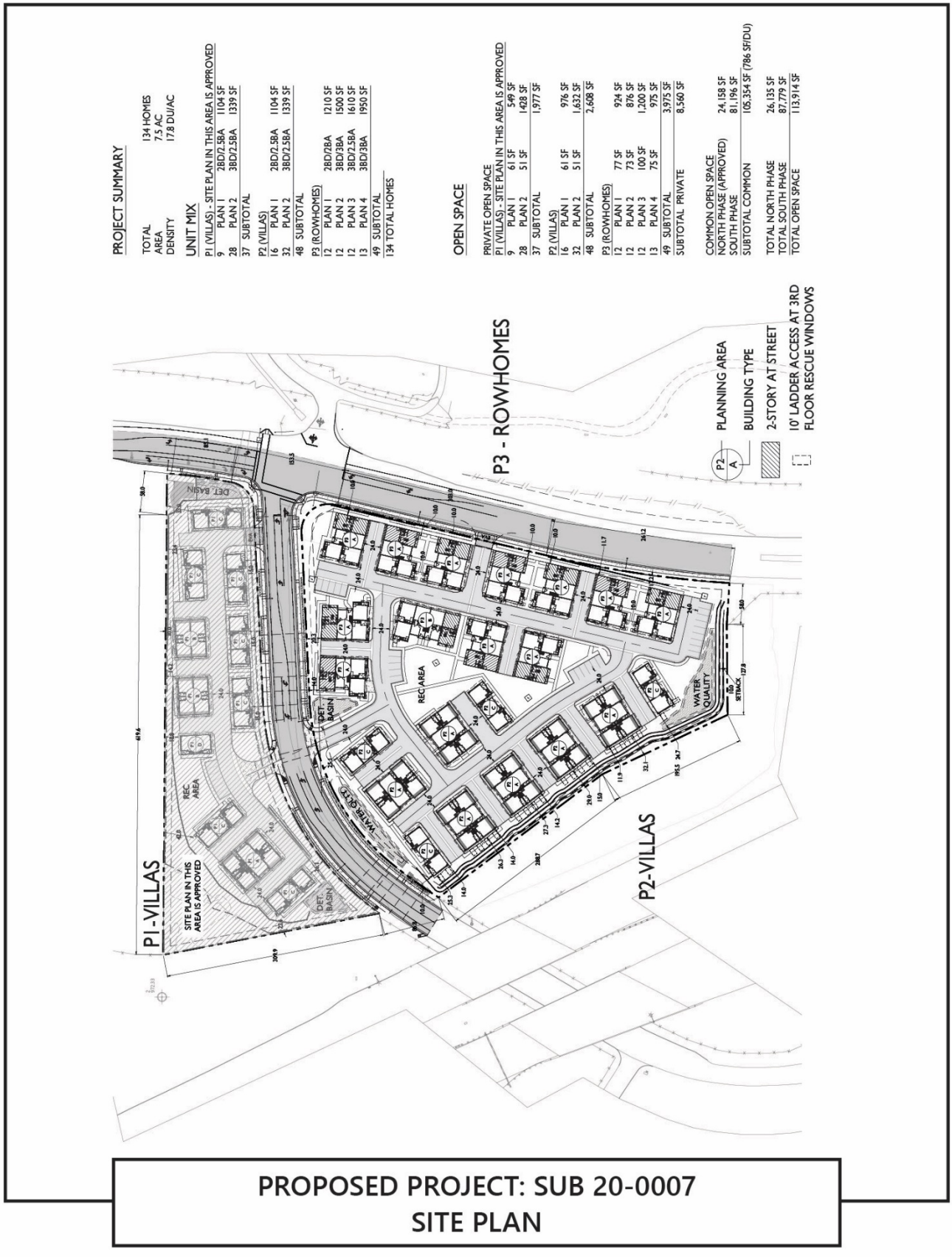


PROPOSED PROJECT: SUB 20-0007
PRELIMINARY GRADING PLAN

CALTRANS RIGHT OF WAY
CALTRANS RIGHT OF WAY
CALTRANS RIGHT OF WAY
PARCEL 1
APN 274-260-21-00
EXISTING RETAINING WALL
EXISTING RETAINING WALL
EXISTING RETAINING WALL



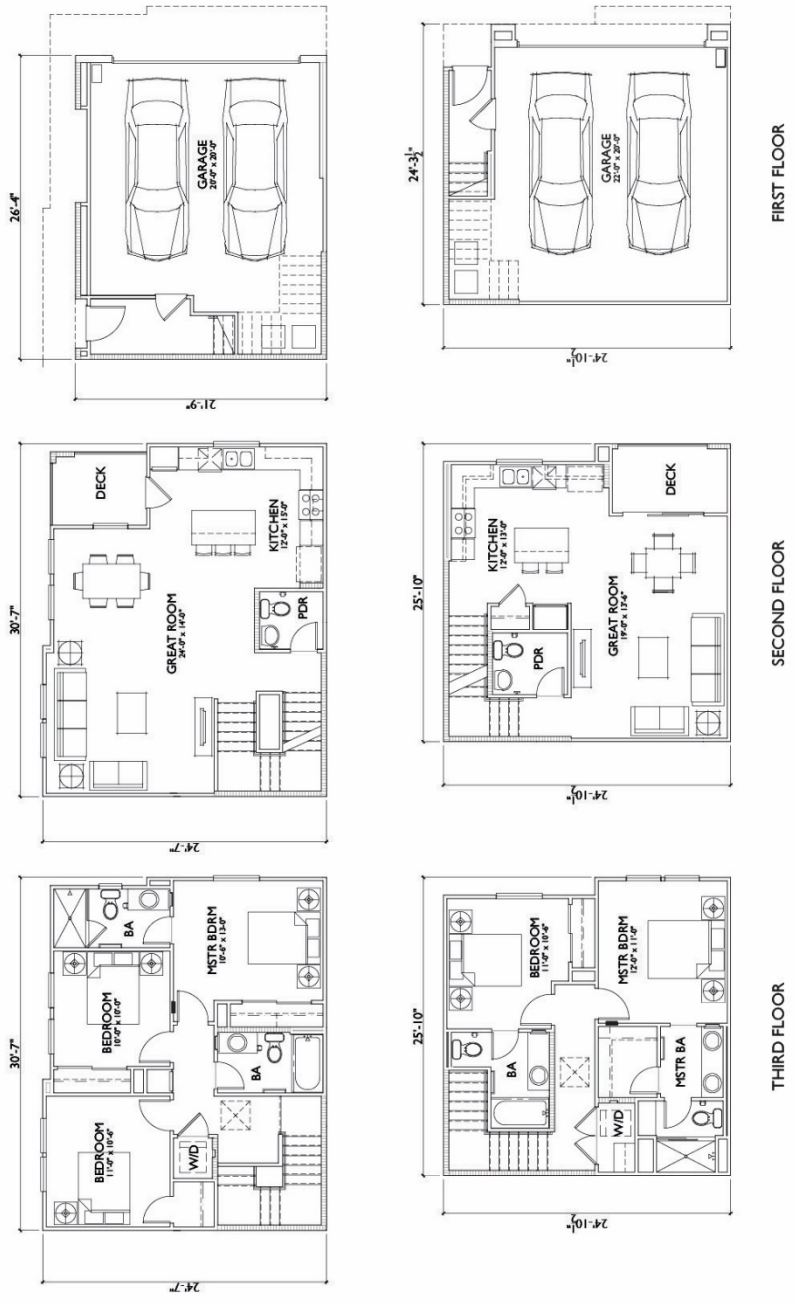
PROPOSED PROJECT: SUB 20-0007
LANDSCAPE PLAN



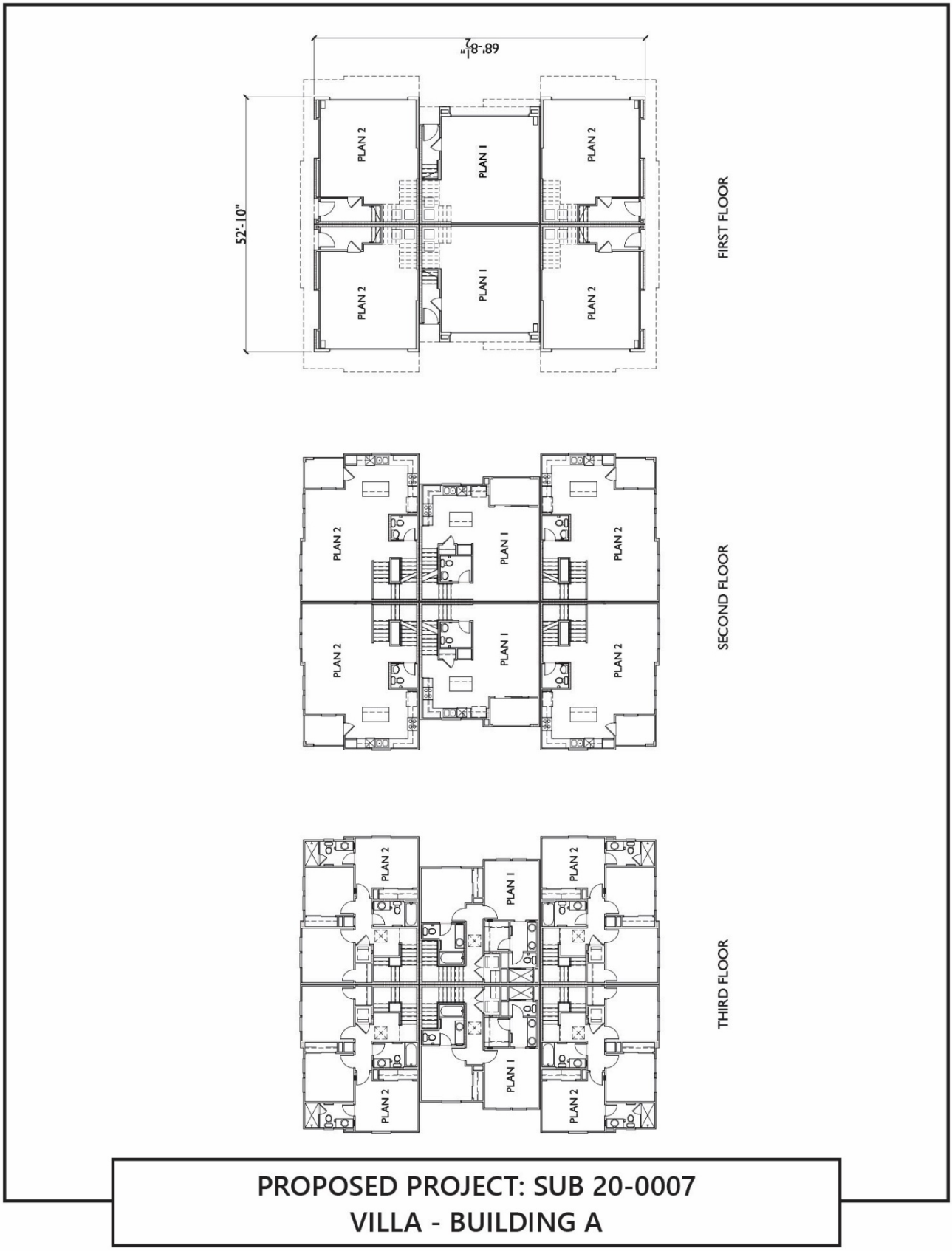
PROPOSED PROJECT: SUB 20-0007
SITE PLAN

PLAN 2:	3BD/2.5BA
1ST FLR -	54 S.F.
2ND FLR-	654 S.F.
3RD FLR-	631 S.F.
TOTAL	1,339 S.F.

PLAN 1:	2BD/2.5BA
1ST FLR -	39 S.F.
2ND FLR-	523 S.F.
3RD FLR-	542 S.F.
TOTAL	1,104 S.F.

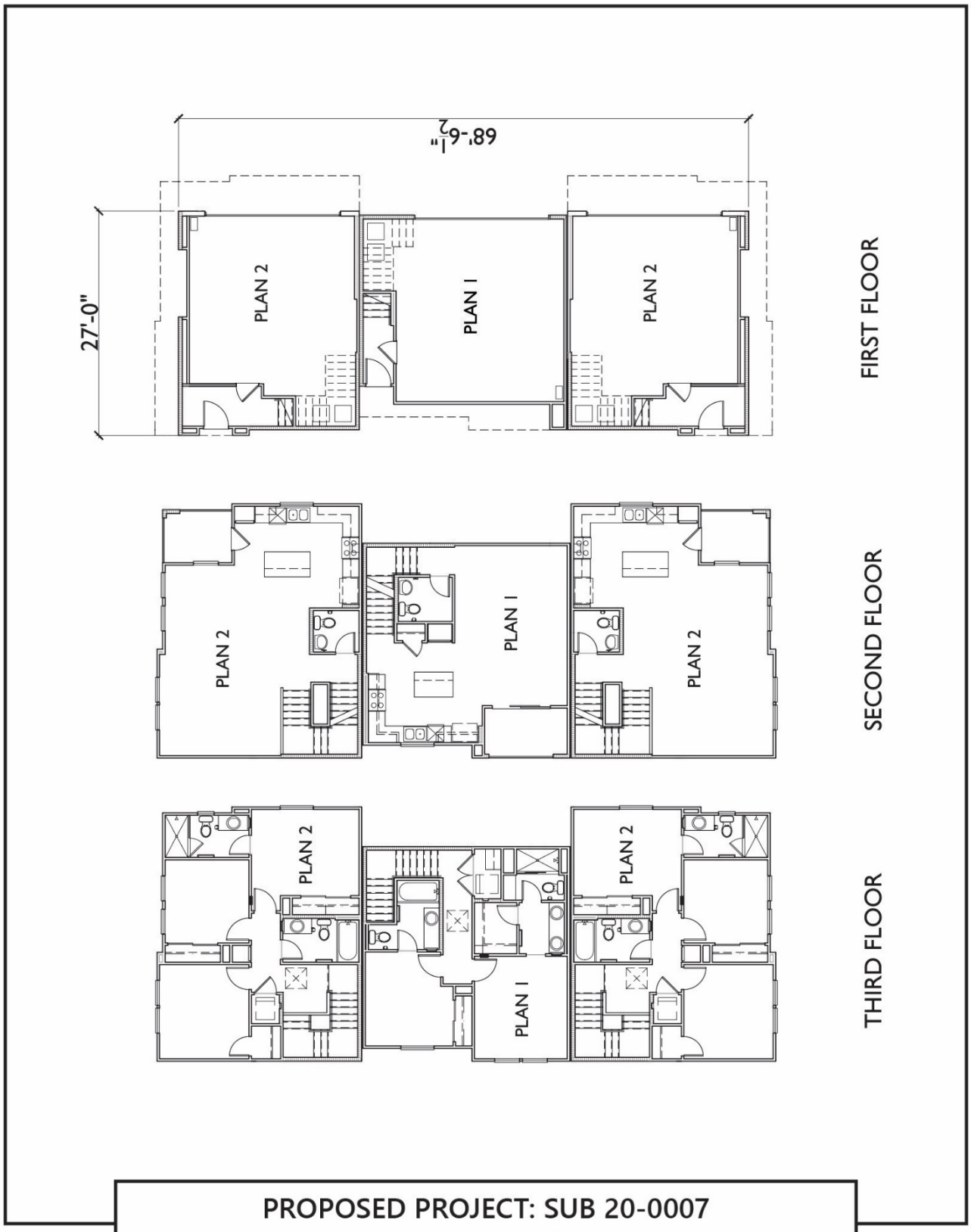


PROPOSED PROJECT: SUB 20-0007
VILLA FLOOR PLANS



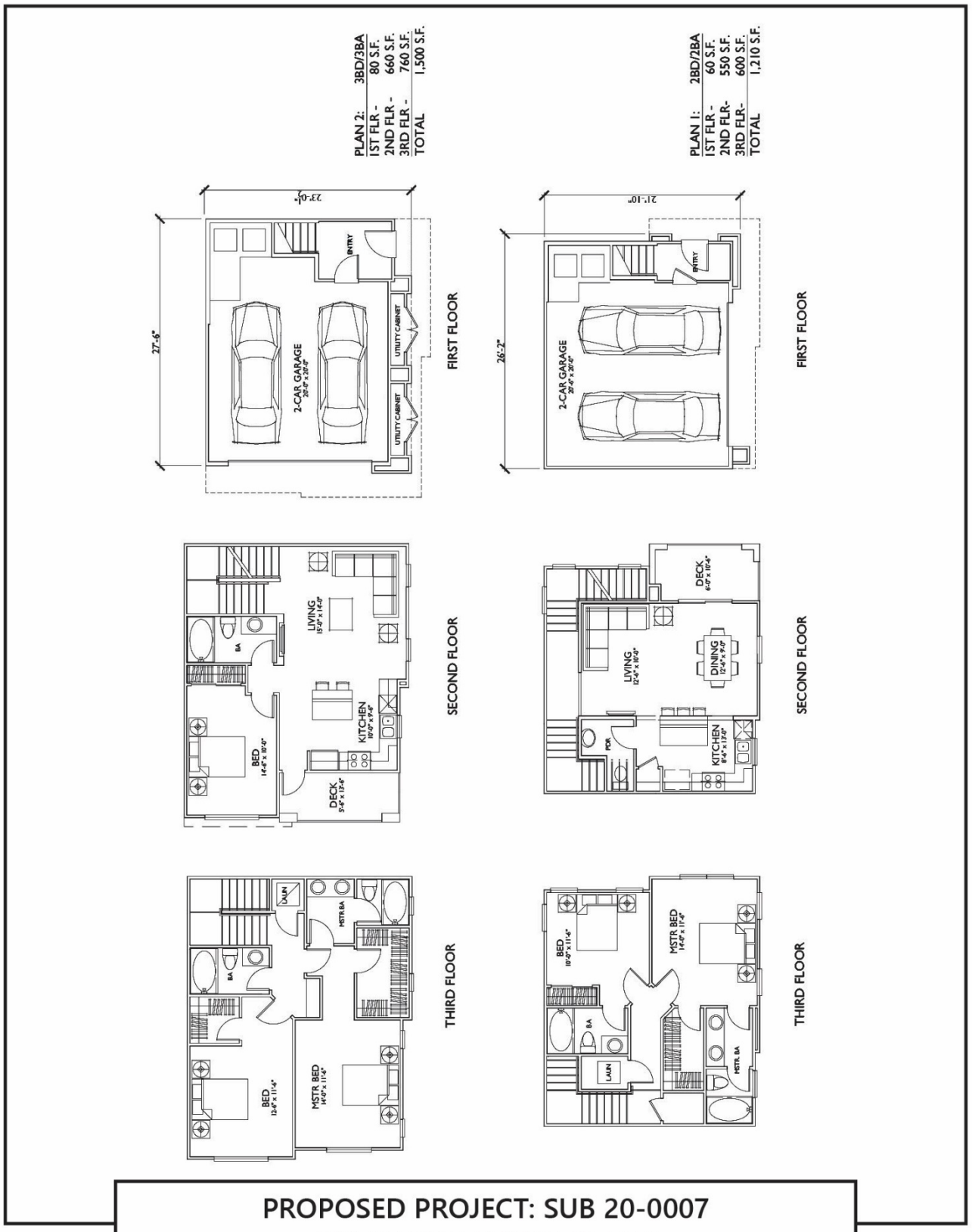
PROPOSED PROJECT: SUB 20-0007
VILLA - BUILDING A

PROPOSED PROJECT: SUB 20-0007
VILLA - BUILDING A ELEVATIONS



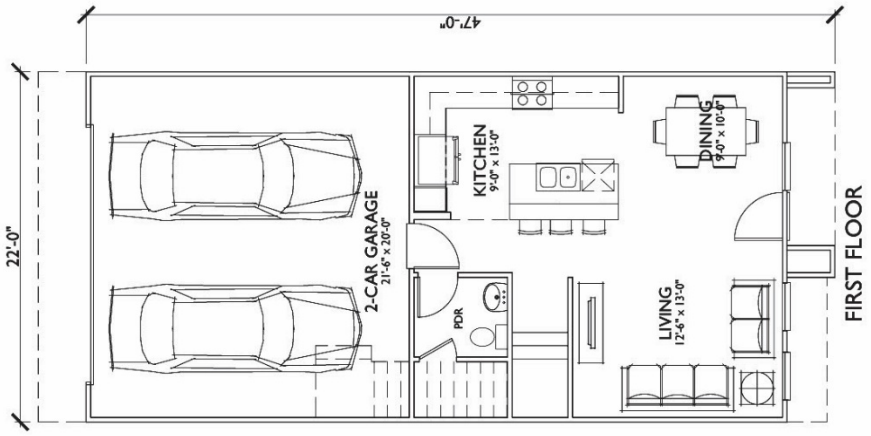
PROPOSED PROJECT: SUB 20-0007
VILLA - BUILDING C

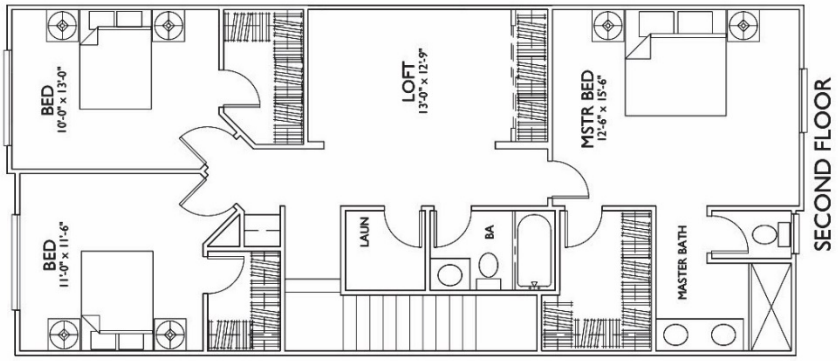
PROPOSED PROJECT: SUB 20-0007
VILLA - BUILDING C ELEVATIONS



PROPOSED PROJECT: SUB 20-0007
ROWHOME FLOOR PLANS

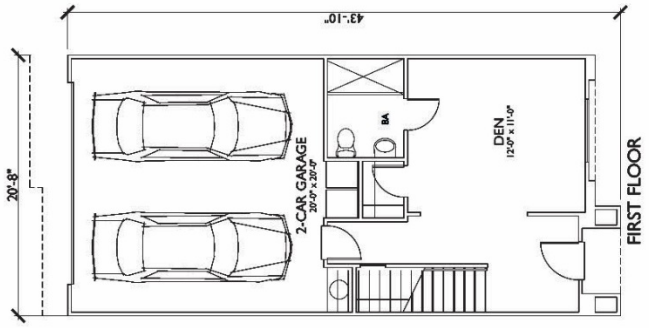
PLAN 3:	3BD/2.5BA
1ST FLR -	520 S.F.
2ND FLR-	1090 S.F.
TOTAL	1610 S.F.

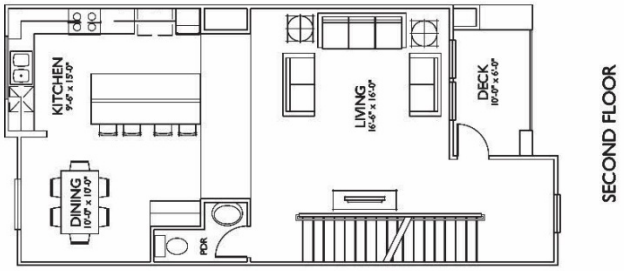


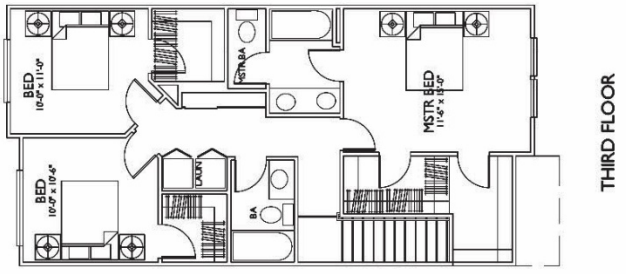


PROPOSED PROJECT: SUB 20-0007
ROWHOME FLOOR PLANS

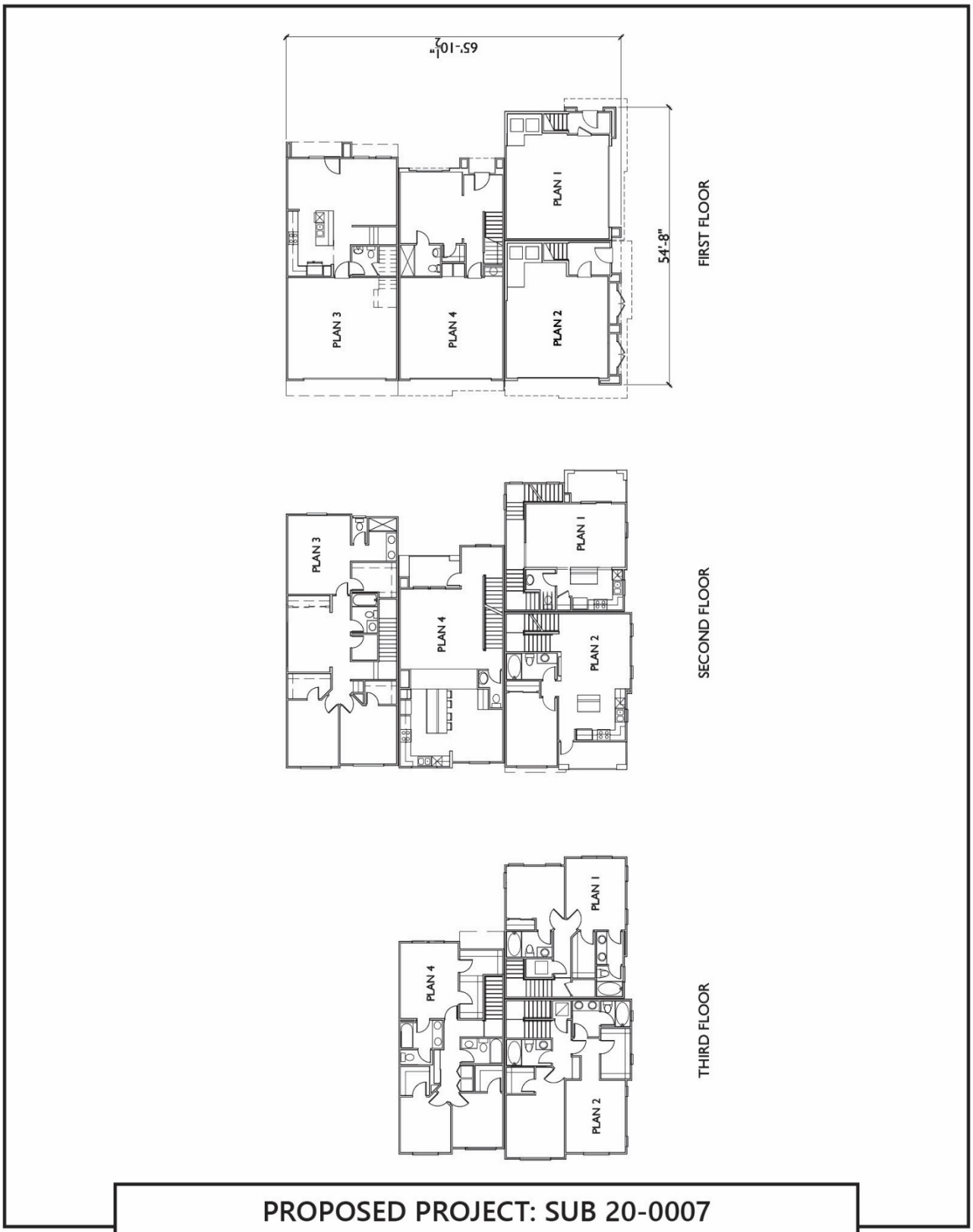
PLAN 4:	3BD/3.5BA
1ST FLR -	350 S.F.
2ND FLR -	760 S.F.
3RD FLR -	840 S.F.
TOTAL	1,950 S.F.





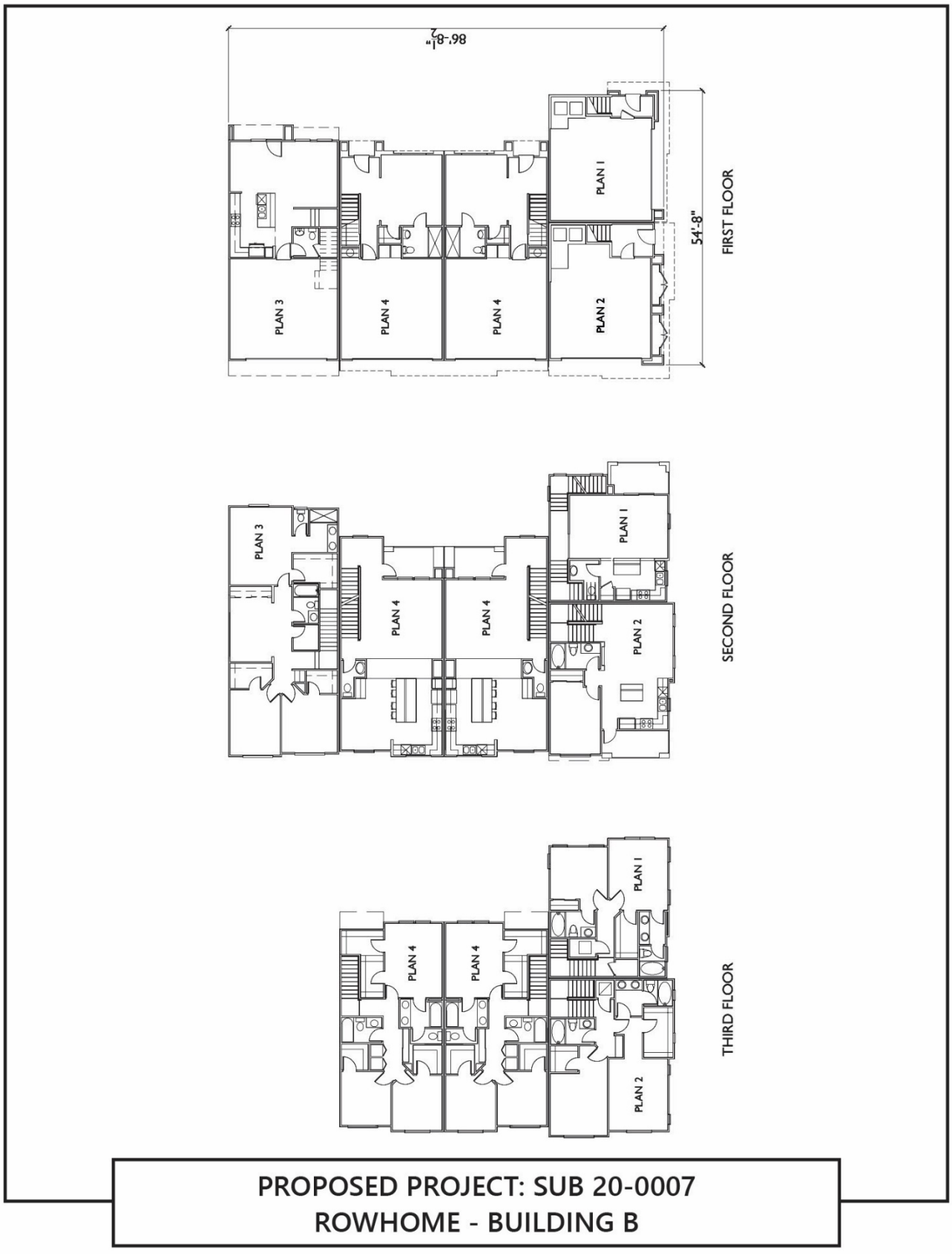


PROPOSED PROJECT: SUB 20-0007
ROWHOME FLOOR PLANS



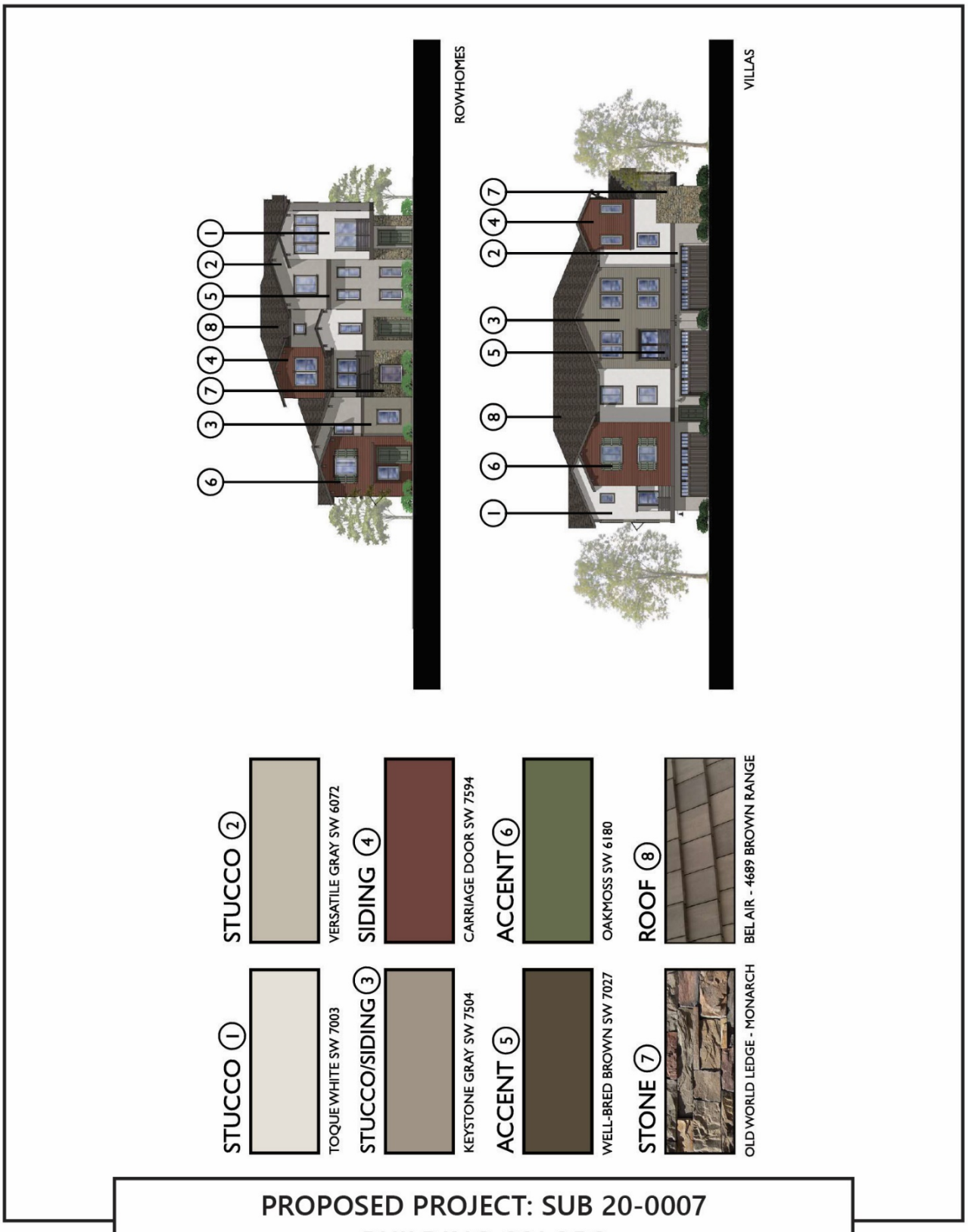
PROPOSED PROJECT: SUB 20-0007
ROWHOME - BUILDING A

PROPOSED PROJECT: SUB 20-0007
ROWHOME - BUILDING A ELEVATIONS



PROPOSED PROJECT: SUB 20-0007
ROWHOME - BUILDING B

PROPOSED PROJECT: SUB 20-0007
ROWHOME - BUILDING B ELEVATIONS



PROPOSED PROJECT: SUB 20-0007
BUILDING COLORS

Planning Commission 10/13/20

PUBLIC HEARINGS:

1. **TENTATIVE SUBDIVISION MAP, MASTER AND PRECISE DEVELOPMENT PLAN, AND GRADING EXEMPTION – SUB 20-0007:**

REQUEST: On November 20, 2019, the Escondido City Council approved a General Plan Amendment and Rezone for a project site straddling North Nutmeg Street, between North Centre City Parkway and Interstate 15, to facilitate a multi-family residential project (Case No. SUB 18-0005). City Council also approved a Specific Alignment Plan for Nutmeg Street and Centre City Parkway in the vicinity of the project site, as well as a Tentative Subdivision Map, Master and Precise Development Plan, and Grading Exemption for the north portion of the project site, to develop that north portion with 37 townhome units. The applicant is now seeking a new Tentative Subdivision Map, a Master and Precise Development Plan, and a new Grading Exemption, to develop the south portion of the project site with 97 units, bringing the total number of units for the project to 134. The Grading Exemption covers a tiered retaining wall up to 36 feet in height, along the west and south sides of the south portion of the development. This retaining wall would enable the project to limit development to the project site, with no encroachment onto the Caltrans right-of-way. An Environmental Impact Report has already been adopted for the project, as described below.

PROPERTY SIZE AND LOCATION: The south portion of the project currently is 4.37 acres in size and is located on the south side of North Nutmeg Street, between North Centre City Parkway and Interstate 15 (Assessor's Parcel Number 224-260-2300). Proposed right-of-way dedications and vacations will increase the south portion to approximately 5.07 acres. The full project site (north and south) will be approximately 7.5 acres after all dedications and vacations.

ENVIRONMENTAL STATUS: A Final Environmental Impact Report for the full project (north and south portions) was adopted by City Council on November 20, 2019 (State Clearinghouse No. 2018081063). The Final Environmental Impact Report includes mitigation measures to reduce the potential for adverse impacts related to biological resources, cultural resources, hazards and hazardous materials, noise, and traffic and transportation.

STAFF RECOMMENDATION: Approval to City Council

PUBLIC SPEAKERS (SUBMITTED WRITTEN COMMENTS):

Jason Greminger, Consultants Collaborative, Applicant, provided a presentation of the project and was available for questions.
William Inghram, provided written comments in favor of the project.
Ron Chernish, provided written comments regarding the project and has no position.

COMMISSIONER DISCUSSION:

The Commissioners discussed various aspects of the project.

ACTION:

Motion by Commissioner Rainey, seconded by Commissioner Paul to recommend approval to City Council with the addition of Planning Commission Condition No. 1, regarding a noise wall adjacent to the recreation area; and the modification to Master and Precise Development Plan Condition No. 10, regarding the timing of issuance of certificates of occupancy. Motion carried unanimously 5-0-0 (Garcia was absent and one vacancy).

CURRENT BUSINESS: None.

ORAL COMMUNICATIONS: None.

PLANNING COMMISSIONERS:

1. **Commissioner Paul** inquired about the possibility of the Commission having an eighth Commissioner, in the form of a non-binding vote/student to encourage youth participation.

2. **Commissioner Paul** inquired about the possibility of changing the 7:00 p.m. meeting start time.

3. **Commissioner Paul** asked about including code enforcement violation information related to properties on which projects are proposed.
4. **Commissioner Paul** asked if staff had any input on the concept of “main level living” where all living/dining/sleeping/washing areas are on the same floor.

RESOLUTION NO. 2020-152

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A TENTATIVE SUBDIVISION MAP AND GRADING EXEMPTION, TO SUPPORT THE NUTMEG HOMES PROJECT PROPOSAL ON THE SOUTH PORTION OF THE PROJECT SITE

CASE NO. SUB 20-0007

WHEREAS, Consultants Collaborative ("Applicant") submitted a land use development application for property located in the north portion of the City of Escondido ("City"), along both sides of North Nutmeg Street, between North Centre City Parkway and Interstate 15. The Project site is comprised of three lots with Assessor's Parcel Numbers 224-260-23, 224-260-46, and 224-260-47, legally described in Exhibit "D" to City Council Resolution No. 2019-166, which is incorporated herein by this reference as though fully set forth herein; and

WHEREAS, the Tentative Subdivision Map was later revised to limit its scope to the portion of the Project site on the north side of North Nutmeg Street (the "north portion"), and to build 37 townhomes on the north portion of the Project site as characterized in the November 20, 2019 City Council staff report; and

WHEREAS, City Council approved the Tentative Subdivision Map for development of 37 townhomes on the north portion of the Project site at a public hearing on November 20, 2019, as described in City Council Resolution No. 2019-168, which is incorporated herein by this reference as though fully set forth herein; and

WHEREAS, the Applicant has now submitted a Tentative Subdivision Map for development of the portion of the Project site on the south side of North Nutmeg Street

(the “south portion”), and to build 97 townhomes on the south portion of the Project site as characterized in the November 18, 2020 City Council staff report. The south portion is legally described in Exhibit “A”; and

WHEREAS, said verified application was submitted to, and processed by, the Planning Division of the Community Development Department as Planning Case No. SUB 20-0007 in accordance with the rules and regulations of the Escondido Municipal and Zoning Codes, and the applicable procedures and time limits specified by the Permit Streamlining Act (Government Code Section 65920 et seq.) and CEQA (Public Resources Code Section 21000 et seq.); and

WHEREAS, the Planning Division of the Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for October 13, 2020, at which interested persons were given the opportunity to appear and present their views with respect to said proposed Project actions. Following the public hearing on October 13, 2020, the Planning Commission adopted Resolution No. 2020-14, which recommended that the City Council, among other things, approve the Tentative Subdivision Map and Grading Exemption; and

WHEREAS, an original copy of the proposed Tentative Subdivision Map and Grading Exemption and all other related Project materials are on file in the Office of the City Clerk, with a copy of each document submitted to the City Council for its consideration. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council's decision is based, which documents and materials shall be available for public

inspection and copying in accordance with the provisions of the California Public Records Act; and

WHEREAS, the City Council did on November 18, 2020, hold a duly noticed public hearing as prescribed by law. Evidence was submitted to and considered by the City Council, including, without limitation:

a) Written information including all application materials and other written and graphical information posted on the project website.

b) Oral testimony from City staff, interested parties, and the public.

c) The City Council staff report, dated November 18, 2020, which along with its attachments, is incorporated herein by this reference as though fully set forth herein, including the Planning Commission's recommendation on the request.

d) Additional information submitted during the public hearing; and

WHEREAS, the City Council has reviewed the request for the Tentative Subdivision Map and Grading Exemption, and reviewed and considered the recommendation from the Planning Commission; and

WHEREAS, A Final Environmental Impact Report ("EIR") has been prepared in compliance with all requirements contained in CEQA, CEQA Guidelines, and Article 47 (Environmental Quality Regulations) of the Escondido Zoning Code, and was adopted by City Council on November 20, 2019. The City Council, in its independent judgment, finds that the Final EIR that was previously prepared and adopted retained its relevancy. Mitigation measures were developed to reduce potential impacts to biological resources, cultural/tribal cultural resources, hazards and hazardous materials, noise, and traffic and transportation. The Applicant has agreed to implement all

mitigation measures identified in the Final EIR in order to reduce all potentially significant environmental impacts to a less-than-significant level, in accordance with the Mitigation Monitoring Reporting Program ("MMRP") prepared for the Project. The MMRP has been added as conditions to support the full Project's implementation (i.e., north and south portions).

WHEREAS, Ordinance No. 78-2 enacted pursuant to Section 65974 of the California Government Code and pertaining to the dedication of land and fees for school facilities has been adopted by the City of Escondido; and

WHEREAS, in accordance with Government Code Section 66473.5, no local agency shall approve a tentative map, unless there is a finding that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300 of the Government Code), or any specific plan adopted pursuant to Article 8 (commencing with Section 65450 of the Government Code); and

WHEREAS, on November 18, 2020, the City Council introduced Ordinance No. 2020-30 to approve a Master and Precise Development Plan and to enable potential adoption of the proposed Tentative Subdivision Map and Grading Exemption on the subject site.

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

1. That the above recitations are true.

2. That the Findings of Fact, attached as Exhibit "A" and incorporated herein by this reference as though fully set forth herein, are hereby made by this City Council,

and represent the City Council's careful consideration of the record. The findings of this City Council on Exhibit "B" shall be the final and determinative Findings of Fact on this matter.

3. That upon consideration of the Findings, all material in the November 18, 2020, City Council staff report (a copy of which is on file with the Office of the City Clerk), public testimony presented at the hearing, and all other oral and written evidence on this Project, this City Council approves the Tentative Subdivision Map and Grading Exemption, subject to the Conditions of Approval in Exhibit "C," which is incorporated by this reference. Copies of said Resolution are on file with the Office of the City Clerk and are incorporated herein by this reference.

4. That this Tentative Subdivision Map shall be null and void unless a Final Map, conforming to the Tentative Subdivision Map and all required conditions, is filed within thirty-six (36) months from the effective date of approval of the Tentative Subdivision Map, unless additional time is granted pursuant to the Map Act, or pursuant to an extension of time, as described in Section 32.210 of the City of Escondido Municipal Code.

5. That concurrently with this Resolution, the City Council is taking additional action in furtherance of the Project, as generally described by the November 18, 2020, City Council staff report. No single component of the series of actions made in connection with the Project shall be effective unless and until it is approved by an Ordinance or Resolution and is procedurally effective within its corporate limits as a statute in the manner provided by state law. Therefore, this Resolution shall become

effective and operative on the day immediately subsequent to the date that Ordinance 2020-30 becomes effective.

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

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

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

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT PORTION OF LOTS 1 AND 2 IN SECTION 5, TOWNSHIP 12 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING WESTERLY OF THE WESTERLY LINE OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED MAY 15, 1947 IN BOOK 2380, PAGE 435 OF OFFICIAL RECORDS, SOUTHEASTERLY AND SOUTHERLY OF THE CENTER LINE OF COUNTY ROAD SURVEY NO. 1113 AS DESCRIBED IN DEED TO THE COUNTY OF SAN DIEGO RECORDED MAY 6, 1948 AS DOCUMENT NO. 45789 IN BOOK 2786, PAGE 349 OF OFFICIAL RECORDS AND EASTERLY AND NORTHERLY OF THE LAND CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED SEPTEMBER 28, 1971 AS FILE NO. 220908 OF OFFICIAL RECORDS.

(Assessor's Parcel Number 224-260-23)

EXHIBIT "B"

FINDINGS OF FACT

Environmental Determination(s)

1. Pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Title 14 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.

2. The Final EIR that was adopted by City Council on November 20, 2019, identifies the reasonably foreseeable environmental impacts of the whole action (i.e. full build-out of the north and south portions). The Final EIR recommends mitigation measures and alternatives which can avoid or reduce those impacts associated with the full project. This approach follows the principle that the EIR process should be combined with the project approvals to examine all phases of the project, rather than piecemealing individual parts viewed and analyzed separately. None of the circumstances requiring the preparation of a subsequent EIR exist, as listed in Section 15162(a) of the CEQA Guidelines.

3. The Final EIR and Mitigation and Monitoring and Reporting Program ("MMRP") that were adopted by City Council remain relevant and the Project Applicant would be required to implement all mitigation measures to avoid or substantially reduce the project's significant environmental impacts.

4. Based on City Council's review of the Project, no special circumstances exist that would create a reasonable possibility that development of the south portion of Nutmeg Homes, as proposed under SUB 20-0007, would have a significant effect on the environment beyond what was previously analyzed and disclosed in the adopted Final EIR.

Tentative Subdivision Map Determination(s)

1. City Council makes the finding that none of the findings (a) through (g) below in Section 66474 of the California Government Code, which require a City to deny approval of a Tentative Subdivision Map, apply to this Project for the reasons stated as follows:

Findings for Tentative Map Approval	Explanation of Finding
A. That the proposed map is consistent with applicable general and specific plans as specified in Section 65451 of the Subdivision Map Act	The General Plan land use designation for the site is Urban III (U3). The proposed subdivision is consistent with the allowed uses for the U3 land use designation. The U3 land use designation allows a maximum

	density of 18 dwelling units per acre, and a minimum density of 12.6 units per acre (70 percent of the maximum). The proposed Tentative Map would construct 97 units on the south portion of the project site, for a density of 19.1 units per acre on this south portion. When combined with the 37 units previously approved for the 2.43-acre north portion, the overall density of the site would be within the range of acceptability. The Project site is not located within an existing or proposed specific plan.
B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.	The proposed subdivision would conform to the minimum and maximum densities allowed for the U3 land use designation. A Master and Precise Development Plan are proposed in conjunction with the Tentative Map. Development standards are proposed under the Master Development Plan; however, the Project's proposed street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fuel modification zones; traffic access; grading; and recreational amenities were all reviewed for compliance to relevant City policies and codes. As conditioned, the design and improvements of the proposed subdivision are consistent with the General Plan. Furthermore, the payment of development impact fees, as well as annexation into CFD No. 2020-01 or establishment of another funding mechanism, is necessary to avoid or lessen the likelihood of future impacts related to the provision of public services, as well as to maintain consistency with Housing Element and Growth Management policies related to assessing fiscal impacts of new development and ensuring provisions to offset costs to public facilities and services.
C. The Project site is physically suitable for the proposed type of Project.	The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development, in an EIR adopted by City Council per Resolution No. 2019-166 (State Clearinghouse #2018081063). As appropriate, the Final EIR requires measures to mitigate potential impacts to reduce those

	impacts to a less than significant level. The site is suitable for the residential type of development proposed since adequate access and utilities can be provided to the site. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the site is not located on a skyline or intermediate ridge, and does not contain any significant topographical features. A conceptual landscape plan provided by the applicant proposes to plant a variety of trees, shrubs, and groundcovers throughout the project site, including street trees along Nutmeg for screening between the site and the street corridor.
D. That the site is physically suitable for the proposed density of development.	The granting of the Tentative Subdivision Map would not violate the requirements, goals, policies, or spirit of the General Plan. The Urban III land use designation allows for a maximum of 18 dwelling units per acre and a minimum of 12.6 dwelling units per acre. Adequate access to the site for residents can be provided via Nutmeg Street, and an additional emergency vehicle entrance can be provided from Centre City Parkway. Necessary utilities are available or can be provided. The portions of the site that contain slopes over 35 percent would be precluded from grading or development activities, or are small and isolated and therefore do not meet the standards of steep slope protection as envisioned by the General Plan or its implementing ordinances. The Project also would not be out of character for the area because the proposed development would be well integrated into its surroundings. The new residences would incorporate compatible and integrated architecture, materials, and colors. The project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties.
E. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably	The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development, in an EIR adopted by City

injure fish or wildlife or their habitat.	Council per Resolution No. 2019-166 (State Clearinghouse #2018081063). Impacts to nesting birds, sensitive vegetation communities, and mature or protected trees were identified in the EIR, and mitigation measures were adopted to reduce those impacts to a less than significant level.
F. That the design of the subdivision or the type of improvements is not likely to cause serious public health concerns.	The design of the map and the type of improvements are not likely to cause serious public health problems. The Project's proposed street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fuel modification zones; unit configuration; traffic and emergency access; grading; and open space and recreational amenities were all reviewed for compliance to relevant City policies and codes. Realignment of Nutmeg Street via a previously approved Specific Alignment Plan, and additional street improvements approved under SUB 18-0005 (such as the installation of traffic signals at two intersections and the creation or striping of turn lanes and bicycle lanes), would improve traffic safety for both the residents of the development and other road users. The proposed subdivision map has been designed to meet the requirements of the City and other service agencies standards. All necessary public facilities and services are in place or can be extended to serve the Project, which comes with support from fire, sewer, water, and school service providers, indicating that existing facilities are available to service the Project. New homes are not proposed to be located in areas that contain earthquake faults, flooding or dam inundation potential. Environmentally sensitive areas and drainage courses are maintained and incorporated within the plan. The design of the subdivision would not result in serious health problems and would not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
G. That the design of the subdivision or	The design of the map and type of

	the type of improvements would not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.	improvements would not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map. All easements identified in the preliminary title report for the subject property are shown on the proposed Tentative Subdivision Map. No conflicts with easements of record have been identified.

2. All permits and approvals applicable to the proposed Tentative Map pursuant to Chapter 33 of the Municipal Code have been obtained, or conditions of approval have been proposed to ensure they will be obtained. Approval of a Master and Precise Development Plan and Grading Exemption along with the Tentative Map will allow the applicant to implement the design of the subdivision as shown on the map. The project has been conditioned to require several permits necessary to construct the project as proposed, including grading, landscape, building, and encroachment permits.

3. The proposed Tentative Map shall be in conformity with the zone in which it is located. The project site currently is zoned PD-R-18 (Planned Development- Residential; 18 units/acre). The density of the south portion of the site would be 19.1 units per acre, which is greater than allowed for the zoning classification or for the applicable General Plan land use designation of U3. However, the total density for the project site would be 17.9 units per acre (134 total units across 7.5 acres). Under the Planned Development Ordinance (Article 19 of the Escondido Zoning Code), residential planned developments may, and are encouraged to, depart from standard subdivision and housing design provided the overall residential density yield conforms with city policy and shall be governed by the residential density set forth in the General Plan. The findings for SUB 18-0005 (the Tentative Map for the north portion) noted that when an application was submitted to add the south portion of the site to the development via a second Tentative Map, the overall density of the project would be limited to 18 units per acre, and the project does conform to that finding. The Tentative Subdivision Map has been conditioned appropriately to provide all infrastructure improvements including sufficient open space and landscaping.

4. All applicable requirements of the Map Act and any ordinance of the City of Escondido regulating land divisions have been satisfied.

Grading Exemption Determinations:

1. Granting the proposed Grading Exemption is consistent with the Grading Design Guidelines for the following reasons:

    a. While the EIR anticipated that the project will have impacts to sensitive vegetation communities and to mature and/or protected trees, mitigation measures have been

proposed in the EIR to reduce these impacts to a less than significant level, and the development shall incorporate erosion control measures as defined in the City's stormwater management requirements.

b. The proposed Grading Exemption would not create a negative visual impact upon neighboring properties. The proposed retaining wall would be up to 36' in height, but would be located along the west and south sides of the project site, and primarily would face Interstate 15, instead of adjacent residential properties. The wall would be contoured and planted with vines to soften its appearance for passing motorists on the interstate.
c. The proposed Grading Exemption would not intrude into or disturb the use of any adjacent property or adversely block the primary view of any adjacent parcels; disturb any utilities or drainage facilities; obstruct circulation patterns or access; nor preclude the future development of any adjacent parcel. The retaining wall covered by the Grading Exemption would be located entirely on the project site, so as to avoid any encroachment onto the adjoining Caltrans right-of-way.
d. The proposed design of the retaining wall would not adversely affect any adjoining septic systems. The wall would be located along the west and south property lines, adjacent to the Caltrans right-of-way, and there are no septic systems in these areas. The proposed project will be provided with sewer service.
e. The project's EIR includes a visual analysis that indicates that no significant impacts to aesthetics or visual quality would arise as a result of the project.
f. All graded areas shall be protected from wind and water erosion through compliance with the City's stormwater management requirements. The development will be required to incorporate interim erosion control plans, certified by the project engineer and reviewed and approved by the City's Engineering Services Department.

Hillside and Ridgeline Protection Overlay Determinations:

1. The bulk, scale, density, and overall character of the proposed development is compatible with the surrounding neighborhood and with the natural, cultural, scenic and open space resources of the area. The density of the project does not exceed the maximum allowed for the U3 land use designation of the General Plan. Proposed development standards are comparable with standards for a development in the R-3 (Medium Multiple Residential Zone), and any deviations (such as the one for building height) are discussed in the October 13, 2020 Planning Commission staff report and accounted for as part of the proposed Master and Precise Development Plan. Open space areas have been proposed for protection of fuel modification zones, stormwater management facilities, and recreational amenities.

2. The location and design of the proposed development respects and preserves the natural landform, vegetation, and wildlife of the project. Slopes exceeding 35% are located along the Centre City Parkway frontage of the south portion, as well as in small, isolated areas near the northwest corner of the site. Staff have determined that these slopes do not meet the

standards of steep slope protection envisioned by the General Plan or its implementing ordinances. The EIR adopted for the project includes mitigation measures to compensate for impacts to sensitive biological habitat. No ridgelines are located on the project site per the hillside and ridgeline overlay map on file at the Community Development Department.

3. The location and design of the development does not substantially alter the natural appearance and land form of the hillsides and ridges. No ridgelines are located on the project site per the hillside and ridgeline overlay map on file at the City.

4. The location and design of the proposed development will protect the safety of current and future residents, and will not create a significant threat to life and property due to slope instability, fire, flood, mud flow, erosion, or other hazards. City Engineering staff have reviewed the project's conceptual grading design, and will review the final grading plan submittal as a condition of approval for the project. A geotechnical report, fire protection plan, and drainage study were prepared to inform the environmental analysis in the project EIR, and mitigation measures were adopted where appropriate to minimize threats to life and property. No flood hazard zones exist on the site per FEMA's flood hazard maps.

5. All grading associated with the project has been minimized to the extent possible, preserving the character of the property while utilizing appropriate erosion control practices as determined by Engineering staff to avoid erosion, slides, or flooding, in order to have as minimal an effect on said environment as possible. Grading information has been provided with the project application and reviewed by Engineering staff. Conditions of approval have been proposed to require issuance of a grading permit prior to any ground-disturbing activities, and to require the use of erosion-control measures during grading.

EXHIBIT "C"

CONDITIONS OF APPROVAL

Nothing in this permit shall relieve the Applicant from complying with conditions and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. **This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.**

Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the conditional use permit conditions.

MITIGATION MEASURES

The following mitigations measures were contained within the Mitigation Monitoring and Reporting Program (MMRP) that was adopted with the Nutmeg Homes Final Environmental Impact Report on November 20, 2019, under ENV 18-0005. Unless specifically noted, they are in effect for the entire project site.

MM BIO-1: Prior to the issuance of any permit (i.e. grading, tree-trimming, or vegetation removal) by the City the Project Applicant shall demonstrate to the satisfaction of the City Community Development Director or City designee that if initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird breeding season for migratory birds and raptors (January 15 and September 15), the Project Applicant shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and California Fish and Game Code. The pre-construction survey shall be performed no more than seven (7) days before the start of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.

MM BIO-2: Prior to the issuance of any grading permit that would impact coastal California gnatcatcher (CAGN) protocol surveys in accordance with Wildlife Agency criteria shall be accomplished. (This includes: from March 15 to June 30, a minimum of six (6) surveys shall be conducted at least one week apart; or, between July 1 and March 14, nine (9) surveys are required, to be conducted at minimum two (2) week intervals.) If surveys document absence of CAGN no additional avoidance or minimization measures are required. If surveys document the presence of CAGN occupied coastal sage scrub shall be fenced and construction within 500 feet of occupied habitat shall occurs only between September 1 and February 15 to avoid indirect

impacts to nesting CAGN. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with Resources Agencies. The noise barrier shall attenuate noise levels to 60 dBA or less at the edge of breeding habitat.

No permit (i.e. grading, tree-trimming, or vegetation removal) that would impact Coastal Sage Scrub, Southern Mixed Chaparral, or Coast Live Oak Woodland habitat on the project site shall be issued until the Project Applicant shall demonstrates to the satisfaction of the City Community Development Director or City designee that they will/have purchased off-site of suitable habitat within a City approved mitigation bank (such as the Daley Ranch Conservation Bank) at mitigation ratios noted in Table 4.3-2.

MM BIO-3: Prior to the issuance of any permit (i.e. grading, tree-trimming, or vegetation removal) by the City the Project Applicant shall demonstrate to the satisfaction of the City Community Development Director or City designee that the replacement of impacted mature trees will occur. Unless otherwise determined by the City mature trees will be replaced at a minimum 1:1 ratio. The Project Applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City's Director of Community Development or City designee.

MM CR-1: The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The Pauma tribe shall be consulted prior to contracting with the Native American Monitor. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.

MM CR-2: Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the

MM CR-3: The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

MM CR-4: During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time.

The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

MM CR-5: In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor, shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

MM CR-6: If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.

MM CR-7: The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

MM CR-8: As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the

Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

MM CR-9: If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

MM CR-10: Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

MM HAZ-1: Prior to the issuance of any building permit, the project applicant shall demonstrate to the satisfaction of the City Building Department that all windows adjacent to preserved vegetation are dual paned with both panes tempered.

MM HAZ-2: Prior to the approval of the Final Landscape Plan, the wall and fence component shall provide a noncombustible, 8-foot wall at the rear or side yard that would function as a heat-deflecting landscape wall as shown on Figure 4.7-1 to the satisfaction of the City Community Development Department.

MM HAZ-3: (Eliminated in Final EIR)

MM HAZ-4: Prior to the issuance of the first Certificate of Occupancy the project applicant shall provide CC&R's that demonstrate to the satisfaction of the City's Community Development Department and City Attorney that the annual review of landscape maintenance plans includes a third party evaluation of Fuel Modification Zones (FMZ) area that meet the requirements of the FMZ and City's Fire Department (EFD).

MM NOI-1: In order to reduce the noise levels at the two proposed outdoor recreation areas, the project applicant shall construct two 8-foot sound walls, with one located on the south side of the outdoor recreation area that is located on the north side of Nutmeg Street and the other wall located southwest of the outdoor recreation area that is located on the south side of Nutmeg Street. The sound walls shall be constructed of a solid material (e.g., glass, concrete block, or plaster). The locations of the proposed outdoor recreation area sound walls are shown in Figure 4.10-5.

MM NOI-2: The project applicant will provide a "windows closed" condition for each proposed residential townhome. A "window closed" condition is a term that means that a home is capable of providing adequate ventilation and temperature control without opening the windows. A "windows closed" condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system with a filtered outside air intake vent for each residential unit.

MM NOI-3: For the P1-Villas, the project applicant shall require all windows and exterior doors on the northwest, southwest, and southeast sides of Building 1 to have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors are shown on Figure 4.10-5.

MM NOI-4: For the P2-Villas, the project applicant shall require all windows and exterior doors on the southwest side of Buildings 12 to 18, the northwest side of Building 18, and the northwest side of the westernmost unit of Buildings 16 and 17 to have a minimum STC rating of 35 STC. In addition, all windows and exterior doors on the northwest side of Buildings 19 and 20 and southwest side of Building 19 and the southeast and northwest sides of Buildings 12 to 18 that were not covered by the 35 STC requirement shall have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors is shown on Figure 4.10-5.

MM TRA-1: Prior to the occupancy of the proposed project the intersection of North Centre City Parkway/North Nutmeg Street will be improved to the satisfaction of the City as noted below:

- Installation of a traffic signal;
- Restripe the southbound approach to provide a dedicated left-turn lane; and,
- Construct a dedicated right-turn lane on the southbound approach of the intersection.

MM TRA-2: The proposed project at the intersection of West Country Club Lane/ North Nutmeg Street will provide the following:

- Installation of a traffic signal at the intersection; and,
- Restripe the southbound approach to provide a shared left-turn/through lane and a dedicated right-turn lane.

MM TRA-3: Prior to the occupancy of the proposed project the existing right-of-way on North Nutmeg Street from West Country Club Lane to Via Alexandra will be widen to provide for a 14' wide southbound lane with curb, gutter, and sidewalk designed as a green streets facility. Improvements shall include removal and reconstructions of existing driveways to private driveway

standards and a parking restriction along the improved section of Nutmeg Street to the satisfaction of the City Engineer.

MM TRA-4: The proposed project at the intersection of North Centre City Parkway/North Nutmeg Street intersection will provide the following minimum storage lengths for left turn and right-turn lanes:

- Eastbound Left-Turn Lane: 100 feet; and,
- Southbound Right-Turn Lane: 125 feet

MM TRA-5: The proposed project at the intersection of Nutmeg Street/Project Access will provide 50-foot left-turn pockets for the eastbound and westbound left-turn lanes.

GENERAL PLANNING CONDITIONS

1. All conditions of approval for SUB 18-0005, as noted in Exhibit B to City Council Resolution No. 2019-168, are still in effect.

2. This project is conditionally approved as set forth on the application and project drawings submitted to the City of Escondido, all designated as approved by the City Council on [placeholder until City Council hearing], and shall not be altered without express authorization by the Director of Community Development.

3. The Project shall be completed in substantial conformance to the plans approved, except as modified herein. The Project shall be constructed and operated by the Applicant in accordance with the authorized use as described in the application materials and plans on file with the Office of the Clerk of the City of Escondido. Any additional uses or facilities other than those approved with this permit, as described in the approved plans, will require a separate application and approval. Colors and materials shall conform to the approved plans and the exhibits and references in the staff report, to the satisfaction of the Planning Division. For building features that do not have a specific material and/or color called out on the plans and exhibits (e.g., eaves, window frames, front doors, and garage doors), selected materials and colors should match the rest of the development.

4. Approval of all Project-related permits will expire 36 months after the approval of this Project, unless the conditions have been met or an extension of time has been approved pursuant to the Municipal Code.

5. Applicant shall and does hereby agree to indemnify, protect, defend, and hold harmless the City of Escondido, its Council members, officers, employees, agents, and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of the series of actions that this Project comprises, and/or (b) City's approval or issuance of any permit or action, whether discretionary or ministerial, in connection with the land use and activity contemplated described by this Project. This

obligation survives until all legal proceedings have been concluded and continues even if the City's approval is not validated.

6. If any of the following conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

7. If any condition for construction of any public improvements or facilities, or the payment of any fees in-lieu thereof, imposed by this approval or imposed by law on this Project are challenged, this approval shall be suspended as provided in Government Code Section 66020. If any such condition is determined to be invalid, this approval shall be invalid unless the City Council determines that the project without the condition complies with all requirements of law.

8. Community Facility District or Separate Funding Mechanism. The Applicant shall fund all on-going operational costs of providing municipal services required for the Project, the amount of such funding to be determined by the City Council at the time of Project approval. Such funding shall occur through either an agreement to form or annex into a Community Facilities District ("CFD") or the establishment of another lawful funding mechanism reasonably acceptable to the City ("Public Services Funding Agreement"). The provisions of the Public Services Funding Agreement shall specify any terms and limitations necessary to implement the CFD or other funding mechanism to offset the impacts to public services associated with the project. The City Manager, or City Manager's designee, shall be authorized to approve and execute the Public Services Funding Agreement, and the Public Services Funding Agreement shall be finalized prior to the City's issuance of any permit for the Project.

TENTATIVE SUBDIVISION MAP

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when permits are issued, including any applicable City-Wide Facilities fees.

2. Three copies of a revised Tentative Map, reflecting all modifications and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading plans, landscape plans and the final map.

3. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.

4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

5. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.

6. All new utilities shall be underground.

7. All project-generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.

8. No street names are established as part of this approval. A separate request shall be submitted prior to final map.

9. Access roads and project grading must comply with SDG&E guidelines for any encroachment to, and into, right of way. Any grading to be performed within SDG&E right of way requires a "permission to grade" letter.

10. All utility connections shall be designed to coordinate with the architectural elements of the site so as not to be exposed except where necessary. Locations of pad mounted transformers, meter boxes, and other utility related items shall be included in the site plan submitted with the building permit application with an appropriate screening treatment. Transformers, terminal boxes, meter cabinets, pedestals, ducts and other facilities may be placed above ground provided they are screened with landscaping.

11. All pedestrian passageways in the designated trail connection as depicted on the approved Tentative Subdivision Map shall have walkway non-slip surfaces, such as decomposed granite, to enable multi-generational use, designed to prevent dust, and otherwise be designed to allow convenient use for outdoor activities. There shall be no obstructions above the open space except for devices to enhance its usability, such awning structures.

MASTER AND PRECISE DEVELOPMENT PLAN

1. The Project includes a Fire Protection Plan which is located in amended form in the Final EIR as Appendix E-1. The Fire Protection Plan describes the wildland fire resistance features incorporated into the project. The key fire resistance features incorporated into the project are listed below:
   - The project shall maintain Fuel Modification Zones (FMZs) as described in Figure 5 (Conceptual Fuel Modification Plan) and Table 5 of the Fire Protection Plan (as well as Figure 4.7-1 of the Final EIR).

- A noncombustible, 8-foot wall shall be installed as shown in Figure 5 (Conceptual Fuel Modification Plan) to function as a heat-deflecting wall.
- Dual-pane, tempered glass shall be used for all windows adjacent to preserved vegetation.

2. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.

3. All exterior residential lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code.

4. Setbacks shall be as described in the October 13, 2020 Staff Report and depicted on the Master Plan/Tentative Map.

5. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the Master and Precise Development Plan where specified. All other signs must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code) standards for the RE (Residential Estates) zone.

6. Prior to issuance of a grading permit, the emergency access road width, pavement and gate specifications shall be reviewed and approved by the Fire Department.

7. This Master Development Plan and Precise Development Plan approval adopt development standards for area, coverage, light and air orientation, building height, sign placement and design, site planning, street furniture placement and design, yard requirements, open spaces, off-street parking, and screening, per Section 33-401(f) of the City of Escondido Zoning Code, and as described in the October 13, 2020 Staff Report.

8. All new home design or development and/or improvement shall comply with or meet the intent of the Master and Precise Development Plan criteria through methods listed in the standards and guidelines, as listed in the October 13, 2020 Staff Report, or through alternative methods that achieve the same objective.

9. As specified by the Planning Commission at the public hearing on October 22, 2019, future requests to develop the south portion of the project site shall demonstrate that the full project (north and south combined) can conform to the minimum standards for "usable open space" for the R-3 zone, as defined in Section 33-108(b) of the City of Escondido Zoning Code. These standards require 400 square feet of usable open space per dwelling unit, as well as an additional 200 square feet for each bedroom over one (1) in said dwelling unit.

10. The south portion alone exceeds the maximum density of 18 units/acre allowed by the zoning classification and General Plan land use designation, as permitted through the approval of the

Planned Development Permit. Should the south portion be developed first, certificates of occupancy will be issued for the south portion only to a maximum of 18 units/acre (i.e., certificates of occupancy will be issued for up to 91 units assuming a 5.07-acre site). Certificates of occupancy for the additional six (6) units on the south portion may be issued once ~~the north portion is completed~~ all building permits for the north portion have been issued and all development impact fees have been paid for those north portion units. *(Strikethrough text represents text deleted from this condition by the Planning Commission at the 10/13/20 public hearing. Underlined text represents text added to this condition by the Planning Commission at the 10/13/20 public hearing.)*

GRADING AND GRADING EXEMPTION

1. An exemption from the Grading Ordinance is approved as part of this project, as described in the October 13, 2020 Staff Report. This exemption includes a tiered geogrid retaining wall at the west and south property lines, exceeding the 20' height limit described in the City of Escondido Grading Ordinance.

2. All project grading shall conform with the approved Tentative Subdivision Map. In cases where the grading plan later submitted is not consistent with the approved Tentative Subdivision, the Applicant shall be required to obtain a substantial conformance determination or map amendment for grading prior to issuance of grading permits.

3. A plan shall be submitted for approval by the Director of Community Development, the Engineering Services Department, and the Fire Department regarding the security treatment of the site during the construction phase, the on- and off -site circulation and parking of construction workers' vehicles, and any heavy equipment needed for the construction of the Project.

4. All roadways shall be a minimum of 24 feet in width during construction and maintained free and clear, including the parking of vehicles, in accordance with the California Fire Code and the Escondido Fire Department.

5. The Postmaster shall approve final location of mailbox kiosks associated with this Project prior to issuance of a precise grading permit.

LANDSCAPING

1. Four copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Services Department, prior to issuance of grading or building permits. The detailed landscape and irrigation plans shall be equivalent or superior to the planting plan attached as an exhibit, to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and

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

2. Details of project fencing and walls, including materials and colors, shall be depicted on the landscape plans. All retaining and other freestanding walls, fences, and enclosures shall be architecturally designed in a manner similar to, and consistent with, the primary structures. The 8' fire wall described in the Fire Protection Plan shall conform to Caltrans design standards and/or be compatible with similarly-designed freestanding walls located along the I-15 corridor. These items shall be approved by the Director of Community Development prior to the issuance of building and/or grading permits.

3. All fencing within the front and street side setbacks shall conform to the height limits and design standards contained within Sections 33-1080 and 33-1081 of the City of Escondido Zoning Code, with the exception of the split face block wall along the Centre City Parkway frontage, which may be six (6) feet tall and completely solid as requested as part of the Master and Precise Development Plan.

4. All masonry freestanding or retaining walls visible from points beyond the project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be of a type satisfactory to the Director of Community Development. The Applicant and/or HOA shall be responsible for the removal in a timely manner of any graffiti posted on such walls.

5. All fencing for basin areas shall be set back at least five feet from back of sidewalk or edge of pavement to allow the appropriate integration of landscape screening to the satisfaction of the Planning Division.

6. Landscaping adjacent to preserved land shall not include species listed as highly or moderately invasive by the California Invasive Plant Council (Cal- IPC 2013).

7. Plants on the Prohibited Plant List (Appendix D of the Fire Protection Plan) shall not be planted on the site unless otherwise approved by the Escondido Fire Department.

8. All vegetation (including existing vegetation to be retained) shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.

9. The Homeowners Association (HOA) shall be responsible for maintenance of landscaping in all common areas and fuel modification zones, in compliance with the requirements detailed within the Fire Protection Plan and as determined by the Escondido Fire Department. Prior to issuance of building permits, all fuel modification zones shall be permanently marked at the property line to delineate the zones and aid ongoing maintenance activities.

10. All fuel modification zone vegetation management activities shall be completed annually by May 15 and more often as needed for fire safety, as determined by the Escondido Fire Department.

11. The installation of the common area and right-of-way landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.

12. Street trees shall be provided along street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.

CC&Rs

1. Applicant shall establish a homeowner's association (HOA) and corresponding covenants, conditions and restrictions (CC&Rs). Prior to recordation of the Final Map, two copies of the CC&Rs shall be submitted to the Planning Division for review and approval. Except for those public improvements located in the public right-of-way, the CC&Rs shall contain provisions for the maintenance of any common landscaping, open space, walls, common drainage facilities, fuel modification zones, etc. to the satisfaction of the Planning and Engineering Divisions. A review fee established in the current fee schedule shall be collected at the time of submittal.

   Prior to issuance of a building permit, the Applicant shall provide the Planning Division with a recorded copy of the official CC&Rs that have been approved by the Department of Real Estate and the Planning and Engineering Divisions. At a minimum, the CC&Rs shall contain the following provisions:

a. Notice and Amendment. A copy of any proposed amendment shall be provided to the City in advance. If the proposed amendment affects the City, City shall have the right to disapprove. A copy of the final approved amendment shall be transmitted to City within 30 days for the official record.

b. Failure of Association to Maintain Common Area Lots and Easements. In the event that the Association fails to maintain the "Common Area Lots and/or the Association's Easements," the City shall have the right, but not the duty, to perform the necessary maintenance. If the City elects to perform such maintenance, the City shall give written notice to the Association, with a copy thereof to the Owners in the Project, setting forth with particularity the maintenance which the City finds to be required and requesting the same be carried out by the Association within a period of 30 days from the giving of such notice. In the event that the Association fails to carry out such maintenance of the Common Area Lots and/or Association's Easements within the period specified by the City's notice, the City shall be entitled to cause such work

to be completed and shall be entitled to reimbursement with respect thereto from the Owners as provided herein.

c. Special Assessments Levied by the City. In the event the City has performed the necessary maintenance to either Common Area Lots and/or Association's Easements, the City shall submit a written invoice to the Association for all costs incurred by the City to perform such maintenance of the Common Area Lots and or Association's Easements; and pursue collection.

d. Landscape Maintenance Responsibilities. The HOAs and individual lot or unit owner landscape maintenance responsibilities shall be established.

e. Homeowner improvements such as balconies, trellis, and decks. The CC&Rs shall set forth requirements for the HOA to review and approve all homeowner landscape and hardscape plans to ensure compliance with local, State and Federal laws. The CC&Rs shall state the individual lot or unit owner allowances and prohibitions regarding balconies, trellis, decks and other improvements as regulated by the Project approval.

CONDITION ADDED BY THE PLANNING COMMISSION AT 10/13/20 PUBLIC HEARING:

1. An 8'-tall noise wall shall be installed at the southwest side of the recreation area on the south portion, as shown on Figure 4.10-5 of the Final Environmental Impact Report (EIR) and described in Mitigation Measure MM NOI-1, unless a subsequent environmental review is conducted pursuant to CEQA that deems the wall no longer to be necessary, and a requisite environmental document is prepared and adopted by the decision-making body.

ENGINEERING CONDITIONS OF APPROVAL

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

2. The location of all existing on-site and adjacent utilities and storm drain facilities shall be determined by the Developer's engineer. If a conflict occurs with the proposed project or improvements, arrangements for relocation of the conflicting utilities/facilities shall be made with the owner of the utility/facility prior to approval of the Grading plans and Final Map. This utility/facility relocation work shall be completed prior to issuance of Building Permits.

3. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a Landscape Architect.

4. The Developer shall post securities in accordance with the City prepared Bond and Fee Letter based on a final Engineer's Estimate of Grading and Improvements Cost prepared by the project engineer. The Developer is required to provide a Cash Clean Up deposit for all grading, landscaping, private Improvements and onsite drainage improvements prior to approval of Grading Plans and issuance of Grading Permit. This Cash Clean Up Deposit amount shall be 10% of the total cost of the project private improvements, drainage and landscaping. The Developer is required to provide Performance (100% of total public improvement cost estimate), Labor and Material (50% of total public improvement cost estimate) and Guarantee and Warrantee (10 % of total public improvement cost estimate) bonds for all public improvements prior to approval of the Improvement Plans and issuance of Building Permits. All improvements shall be completed prior to issuance of a Certificate of Occupancy.

5. All final engineering plans for the construction of all required off-site and on-site improvements and grading shall be approved and surety bonds and agreements in a form acceptable to the City Attorney shall be posted by the Developer with the City of Escondido prior to approval and recording of the Final Map for this Subdivision.

6. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
   a) All conditions of the Tentative Subdivision Map have been fulfilled, or
   b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.

7. If site conditions change adjacent to the proposed development prior to completion of the project, the Developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.

8. All project construction shall be constructed in a manner that does not damage existing public improvements. Any damage shall be corrected by the Developer to the satisfaction of the City Engineer.

9. The Developer's engineer shall submit to the Planning Department 3 copies of the Tentative Map as presented to the Planning Commission and approved by the City Council together with any changes contained in the adopted final conditions of approval. The Tentative Map will be certified by the Planning Department verifying that they are an accurate reproduction of the approved and conditioned Tentative Map and must be included with the first Final Engineering submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall construct frontage street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets adjoining the project boundary:

STREET	CLASSIFICATION
N. Nutmeg Street	Local Collector per Specific Alignment Plan**
N. Centre City Parkway	Collector per Specific Alignment Plan**

**Specific Alignment Plan as approved with City Council Resolution 2019-0168.
See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The Developer shall construct a new four leg offset traffic signal at the intersection of N. Centre City Parkway and N. Nutmeg Street, designed to accommodate and control the existing private road to the east, prior to the first project occupancy. Any work on this private road will require permission from the private property owner(s) involved.

4. The Developer shall construct/install traffic signal interconnect conduits and cables to the existing traffic signal at Country Club Lane and Center City Parkway prior to first project occupancy.

5. The Developer shall construct a new traffic signal at the intersection of W. Country Club Lane and North Nutmeg Street prior to the first project occupancy.

6. The Developer shall submit separate traffic signal and signing and striping improvement plans prepared by a Traffic Engineer for review and approval by the City Engineer. The traffic signal design shall be per current City, Caltrans, and MUTCD Standards and shall include video detection, APS, and interconnect conduits and cables to an existing traffic signal controller. The Developer's Traffic Engineer will also be responsible for all new timing plans and coordinating traffic signal work with the Developer's Contractor(s) and Equipment Suppliers and City staff.

7. Prior to the first occupancy, the existing N. Nutmeg Street roadway, from West Country Club Lane to Via Alexandra, shall be widened to provide for a 14' wide southbound lane with curb, gutter, and sidewalk designed as a green streets facility. Improvements shall include removal and reconstruction of existing driveways to private driveway standards and a parking

restriction along the improved section of N. Nutmeg Street to the satisfaction of the City Engineer.

8. The N. Centre City Parkway and N. Nutmeg Street intersection improvements shall include minimum vehicle storage lengths of 100 feet and 125 feet for the eastbound left-turn lane and westbound right-turn lane, respectively. Taper lengths for the westbound right-turn lane shall be per current City, Caltrans, and MUTCD Standards and to the satisfaction of the City Engineer.

9. The project shall provide a minimum 60-foot long westbound left-turn pocket with a minimum 129' transition for the project entrance off N. Nutmeg Street per current City, Caltrans, and MUTCD Standards.

10. Access to this project shall be improved with an alley-type driveway in accordance with Escondido Standard Drawing No. G-5-E with a minimum throat width of 24 feet. The final project design including grading and landscape design shall ensure that the required 385' sight distance from this driveway entrance to the south along Nutmeg Street will be met.

11. All on-site roadways, alleyways, and parking areas shall be private. Typical sections, alignments, curb return, and design details shall be to the satisfaction of the City Engineer, Community Development Director, and City Fire Marshal. The private street improvements shall include, but not be limited to, the construction of concrete curb and gutter, sidewalks (one side only), street lights, paving and base.

12. The entrances to the private alleyways off the private roadways serving garages for the units within Project shall be designed and constructed where possible with 10' minimum radius curb returns, concrete cross gutters, and pedestrian ramps (on side of the private roadways with sidewalk). Where a 10' radius curb return is determined to be infeasible by the City Engineer, an absolute minimum curb return radius of 5' may be allowed.

13. The address of each dwelling unit shall either be painted on the curb or posted in such a manner that the address is clearly visible from the private roadways. The address shall be placed in a manner and location approved by the City Engineer, Community Development Director, and Fire Marshal.

14. Plans for construction within any right-of-way under a jurisdiction other than the City of Escondido will be subject to the review by both the City of Escondido and the other jurisdiction. For the second Final Engineering submittal to be accepted by the City, the developer shall provide the City documentation demonstrating Final Engineering submittals have been made to other these other agencies from whom permits must be obtained. The developer shall be responsible for securing all necessary permits from the appropriate agencies prior to approval of the Grading Plans. Permission and/or permits for all improvements located within another jurisdiction's right of way or on private property shall be obtained prior to approval of the Final Map. If permits or permission cannot be obtained, the

project shall be re-designed to avoid the need for the permit/permission to the satisfaction of the City Engineer.

15. An Encroachment Permit shall be obtained from the Engineering Department for all work within the public right-of-way. Contact the Engineering Field Office at 760 839-4664 to arrange for the Encroachment Permit and inspections, and note on the plans.

16. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior to the issuance of an Encroachment Permit for construction within the City of Escondido's public right-of-way.

17. The developer's engineer shall prepare and submit for approval by the City a complete signing and striping plan for all improved roadways. The developer's contractor shall complete all necessary removal of existing striping and signage and shall install all new signing and striping per the approved plans and as directed by the Field Engineer.

18. The developer may be responsible for a grind and overlay of N. Centre City Parkway due to the many utility trenches necessary to serve this project. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.

19. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping shall be provided as needed for adequate sight distance and subject to the approval of the City Engineer.

20. The developer shall be required to construct a minimum 24-foot-wide emergency access road to the satisfaction of the City Engineer and City Fire Marshal.

21. An encroachment permit shall be obtained from CALTRANS for all work within the CALTRANS right-of-way prior to the approval of any plans or permits for the project.

22. The improvement of N. Centre City Parkway shall include a striped Class II bicycle path. The width, design and precise location of the bicycle path shall be to the satisfaction of the City Engineer.

23. The project shall be designed to comply with the maximum grade of intersecting streets of 6% per the Escondido Design Standards.

24. Street lighting shall be required on all on-site private streets. It shall be the responsibility of the Home Owner's Association to adequately maintain the street lighting system and such maintenance responsibility shall be clearly stated in the CC&R's.

25. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer and the City Building Official.

GRADING and RETAINING WALLS

1. A site grading and erosion control plan prepared by a registered Civil Engineer shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.

2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.

3. All private driveways and parking areas shall be paved with a minimum of 3" asphalt concrete over 6" of aggregate base or 7" portland concrete cement over 6" asphalt base. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.

4. Cut slope setbacks shall be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

5. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.

6. A Construction General Permit is required from the State Water Resources Control Board for all storm water discharges associated with a construction activity where clearing, grading, and excavation results in a land disturbance of one or more acres.

7. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

8. Prior to approval of the grading plan, the developer will be required to obtain permission from adjoining property owners for any off-site grading and slopes necessary to construct the project and/or the required improvements.

9. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in their report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by the Regional or City Standard Drawings. The cost of any independent third-party review deemed necessary by the City Engineer shall be reimbursed by the developer. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Department plan review and permit process.

10. All retaining walls and screen walls, stairs and raised landings shall be constructed completely within the Project property and shall not encroach into the public R/W.

11. The placement of geo-fabric or any other gravity wall anchoring system will not be allowed under any of the proposed bio-retention basins (including side slopes) or other storm water treatment or detention facilities. Details for pipe penetrations through the proposed retaining walls shall be shown on and designed with the retaining wall structural plan sheets.

12. The foundations and anchoring for all safety fencing and screen walls along the top of or integral to the proposed retaining walls shall be shown on and designed with the retaining wall structural plan sheets.

13. Any proposed placement of geo-fabric or any other gravity wall anchoring system under a proposed building foundation will require the design, loading criteria, structural calcs, and details for both the retaining walls and the building foundations be reviewed by and approved (with signature and seal) of the geotechnical engineer for the project grading and foundations, the structural engineer(s) responsible for the retaining wall system design and the structural engineer(s) responsible for the building foundations in question. All must agree that the proposed retaining wall design and anchoring will adequately support the building foundations being placed above and meet the minimum vertical and lateral requirements.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of Work. The drainage study shall be in conformance with the City of Escondido Design Standards.

2. The drainage from this project will flow directly onto adjoining property within the jurisdiction of the CALTRANS. Any drainage plans for facilities within the jurisdiction of other agencies shall be subject to their review and approval. The developer shall be responsible for securing all necessary permits from the appropriate agencies prior to approval of the Grading Plans.

3. All on-site storm drains are private. The responsibility for maintenance of these storm drains shall be that of the Home Owner's Association. Provisions stating this shall be included in the CC&R'S.

4. All basins and post-construction BMP's facilities constructed with this project (including those within the public right-of-way) are private. The responsibility for maintenance of these storm drains shall be that of the Home Owner's Association.

5. The project shall limit 100-year drainage flows to their pre-construction rates. Details and calculations for the detention basins shall be submitted and approved as part of the grading plan check.

6. A Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared for all newly created or replaced onsite impervious areas, impervious frontage, and required offsite improvements. The SWQMP shall be submitted for approval with the final improvement and grading plans. The SWQMP shall include hydro-modification calculations, treatment calculations, post-construction storm water treatment measures, and maintenance requirements.

7. Site Design and Source Control Best Management Practices (BMPs) shall be implemented to the maximum extent practicable. Downspouts from buildings shall be directed to landscaping to allow the infiltration of runoff into the ground. Where feasible, runoff from the hardscape areas shall be directed to landscaped areas to allow infiltration into the ground.

8. Trash enclosures shall be constructed to comply with storm water quality management requirements to the satisfaction of the City Engineer.

9. The developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement.

10. Infiltration testing shall be provided at the location of proposed infiltration BMPs, and be included in the preliminary soils and geotechnical report signed by the Soils Engineer. Infiltration rates of proposed BMPs shall meet flood-control and hydromodification flow attenuation and drawdown times in accordance with the City's Storm Water Design Manual. If infiltration BMPs are deemed infeasible for the site, changes to the project design shall be implemented to the satisfaction of the City Engineer and Community Development Director. Project design changes could include, but shall not be limited to, reduction in impervious areas by reducing building footprints or designing biofiltration basins that connect to a storm drain.

WATER SUPPLY

1. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.

2. This project is located within the Rincon Del Diablo Municipal Water District. It will be the developer's responsibility to make arrangements with the Rincon District as may be necessary to provide water service for domestic use and fire protection. The developer shall provide evidence of such arrangements prior to recordation of the Final Map, to the satisfaction of the City Engineer. The City of Escondido and the Rincon District will sign approval of the improvement plans with respect to the water mains.

SEWER

1. Required sewer main improvements for the project include construction of an 8-inch public sewer main in N. Centre City Parkway, from W. Country Club Lane up to and across a portion of the Project frontage. An 8-inch public sewer will then extend into the Project from N. Centre City Parkway, then extend up through the Project to N. Nutmeg Street, and then across N. Nutmeg Street and into to serve the previously approved subdivision north of the Project as shown on both Tentative Maps.

2. The location and sizing of all sewer mains shall be per City of Escondido Design Standards and to the satisfaction of the Utilities Engineer.

3. Improvement plans for all proposed sewer mains shall be prepared by a Civil Engineer and shall be submitted to the City for review and approval.

4. A minimum 20-foot all weather access road suitable for use by the City's vactor trucks shall be required to all sewer manholes.

5. A private 4" minimum PVC sewer lateral with a standard clean-out within 18" of the public utilities easement/sewer easement/right-of-way shall be constructed for each single family dwelling unit and up to four attached residential units. All other uses shall have a minimum 6" sewer lateral. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings and Uniform Plumbing Code. The sewer laterals shall be included in the improvement & grading plans and bonding quantities.

6. No trees or deep-rooted bushes shall be planted within 10' of any sewer lateral, or within 15' of any sewer main. Sewer laterals shall be 5-feet horizontally clear from other utilities.

7. There shall be no permanent structures or private utilities located within public sewer or public utility easements. Where it is necessary that the private storm drains share a public easement, they shall be placed on the outer-most edge away from the public sewer.

8. All sewer laterals will be considered a private sewer system to the public main. The property owners' association will be responsible for all maintenance of their individual sewer laterals to the sewer main. Provisions stating this shall be included in the CC&Rs.

9. The developer may be responsible for a 12-wide grind and overlay of N. Centre City Parkway due to the offsite sewer trench necessary to serve this project. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.
10. Any new development whose wastewater discharge may contain pollutants not normally found or in concentrations in excess of those normally found in domestic wastewater shall require a wastewater discharge permit according to the Escondido Municipal Code, Chapter 22, Article 8. New users shall apply at least ninety (90) days prior to connecting to or

contributing to the City's wastewater system and a permit must be obtained prior to commencement of any discharge to the system.

LANDSCAPE

1. A site landscaping and irrigation plan shall be submitted to the Engineering Department with the second submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees in effect at the time of the submittal.

2. Permanent landscaping shall be installed on the project frontage along both sides of N. Nutmeg Street and the west side of N. Centre City Parkway (from the County of San Diego boundary to Caltrans boundary) and all areas disturbed by the project (including offsite areas). This frontage and all onsite landscaping, including storm water treatment BMPs, shall be maintained by Home Owners Association. Provisions stating this shall be included in the CC&Rs.

3. A Continuing Encroachment Permit for this project's required maintenance of the landscaping in the surrounding public right-of-ways must be applied for, and in conjunction, a perpetual liability insurance policy with the City as an additionally insured must be put in place.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications (or, if appropriate, offer of dedications) for public rights-of-way on the following streets contiguous to the project to bring the roadways to the indicated classification.

STREET	CLASSIFICATION
N. Nutmeg Street	Local Collector per Specific Alignment Plan

2. The project is subject to the vacation of public rights-of-way within or adjoining the project boundary. Specific areas to be vacated shall be determined to the satisfaction of the City Engineer. The developer shall pay the current Street Vacation Processing fee in effect at the time of the Street Vacation application submittal. The street vacation must be approved by the City Council prior to or concurrent with recordation of the Final Map. The developer shall be responsible for relocation of any existing utilities within this street vacation. The developer and their Title Company shall determine if the City is the underlying fee owner of portion of the public right-of-way to be vacated for the project. If the City is the underlying fee owner, the developer shall pay for an appraisal and shall compensate the City fair market value for the property being vacated.

3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.

4. Necessary public utility easements for sewer, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.

5. The developer is responsible for making the arrangements to vacate all streets or quitclaim all easements of record which conflict with the proposed development prior to approval of the Grading Plan. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Grading Plan. Building permits will not be issued for buildings in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of $5,000 up to a maximum of $50,000, unless a higher amount is deemed necessary by the City Engineer.

2. This subdivision is contiguous to the facilities of another public agency. This agency may be required to review and/or sign the improvement plans. It will be the responsibility of the developer to establish an account with this jurisdiction to pay for all fees for plan checking and permit approval.

3. The developer shall be required to pay all development fees of the City in effect at the time, and in such amounts as may prevail when building permits are issued.

4. The project has consented to annex into the Citywide Services CFD to offset the ongoing costs to provide municipal services.

CC&R's

1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

2. The developer shall make provisions in the CC&R's for maintenance by the Home Owners' Association of private roadways, driveways, parking areas, private utilities, drainage and storm water facilities, private street lighting, storm drains, and any common open spaces and

landscaping. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3. The CC&Rs shall make provisions for the Home Owners' Association maintenance of the Project's frontage landscaping, irrigation, fencing, retaining walls along all project frontages on N. Nutmeg Street, N. Centre City Parkway, and the retaining walls facing I-15. The Developer as Declarant will be required to obtain a Continuing Encroachment Permit to conduct this ongoing landscape maintenance in the City Right-of Way.

4. The CC&R's must state that the Home Owners' Association assumes liability for damage and repair to City utilities in the event that damage is caused by the property owners' association when repair or replacement of private utilities is done.

5. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan (SWQMP) for the project.

6. The CC&R's must state that (if stamped concrete or pavers are used in private streets) the Home Owners' Association is responsible for replacing the stamped concrete or pavers in-kind if the City has to trench the street for repair or replacement of an existing utility.

UTILITY UNDERGROUNDING AND RELOCATION

1. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

ORDINANCE NO. 2020-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ADOPTING A MASTER AND PRECISE DEVELOPMENT PLAN TO SUPPORT THE NUTMEG HOMES PROJECT PROPOSAL ON THE SOUTH PORTION OF THE PROJECT SITE

APPLICANT: Consultants Collaborative
CASE NO.: SUB 20-0007

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

SECTION 1. The City Council makes the following findings:

a) Consultants Collaborative ("Applicant") submitted a verified land use development application on property located in the north portion of the City of Escondido ("City"), along both sides of North Nutmeg Street, between North Centre City Parkway and Interstate 15. The Project site is comprised of three lots with Assessor's Parcel Numbers 224-260-23, 224-260-46, and 224-260-47, legally described in Exhibit "D" to City Council Resolution No. 2019-166, which is incorporated herein by this reference as though fully set forth herein.

b) The Master and Precise Development Plan was later revised to limit its scope to the portion of the Project site on the north side of North Nutmeg Street (the "north portion"), and to build 37 townhomes on the north portion of the Project site as characterized in the November 20, 2019 City Council staff report.

c) City Council approved the Master and Precise Development Plan for development of 37 townhomes on the north portion of the Project site at a public

hearing on November 20, 2019, as described in City Counci Ordinance No. 2019-19, which is incorporated herein by this reference as though fully set forth herein.

d) The Applicant submitted a verified land use development application on property located in northern Escondido, on the south side of North Nutmeg Street, between North Centre City Parkway and Interstate 15. The Project site is currently 4.37 acres in size and is comprised of one lot with Assessor's Parcel Number 224-260-23, legally described as Exhibit "A" to City Council Resolution No. 2020-152, which is incorporated herein by this reference as though fully set forth herein. Said verified application was submitted to, and processed by, the Planning Division of the Community Development Department as Planning Case No. SUB 20-0007, and seeks approval of a Master and Precise Development Plan, Tentative Subdivision Map, and Grading Exemption. The Project site would increase in size to 5.07 acres under these approvals.

e) The Planning Division of the Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for October 13, 2020. Following the public hearing on October 13, 2020, the Planning Commission adopted Resolution No. 2020-14, which recommended that the City Council, among other things, approve the Project's Master and Precise Development Plan.

SECTION 2. An original copy of the proposed Master and Precise Development Plan, and all other related Project materials, are on file in the Office of the City Clerk, with a copy of each document submitted to the City Council for its consideration. The City Clerk, whose office is located at 201 North Broadway,

Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council's decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

SECTION 3. The City Council did on November 18, 2020, hold a duly noticed public hearing as prescribed by law. Evidence was submitted to and considered by the City Council, including, without limitation:

a) Written information including all application materials and other written and graphical information posted on the project website.

b) Oral testimony from City staff, interested parties, and the public.

c) The City Council staff report, dated November 18, 2020, which along with its attachments, is incorporated herein by this reference as though fully set forth herein, including the Planning Commission's recommendation on the request.

d) Additional information submitted during the public hearing.

SECTION 4. Pursuant to the California Environmental Quality Act, a Final Environmental Impact Report (SCH No. 2018081063) relative to the Project was prepared and the City Council has certified it, along with adopting the CEQA Findings of Fact and the Mitigation Monitoring and Reporting Program per City Council Resolution No. 2019-166.

SECTION 5. That, upon consideration of the Findings of Fact, attached as Exhibit “A”, the City Council desires at this time and deems it to be in the best public interest to approve the Master and Precise Development Plan, which is attached to the

November 18, 2020, City Council staff report, and is incorporated herein by this reference as though fully set forth herein.

SECTION 6. All references within this Ordinance to "Applicant," "Developer," or "Subdivider" shall be equally applicable to the current property owner and to any successors-in-interest or assigns, whether such successors of assigns own, control, or otherwise have development authority for all, a portion, or portions of that property included within the Project site.

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.

SECTION 9. Concurrently with this Ordinance, the City Council is taking additional action in furtherance of the Project, as generally described by the November 18, 2020 City Council staff report. No single component of the series of actions made in connection with the Project shall be effective unless and until it is approved by an Ordinance or Resolution and is procedurally effective within its corporate limits as a statute in the manner provided by state law. Therefore, this Ordinance shall become effective after final passage and publication as required by law, and operative only if City Council Resolution No. 2020-152 is approved.

SECTION 10. The City Council authorizes all subsequent action to be taken by City Officials consistent with this Ordinance.

SECTION 11. 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 12. The Ordinance shall become effective 30 days from the date of the passage.

EXHIBIT "A"

FINDINGS OF FACT

Planned Development Determinations

1. The location, design, and residential density of the proposed Planned Development is consistent with the goals and policies of the Escondido General Plan and any applicable specific plan or with any policies adopted by, or being considered by the Escondido City council, or in the process of being prepared and adopted. The proposed Master and Precise Development Plan would create 97 townhomes on 5.07 acres on the south side of Nutmeg Street, for a density of 19.1 units/acre on that south portion. While the south portion alone would exceed the 18 units per acre allowed by the zoning classification and General Plan land use designation, the overall project site (north plus south) would contain 134 townhomes on 7.5 acres, for a combined density of 17.9 units per acre. Under the Planned Development Ordinance (Article 19 of the Escondido Zoning Code), residential planned developments may, and are encouraged to, depart from standard subdivision and housing design provided the overall residential density yield conforms with city policy and shall be governed by the residential density set forth in the General Plan. The project site is not covered under any existing or proposed specific plans.

2. The payment of development impact fees, as well as annexation into the CFD or establishment of another funding mechanism, is necessary to avoid or lessen the likelihood of future impacts related to the provision of public services, as well as to maintain General Plan conformance to enable Project approval and implementation. There are a number of policies in the Housing Element and Growth Management Element portions of the General Plan that are directly related to assessing fiscal impacts of new development and ensuring provisions to offset costs to public facilities and services:

    - 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.
    - Public Facility Financing Policy 3.1: Maintain and periodically update development impact fees and major infrastructure financing programs to assure that all new and infill developments contribute their proportionate share of funding for necessary municipal infrastructure and public facilities.
    - Public Facility Financing Policy 3.2: At the discretion of the city, require larger developments to prepare a fiscal impact analysis and a public facilities financing plan that articulates infrastructure and public facilities requirements, as well as costs and funding mechanisms which document the effects upon the city's operating budget over time.
    - Public Facility Financing Policy 3.3: Encourage the use of development agreements and other appropriate financing mechanisms to ensure the timely provision of com-munity facilities at adequate levels to support the demands from new and existing development.

3. The proposed location allows the Planned Development to be well integrated with its surroundings. The project site is immediately surrounded by residential neighborhoods characterized mostly by larger-lot, single-family homes; however, there are residential planned developments in the broader area that utilize small single-family lots to provide for common space or to meet other objectives, and an approved project on the former Escondido Country Club site would include condominiums in its unit mix. Proposed development standards are largely consistent with those assigned to the City's R-3 (Medium Multiple Residential Zone). The design of the proposed structures would incorporate a range of building materials (stucco, paneling, and stone) in a palette of neutral colors that would coordinate with the surrounding terrain and existing development in the area. Landscaping has been proposed for aesthetic purposes and to screen the development from surrounding roads.

4. All vehicular traffic generated by the Planned Development will be accommodated safely and without causing undue congestion upon adjoining streets. A traffic impact analysis was prepared for the project and mitigation measures were included in the EIR previously adopted by City Council on November 20, 2019. These mitigation measures would include improvements to the Nutmeg/Centre City and Nutmeg/Country Club intersections via the installation of traffic signals and construction or striping of turn lanes; the creation of left-turn pockets at the intersection of Nutmeg and the project access point; and the widening of Nutmeg Street between Country Club and Via Alexandra for the addition of a southbound travel lane with curb, gutter, and sidewalk designed as a green streets facility. A Specific Alignment Plan for Centre City Parkway and Nutmeg Street also was approved on November 20, 2019.

5. The proposed location and design allows residents within the zone to be adequately serviced by existing or proposed public facilities and services and does not provide an undue or negative impact on existing public facilities and services. All utilities intended for the site are already in place or can be extended to serve the site. Police and fire services are available and sufficient for the development.

6. The overall design of the proposed Planned Development produces an attractive, efficient and stable environment. The project underwent design review in June of 2020 and the design of the proposed retaining wall was enhanced as a result of that review, in terms of contouring and bench landscaping. The proposed residences would incorporate a neutral color palette and a mixture of exterior finishes to coordinate with the surrounding environment. Amenities on the south side of the project would include a tot lot, picnic area with barbeque, play areas, exercise stations, and bench seating. A conceptual landscape plan has been provided that includes attractive and regionally-appropriate plantings.

7. The Planned Development is well integrated with its settings, does not require destruction of desirable natural features, is not visually obstructive or disharmonious with surrounding areas and facilities, and does not substantially harm major views from adjacent properties. While grading will be necessary to construct the project, the development has been designed to

coordinate with the existing topography of the site, and the project's effects on views from surrounding streets and residences has been analyzed within the project's EIR.

8. The uses proposed would have a beneficial effect not obtainable under existing zoning regulations, and any departure from existing ordinance requirements shall be warranted by the design and the amenities incorporated in the Planned Development in accord with adopted city policy. Under SUB 18-0005, the full project site (north and south) was rezoned from Residential Estates (RE-20) to Planned Development- Residential (PD-R), and the General Plan land use designation was changed from Office (O) to Urban III (U-3), to accommodate a multi-family development. Rezoning the site to a zoning classification allowing office uses was not ideal, since office uses could have generated thousands more daily trips to and from the site than a 134-unit townhome development, per trip generation rates published by SANDAG (the San Diego Association of Governments). Additionally, while a well-planned office development would have added jobs to the City, would not have helped the City increase its supply of for-sale housing, and it would not be more compatible with the single-family character of the surrounding area than a townhome development.

9. California law requires each city and county to develop local programs within their housing element in order to meet their "fair share" of existing and future housing needs for all income groups, as determined by the California Department of Housing and Community Development. The Regional Housing Needs Allocation ("RHNA") is a State mandated process devised to distribute planning responsibility for housing need throughout California. As more cities and counties consider loosening zoning restrictions to allow for more housing, the proposed project provides an opportunity to focus on the moderate density opportunities and achieve the development potential of available land resources to support housing development in the City of Escondido.

10. As described in the Planning Commission staff report of October 13, 2020, aside from proposed building heights, wall heights, and monument sign size, the development standards proposed for the south portion of Nutmeg Homes are largely in conformity with standards applicable to projects in the Medium Multiple Residential (R-3) zone.

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Current Business Item No. 17 **November 18, 2020** **File No. 0480-70**

SUBJECT: Approval for use of the Prop 68 Per Capita Grant in the amount of $271,303 to fund a "John Masson Memorial Bike Park" in Jesmond Dene Park and a Budget Adjustment

DEPARTMENT: Communications and Community Services

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-151, approving the application for Prop 68 Per Capita grant funds, authorizing the Deputy City Manager/Director of Communications and Community Services or her designee to complete and submit all documents necessary for the completion of the grant scope and the associated budget adjustment; and approve naming the proposed bike park the "John Masson Memorial Bike Park" in honor of late Councilmember John Masson.

FISCAL ANALYSIS:

Construction of this project will be funded by Prop 68 Per Capita Grant funds. While these funds will pay for construction, ongoing maintenance is expected to be approximately $8,000 annually, and would have to be absorbed in the existing general fund budget for years after construction. This can be achieved, but is a reminder of the ongoing pressures associated with the general fund budget from the addition of new amenities.

PREVIOUS ACTION:

July 19, 2017, the City Council authorized staff and resources to amend the previously approved Master Plan for Jesmond Dene Park to include a bike park.

BACKGROUND:

The California Department of Parks and Recreation's Office of Grants and Local Services (OGALS) has awarded the City of Escondido ("City") $271,303 in Prop 68 Per Capita grant funds. Prop 68 funds are limited to capital projects for acquisition of land and improvements to existing property. Operational costs, maintenance, and repairs are not eligible. While these are not competitive funds, OGALS still requires that a resolution be submitted by December 31, 2020, and that a project application be submitted by June 30, 2021. Final project completion documents must be submitted by March 31, 2024.

Over the years, the City has explored opportunities for constructing a bike park in the community without success. Recently, the San Diego Mountain Bike Association contacted City staff regarding opportunities to construct such a facility. Jesmond Dene Park was identified as a potential location to create a flowing bike park where riders use gravity to propel down the obstacles, allowing them to flow through the jump lines and rhythm sections.

This type of bike park is family friendly and appropriate for riders of all ages and skill levels. The bike park would follow the contours of the natural slope and involve grading in discreet areas to create jumps, rhythm sections, berms, and rollers. The concept for Jesmond Dene Park would be a free, City-operated bike park on hard-packed ground or asphalt (no dust). It is anticipated that noise would be no greater than that generated by the current park activities.

Hilride Progression Development Group, in cooperation with the San Diego Mountain Bike Association, has provided a concept bike park design for this area (Attachment A). The design utilizes one acre of park land and includes a viewing area and a kids' pump track for young riders.

In October 2019, a series of park outreach meetings were held to inform the public on the City's Capital Improvement Program ("CIP") process, and to hear what amenities they wanted to see in their parks. These meetings were advertised on the City's website, social media, through the Escondido Union School District, and to the more than 19,000 active participants in the City's recreation class database.

Participants were given an opportunity to vote for the top three amenities they would like to see in their park. The highest-ranking amenities for Jesmond Dene Park were trail improvements, an additional ballfield/multipurpose field, and park lighting. The proposed Bike Park conceptual design has incorporated a space for a future ballfield/multipurpose field should funding become available. Security lighting in the parking areas will be addressed in the coming months through the use of CDBG funding.

John Masson was appointed to the City Council in 2012. He was then elected in November 2014 to represent District 2, and was re-elected in 2018. During his tenure, John served as deputy mayor, a representative on the Economic Development subcommittee of the City Council, a representative to the San Diego County Water Authority, and as Escondido's representative on the League of California Cities. Besides his council responsibilities, John was a board member for the Palomar College Foundation. He also served for more than 15 years on the board for the Palomar Family YMCA, was a former president of the Escondido Sunrise Rotary Club, and was a past chairman of the board of the Escondido Chamber of Commerce. John was a true public servant who always had the best interest of Escondido as his number one priority.

John grew up in Escondido and chose to raise his family here as well. He was a strong and vocal advocate of park improvements that would benefit youth – particularly in those areas that he shared a common interest - skateboarding, four-wheeling, motocross, and mountain biking. The naming of the

bike park in his honor, located in the district he served for eight years, is a fitting tribute to him, his family, and the community who will enjoy this park for years to come.

Discussion of building a bike park on the knoll in Mountain View Park was recently brought before Council on August 26, 2020, along with a competing proposal to install vineyards and a walking trail there. In order to gather community input on these options, staff put out a survey to which more than 600 people have responded thus far. Staff will return in January with a status update on Mountain View Park including the survey results, an update on the Field House proposal, and progress related to the historic assessment of the Field House.

NEXT STEPS AND RECOMMENDATION

A bike park is not currently identified in the adopted Master Plan for Jesmond Dene Park, but Council previously authorized that amendment to be made in July 2017. Staff are in the process of amending that Plan. The proposed amenity will require environmental review, Planning Commission consideration/recommendation, and City Council approval prior to incorporation in the Master Plan and construction of the improvements. Staff will return to the City Council in January 2021 for final approval of the Jesmond Dene Park Master Plan as amended.

It is requested that the City Council adopt Resolution No. 2020-151, approving the application for Prop 68 Per Capita grant funds, authorizing the Deputy City Manager/Director of Communications and Community Services or her designee to complete and submit all documents necessary for the completion of the grant scope and the associated budget adjustment; and approve naming the proposed bike park the “John Masson Memorial Bike Park” in honor of late Councilmember John Masson.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Joanna Axelrod, Deputy City Manager/Director of Communications and Community Services
11/10/20 12:51 p.m.

ATTACHMENTS:

1. Attachment A – Hilride Progression Development Group Concept Design
2. Resolution No. 2020-151
3. Budget Adjustment

ATTACHMENT A

RESOLUTION NO. 2020-151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING APPLICATION(S) FOR PER CAPITA GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract(s) with the State of California to complete project(s).

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

1. That the above recitations are true.

2. That the City Council hereby:

1. Approves the filing of project application(s) for Per Capita program grant project(s); and

2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and

3. Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and

4. Certifies that all projects proposed will be consistent with the park and recreation element of the City of Escondido general or recreation plan (PRC §80063(a)), and

5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and

6. Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and

7. (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters," dated January 12, 2017, the City of Escondido will consider a range of actions that include, but are not limited to, the following:

(A) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.

(B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.

(C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.

(D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.

(E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.

(G) Identifying possible staff liaisons to diverse populations.

8. Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).

9. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient’s annual expenditures. (PRC §80062(d)).

10. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and

11. Delegates the authority to the Deputy City Manager/Director of Communications and Community Services, or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and

12. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

ESCONDIDO
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CITY OF ESCONDIDO

BUDGET ADJUSTMENT REQUEST

Date of Request: 11/9/2020

Department: Communications and Community Services

Division: _____

Project/Budget Manager: Joanna Axelrod (Name) 4871 (Extension)

Council Date (if applicable): 11/18/2020 (attach copy of staff report)

For Finance Use Only

Log # _____

Fiscal Year _____

_____ Budget Balances
_____ General Fund Accts
_____ Revenue
_____ Interfund Transfers
_____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Jesmond Dene Bike Park	401-NEW	$271,303	
Prop 68 Per Capita Grant	4127-401-NEW	271,303	

Explanation of Request:

The California Department of Parks and Recreation's Office of Grants and Local Services has awarded the City of Escondido $271,303 in Prop 68 Per Capita grant funds. It is requested that the City Council adopt Resolution No. 2020-151, approving the application for Per Capita grant funds to be used to fund the construction of a bike park in Jesmond Dene Park.

APPROVALS

Joanna Axelrod 11/9/2020
Department Head — Date

City Manager — Date

Judy Cox 11/9/20
Finance — Date

City Clerk — Date

Distribution (after approval): Original: Finance

FM\105 (Rev.11/06)

ESCONDIDO
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CITY COUNCIL STAFF REPORT

Current Business Item No. 18 **November 18, 2020** **File No. 0915-07**

SUBJECT: Washington Park Skate Spot Update

DEPARTMENT: Communications and Community Services

RECOMMENDATION: Receive and file

FISCAL ANALYSIS:

This Project is funded by previously approved 2017-2018 and 2019-2020 Capital Improvement Program (CIP) Budgets that include Park Development Fund allocations in the amount of $300,000 and $250,000 respectively, for the design and construction of a custom skate spot to be located in Washington Park. Additionally, in the 2017-2018 CIP budget, $385,000 was allocated to expand parking at Washington Park.

The cost for the design of the skate spot and parking lot was $143,574 and the estimated cost to construct the skate spot as designed is $382,000. The current Skate Spot CIP budget is sufficient to fully fund the construction of the skate spot project.

Ongoing maintenance is expected to be minimal and would be absorbed in the existing general fund budget for years after construction. This can be achieved, but is a reminder of the ongoing pressures associated with the general fund budget from the addition of new amenities.

PREVIOUS ACTION:

On June 21, 2017, the City Council adopted Resolution No. 2017-100, adopting Fiscal Years 2017/18– 2021/22 Five-Year Capital Improvement Program and the Fiscal Year 2017/18 Capital Improvement program Budgets that included an allocation of $300,000 in Park Development Funds for the design and construction of a skate spot to be located in Washington Park, and $385,000 for the Washington Park Parking Lot Expansion Project.

On February 13, 2019, The City Council adopted Resolution No. 2019-32 authorizing the Mayor and the City Clerk to execute a Consulting Agreement for Design Professionals with New Line Skateparks in the amount of $143,574 for the design of the Washington Park Skate Spot and Parking Lot Expansion Project.

On June 12, 2019, the City Council adopted Resolution No. 2019-92, adopting Fiscal Years 2019/20 – 2023/24 Five-Year Capital Improvement Program and the Fiscal Year 2019/20 Capital Improvement Program Budget that included an allocation of $250,000 in Park Development Funds for City Skate Parks.

BACKGROUND:

On January 14, 2017, Community Services staff held a skate rally in Washington Park to gather community input on the potential new skate site. The participants filled out 146 surveys and picked their choice skate features. All of the responses to the surveys were positive regarding building a new skate spot in Washington Park, and the majority of participants were eager to be involved in the design and fundraising efforts.

Over the next several months, staff toured various skate parks in San Diego County, attended a skate park development webinar, and met with several skate park design engineers/skate boarding professionals to explore possible designs and research construction costs.

In November 2018, the City released a Request for Proposals for the design of the Washington Park Skate Spot and Parking Lot Expansion Project, and on February 13, 2019, City Council authorized the execution of that contract with New Line Skateparks.

The design of this project consisted of two components, a 7,000 square foot skate spot and a new parking lot. The new parking lot was originally designed and proposed to be located off of Washington Avenue. After staff review, it was requested that the parking lot be redesigned and relocated off of Rose Street. The estimated cost to construct the parking lot came in at $600,000. This is approximately $250,000 over budget.

Due to insufficient funding, and so as not to delay the skate spot construction any longer, the parking lot component of this project will be put on hold. Engineering and PD staff have determined that five on-street parking spots along Rose Ave. can be created by removing some of the red curb. This will help to off-set any increase in parking needs resulting from the skate spot. Staff will monitor the impact that the skate spot has on parking within and around Washington Park, particularly as the impacts of COVID-19 on park programming are still being determined. If it is found that additional parking is required in the future, we will seek to identify the remaining funding needed. While the opening of this skate spot is likely to generate a pique in regional interest and use, that will eventually die down and settle into the intended use by predominantly local, neighborhood riders who skate to the park. In support of that, the Prop 68 Escondido Creek Trail Expansion and Renovation Project will also be creating more direct access to Washington Park from the Escondido Creek Trail to further enhance pedestrian accessibility to the park.

The design of this skate spot is based on input from various stakeholders including City staff from the Community Services, Public Works, Planning, City Manager, Engineering and Police Departments, skate park users, and the community. The proposed skate spot will provide a safe, designated place for riders to develop their skills and enjoy the company of their peers. It will be a state-of-the-art facility based on the latest skate park design principles and constructed with high-quality materials to

ensure durability and longevity. The design features a mix of street and transition-style terrain with elements designed for all age groups and ability levels.

Three skate spot design workshops were held over several months. These provided the community with the opportunity to engage with the consultant and take part in the planning and design of the space. All were very well attended, with approximately 50 participants at each. The result of these workshops was a beautifully designed skate spot that represents the culture and character of our community.

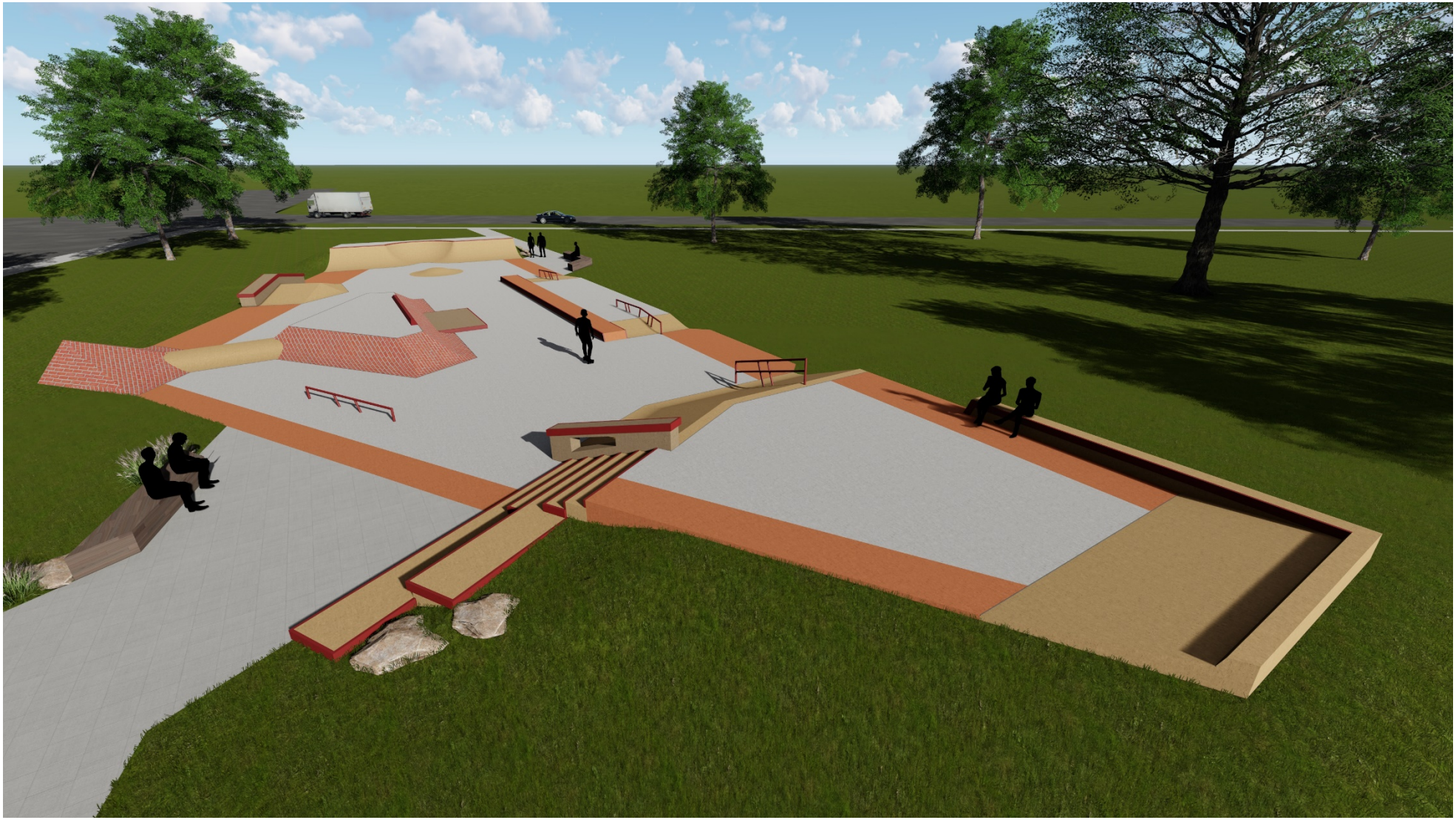
With the design of the skate spot complete, this project will go out to bid next month and will remain open for four weeks. Staff anticipates returning to Council to award the construction contract in late January/early February. Construction will take approximately four to five months, with the skate spot opening in time for summer.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Joanna Axelrod, Deputy City Manager/Director of Communications and Community Services
11/10/20 12:51 p.m.

ATTACHMENTS:

1. Attachment A: Final Skate Spot Design

Attachment A



ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Current Business No. 19 **November 18, 2020** **File No. 0720-20**

SUBJECT: Unclassified Service Schedule, Salary Plans, and Budget Adjustment

DEPARTMENT: Human Resources Department

RECOMMENDATION:

A. It is requested that the City Council adopt:

1. Resolution No. 2020-140: Amending and Re-Establishing the Salary Schedule for the Unclassified and Management Groups;

2. Resolution No. 2020-141: Amending the Part-time Salary Plan; and

B. Approve a budget adjustment to address the Building Development Technician position.

C. Receive and file update regarding classification and compensation study of full-time positions.

FISCAL ANALYSIS:

A. All financial impacts related to Resolutions 2020-140 and 2020-141 were addressed in the Fiscal Year 2020-2021 budget adopted on June 10, 2020.

B. Adding a Building Development Technician will add $79,520 to the General Fund.

C. The financial impact of a classification and compensation study will be absorbed in the current budget.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

None

PREVIOUS ACTION:

A. The City annually updates the Salary Schedule for the Unclassified and Management Salary groups, and annually updates the Part-Time Salary Plan. The Schedule and the Salary Plan are legally required elements of the City's Personnel Rules and Regulations established pursuant to state law and the Escondido Municipal Code.

B. None

C. None

BACKGROUND:

A. Resolution Nos. 2020-140 and 2020-141:

The California Government Code, the California Code of Regulations and the Escondido Municipal Code all require the City to formally maintain a list of all unclassified position titles. For example, the California Code of Regulations requires that, for purposes of determining a retiring member's pension allowance, the pay rate be limited to the amount listed "on a pay schedule that is approved by the governing body." The law also requires that this type of item be adopted as a matter of "current business" by the governing body.

The Human Resources Department conducts job studies to ensure that job classifications accurately reflect current job duties. Additionally, if a classification is experiencing a recruitment or retention issue, a classification and compensation study is conducted to ensure that the salary is competitive within the labor market. As a general rule, the City strives to be within 5% +/- of the public agency market median for comparable positions. Changes recommended at this time are identified on Exhibit A and Exhibit B, which are attached to Resolution No. 2020-140.

B. Budget Adjustment:

The City Council also authorizes positions which are not part of the current year's budget, although normally, positions are not added mid-cycle. Because of an immediate need, however, the Community Development Department is requesting an additional Building Development Technician position be added. This need is due to current staffing falling behind in building/planning and processing activity. Although increased use of technology has and will improve capacity, the demand of processing continues to outpace the resources. Currently, the Building Division has two (2) full time Development Technicians. Building counter staff responds to approximately 125+ walk-ins per week, 50+ emails, 25+ calls, and has averaged about 100+ applications per week. The current planning staffing levels cannot effectively address this volume without further negative impacts to quality of work and customer service. Currently, Building Inspectors and the Building Official have been assisting counter services by helping respond to general questions.

Moreover, it is important for the City to maintain a "business-friendly" and customer-service focused delivery model, because building and development activity is a catalyst for the overall growth and well-being of our community. And finally, while this is a General Fund position, the work associated with this position is linked to fee and permit revenue. The new Building Development Technician position would enhance operational effectiveness and efficiencies, and delivery of public services.

C. Classification and Compensation Study

The City of Escondido has not conducted a comprehensive classification and compensation study for more than 15 years. Without competitive wages and benefits, the City of Escondido not only loses employees to other public sector agencies, but also to the private sector. With respect to sheer numbers of Escondido city employees, the City currently fulfills needs with approximately 53 less employees than it did a decade ago, and yet the City population has gradually increased. Competitive salaries and benefits are important for those employees remaining and having good employees directly benefits the community. Next steps in this process will include a request for proposals to conduct such a study, identification of a funding source, and then conducting the study. Council will be regularly updated as this process unfolds.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Jessica Perpetua, Director of Human Resources
11/10/20 2:11 p.m.
Mike Strong, Director of Community Development
11/10/20 1:39 p.m.

ATTACHMENTS:

1. Resolution No. 2020-140
2. Resolution No. 2020-140 – Exhibit A
3. Resolution No. 2020-140 – Exhibit B
4. Resolution No. 2020-141
5. Resolution No. 2020-141 – Exhibit A
6. Resolution No. 2020-141 – Exhibit B
7. Budget Adjustment – Community Development Building Development Technician

RESOLUTION NO. 2020-140

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING AND RE-ESTABLISHING THE SALARY SCHEDULE FOR THE UNCLASSIFIED AND MANAGEMENT GROUPS

WHEREAS, the compensation for the unclassified and management groups of City employees is established by the City Council from time to time; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to amend and readopt the salary schedule established by Resolution No. 2019-139;

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 summary of changes to the management and unclassified clerical technical groups is set forth in Exhibit "A," attached and incorporated by this reference.

3. That the salary schedule is set forth in Exhibit "B," attached and incorporated by this reference, for the positions listed are established.

4. That this Resolution supersedes Resolution No. 2019-139.

Summary of Changes
Management and Unclassified Clerical Technical Groups
2020

Class Title	Union Code	Detail of Change	Previous Monthly Salary	Updated Monthly Salary
Assistant Chief of Police	PM	Position inactivated	--	--
Building Official	MGT	Salary grade change following salary survey (survey conducted due to incumbent leaving)	$8,170 - $11,030	$9,007 - $12,160
Deputy City Manager/ Director of Communications & Community Services	EM	Title change from Deputy City Manager to reflect increased responsibilities to assist with Assistant City Manager vacancy.	--	$12,674 - $17,110
Deputy City Manager/ Director of Information Systems	EM	Title change from Deputy City Manager to reflect increased responsibilities to assist with Assistant City Manager vacancy.	--	$12,674 - $17,110
Deputy City Manager/ Director of Utilities	EM	Title change from Deputy City Manager to reflect increased responsibilities to assist with Assistant City Manager vacancy.	--	$12,674 - $17,110
Deputy Fire Chief	FM	Position reactivated	--	$10,948 - $14,780
Deputy Fire Marshal	UCT	Position reactivated to underfill Fire Marshal vacancy upon incumbent's retirement	--	$6,667 - $8,103
Digital Media Coordinator	UCT	Title change from Technical Production Coordinator. Salary grade change due to increased responsibilities	$3,470 - $4,217	$4,024 - $4,891
Digital Media Technician	UCT	Newly added position	--	$3,470 - $4,217
Economic Development Manager	MGT	Position inactivated	--	--
Environmental Programs Manager/ Utilities	MGT	Salary grade change due to compaction following salary survey of subordinate positions (survey conducted due to recruitment issue)	$6,402 - $8,642	$7,058 - $9,528
Executive Assistant - City Attorney	UCT	Salary grade change to maintain variance after salary change for Executive Assistant - City Manager	$4,903 - $5,959	$5,412 - $6,578
Executive Assistant - City Manager	UCT	Salary grade change due to salary survey (survey conducted due to potential retention issue)	$5,151 - $6,261	$5,686 - $6,911
Executive Assistant - Police Chief	UCT	Salary grade change to maintain variance after salary change for Executive Assistant - City Manager	$4,903 - $5,959	$5,412 - $6,578

Class Title	Union Code	Detail of Change	Previous Monthly Salary	Updated Monthly Salary
Geographic Information Systems Manager	MGT	Salary grade change due to merit increase	$5,806 - $7,838	$6,096 - $8,230
Insurance Manager	MGT	Title change from Risk & Safety Manager	--	$7,410 - $10,004
Lakes & Open Space Superintendent	MGT	Salary grade change due to merit increase	$5,806 - $7,838	$6,096 - $8,230
Risk & Safety Manager	MGT	Title change to Insurance Manager	$7,410 - $10,004	--
Safety Trainer	UCT	Newly added position	--	$4,783 - $5,814
Senior Engineer	MGT	Salary grade change due to compaction following salary survey of subordinate positions (survey conducted due to recruitment and retention issue)	$7,058 - $9,528	$7,410 - $10,004
Water Distribution Superintendent	MGT	Salary grade change due to compaction following negotiated equity increase for subordinate positions	$7,058 - $9,528	$7,410 - $10,004

PeopleSoft HRMS/Payroll
Compensation Plan as of 9/28/2020
(all salaries shown as monthly)

Union Code	Job Code	Job Description	Base	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
MGT	20090	Accountant I	Band 008	4,333	5,850				
MGT	20094	Accountant II	Band 012	5,266	7,109				
UCT	20093	Accounting Assistant I	2,644	2,777	2,915	3,061	3,214		
UCT	20091	Accounting Assistant II	2,919	3,065	3,218	3,379	3,548		
UCT	21330	Administrative Coordinator	4,024	4,225	4,436	4,658	4,891		
MGT	21333	Applications Development Mgr	Band 018	7,058	9,528				
UCT	73000	Asst Canal Superintendent	4,553	4,780	5,019	5,270	5,534		
MGT	20000	Asst City Attorney	Band 031	13,308	17,966				
MGT	21060	Asst City Clerk	Band 014	5,806	7,838				
MGT	20180	Asst City Engineer	Band 021	8,170	11,030				
EM	10100	Asst City Manager	Band 032	13,973	18,864				
MGT	20192	Asst Dir of Community Svs	Band 020	7,781	10,504				
MGT	20135	Asst Dir of Finance	Band 023	9,007	12,160				
MGT	20140	Asst Dir of Planning	Band 023	9,007	12,160				
UCT	20884	Asst Env Programs Specialist	3,926	4,122	4,328	4,544	4,772		
MGT	20310	Bldg Maintenance Supt	Band 015	6,096	8,230				
MGT	20150	Bldg Official	Band 023	9,007	12,160				
MGT	20320	Budget Manager	Band 018	7,058	9,528				
UCT	20826	Business Analyst I	4,666	4,900	5,145	5,402	5,672		
UCT	20827	Business Analyst II	5,151	5,408	5,679	5,963	6,261		
UCT	73600	Canal Assistant I	3,067	3,220	3,381	3,550	3,728		
UCT	73650	Canal Assistant II	3,385	3,554	3,732	3,919	4,115		
MGT	73500	Canal Superintendent	Band 012	5,266	7,109				
EM	10650	Chief of Police	Band 034	15,406	20,797				
EM	10200	City Attorney	20,125						
EM	12000	City Clerk	Band 023	9,007	12,160				
EM	10300	City Manager	23,833						

EME	12200	City Treasurer	8,124				
MGT	50560	Code Enforcement Manager	Band 018	7,058	9,528		
UCT	21401	Collections Officer	3,736	3,923	4,119	4,325	4,542
MGT	21020	Communications Mgr	Band 018	7,058	9,528		
MGT	21015	Communications Officer	Band 014	5,806	7,838		
MGT	50755	Community Services Manager	Band 012	5,266	7,109		
UCT	82235	Control Systems Analyst	7,278	7,642	8,024	8,425	8,846
MGT	40431	Crime Analyst	Band 008	4,333	5,850		
UCT	40432	Criminal Intelligence Analyst	5,828	6,119	6,425	6,746	7,084
UCT	40433	Criminal Intelligence Sup	6,758	7,096	7,451	7,824	8,215
MGT	21001	Dep Building Official	Band 016	6,402	8,642		
MGT	21199	Dep City Attorney I	Band 015	6,096	8,230		
MGT	21200	Dep City Attorney II	Band 018	7,058	9,528		
EM	10430	Dep City Manager	Band 030	12,674	17,110		
MGT	20338	Dep Dir of Economic Dev	Band 020	7,781	10,504		
MGT	20336	Dep Dir of Pub Wks/Maintenance	Band 020	7,781	10,504		
MGT	20940	Dep Dir of Util/Const & Eng	Band 024	9,458	12,768		
MGT	20970	Dep Dir of Util/Wastewater	Band 024	9,458	12,768		
MGT	20950	Dep Dir of Util/Water	Band 024	9,458	12,768		
FM	20160	Dep Fire Chief	Band 027	10,948	14,780		
UCT	60510	Dep Fire Marshal	6,667	7,000	7,350	7,718	8,103
UCT	21430	Department Aide	2,517	2,643	2,775	2,914	3,059
UCT	21440	Department Assistant	2,919	3,065	3,218	3,379	3,548
UCT	21055	Deputy City Clerk	4,666	4,900	5,145	5,402	5,672
EM	10443	Deputy City Mgr/Dir of CCS	Band 030	12,674	17,110		
EM	10442	Deputy City Mgr/Dir of IS	Band 030	12,674	17,110		
EM	10441	Deputy City Mgr/Dir of Util	Band 030	12,674	17,110		
MGT	20685	Design & Construction Proj Mgr	Band 016	6,402	8,642		
UCT	82255	Digital Media Coord	4,024	4,225	4,436	4,658	4,891
UCT	82256	Digital Media Technician	3,470	3,643	3,825	4,017	4,217
EM	10415	Dir of Comm & Community Svs	Band 024	9,458	12,768		
EM	10400	Dir of Community Development	Band 027	10,948	14,780		
EM	10480	Dir of Eng Svs/City Eng	Band 026	10,427	14,076		

EM	10460	Dir of Finance	Band 026	10,427	14,076			
EM	10550	Dir of Human Resources	Band 026	10,427	14,076			
EM	10450	Dir of Info Systems	Band 027	10,948	14,780			
EM	10540	Dir of Public Works	Band 026	10,427	14,076			
EM	10575	Director of Utilities	Band 028	11,496	15,520			
UCT	21460	Division Coordinator	3,385	3,554	3,732	3,919	4,115	
UCT	60800	Emer Medical Svs Program Coord	4,442	4,664	4,897	5,142	5,399	
MGT	50770	Emer/Disaster Preparedness Mgr	Band 014	5,806	7,838			
MGT	20880	Environmental Prog Mgr/Util	Band 018	7,058	9,528			
UCT	20885	Environmental Prog Specialist	5,151	5,408	5,679	5,963	6,261	
UCT	21332	Executive Assistant-City Atty	5,412	5,682	5,966	6,265	6,578	
UCT	21331	Executive Assistant-City Mgr	5,686	5,970	6,268	6,582	6,911	
UCT	21336	Executive Asst-Chief of Police	5,412	5,682	5,966	6,265	6,578	
UCT	21334	Executive Office Coordinator	4,024	4,225	4,436	4,658	4,891	
UCT	21337	Executive Office Specialist	3,067	3,220	3,381	3,550	3,728	
MGT	50725	Finance Manager	Band 018	7,058	9,528			
MGT	50751	Fire Admin Services Manager	Band 014	5,806	7,838			
FM	20370	Fire Battalion Chief	Band 023	9,007	12,160			
EM	10600	Fire Chief	Band 030	12,674	17,110			
FM	20300	Fire Division Chief	Band 026	10,427	14,076			
MGT	20350	Fire Marshal	Band 022	8,578	11,581			
MGT	20850	Fleet Maint Superintendent	Band 015	6,096	8,230			
UCT	20874	Forensic Services Supervisor	6,123	6,429	6,750	7,088	7,442	
MGT	50731	Geographic Information Sys Mgr	Band 015	6,096	8,230			
UCT	50735	GIS Analyst I	5,412	5,682	5,966	6,265	6,578	
UCT	50737	GIS Analyst II	5,973	6,272	6,586	6,915	7,261	
UCT	50785	GIS Technician I	3,645	3,828	4,019	4,220	4,431	
UCT	50786	GIS Technician II	4,024	4,225	4,436	4,658	4,891	
MGT	21190	Housing & Neigh Svs Manager	Band 018	7,058	9,528			
MGT	21081	Human Resources Analyst I	Band 009	4,549	6,141			
MGT	21083	Human Resources Analyst II	Band 011	5,015	6,771			
UCT	21650	Human Resources Coordinator	4,553	4,780	5,019	5,270	5,534	
MGT	21130	Human Resources Manager	Band 019	7,410	10,004			

UCT	21651	Human Resources Technician I	3,556	3,734	3,921	4,117	4,323
UCT	21655	Human Resources Technician II	3,926	4,122	4,328	4,544	4,772
MGT	20337	Insurance Manager	Band 019	7,410	10,004		
MGT	20800	Laboratory Superintendent	Band 019	7,410	10,004		
MGT	20501	Lakes & Open Space Supt.	Band 015	6,096	8,230		
UCT	20875	Latent Print & Evid Specialist	5,280	5,544	5,821	6,112	6,417
UCT	20876	Latent Print Specialist	4,666	4,900	5,145	5,402	5,672
UCT	21580	Legal Assistant	4,783	5,022	5,273	5,537	5,814
UCT	21585	Legal Specialist	5,025	5,276	5,540	5,817	6,108
UCT	21470	Maintenance & Oper Coordinator	3,736	3,923	4,119	4,325	4,542
UCT	81935	Maintenance Scheduler	6,276	6,590	6,919	7,265	7,628
MGT	21090	Management Analyst I	Band 009	4,549	6,141		
MGT	21092	Management Analyst II	Band 012	5,266	7,109		
UCT	21317	Network Administrator I	5,151	5,408	5,679	5,963	6,261
UCT	21318	Network Administrator II	5,686	5,970	6,268	6,582	6,911
MGT	21801	Network Manager	Band 019	7,410	10,004		
UCT	21311	Network Systems Engineer	5,412	5,682	5,966	6,265	6,578
UCT	21310	Network Systems Technician I	3,470	3,643	3,825	4,017	4,217
UCT	21313	Network Systems Technician II	3,830	4,021	4,222	4,434	4,655
UCT	21316	Network Systems Technician III	4,227	4,439	4,661	4,894	5,139
UCT	21661	Payroll Analyst	4,333	4,550	4,777	5,016	5,267
UCT	21660	Payroll Technician I	3,470	3,643	3,825	4,017	4,217
UCT	21662	Payroll Technician II	3,830	4,021	4,222	4,434	4,655
MGT	50752	Police Business Mgr	Band 014	5,806	7,838		
PM	20600	Police Captain	Band 026	10,427	14,076		
PM	20670	Police Lieutenant	Band 024	9,458	12,768		
UCT	21550	Police Projects Specialist	4,124	4,331	4,547	4,774	5,013
MGT	50753	Police Services Analyst	Band 013	5,530	7,465		
UCT	21555	Police Training Coordinator	4,024	4,225	4,436	4,658	4,891
MGT	20680	Principal Engineer	Band 019	7,410	10,004		
MGT	20690	Principal Planner	Band 019	7,410	10,004		
MGT	21240	Program Administrator	Band 009	4,549	6,141		
UCT	21680	Programmer Analyst I	4,333	4,550	4,777	5,016	5,267

UCT	21681	Programmer Analyst II	4,783	5,022	5,273	5,537	5,814
MGT	40100	Pub Safety Communications Mgr	Band 017	6,721	9,074		
UCT	20822	Public Safety Systems Analyst	5,412	5,682	5,966	6,265	6,578
MGT	21335	Public Safety Systems Manager	Band 016	6,402	8,642		
MGT	20500	Public Works Superintendent	Band 015	6,096	8,230		
UCT	30505	Publications Coordinator I	3,067	3,220	3,381	3,550	3,728
UCT	30500	Publications Coordinator II	3,385	3,554	3,732	3,919	4,115
MGT	21340	Real Property Manager	Band 019	7,410	10,004		
UCT	20040	Risk & Safety Coordinator	4,333	4,550	4,777	5,016	5,267
UCT	20345	Safety Trainer	4,783	5,022	5,273	5,537	5,814
MGT	20860	Sr Accountant	Band 014	5,806	7,838		
UCT	20092	Sr Accounting Assistant	3,385	3,554	3,732	3,919	4,115
MGT	50754	Sr Crime Analyst	Band 010	4,777	6,449		
MGT	21220	Sr Deputy City Attorney	Band 022	8,578	11,581		
MGT	20877	Sr Engineer	Band 019	7,410	10,004		
UCT	20887	Sr Environmental Prog Spec	5,686	5,970	6,268	6,582	6,911
MGT	21080	Sr Human Resources Analyst	Band 014	5,806	7,838		
UCT	21590	Sr Legal Assistant	5,547	5,824	6,115	6,421	6,742
MGT	21309	Sr Network Systems Engineer	Band 015	6,096	8,230		
MGT	20840	Sr Planner	Band 014	5,806	7,838		
UCT	20347	Sr Safety Analyst	5,412	5,682	5,966	6,265	6,578
UCT	20823	Systems Analyst I	5,973	6,272	6,586	6,915	7,261
UCT	20825	Systems Analyst II	6,593	6,923	7,269	7,633	8,014
UCT	20965	Telecommunications Specialist	3,926	4,122	4,328	4,544	4,772
MGT	21005	Tourism & Marketing Administra	Band 009	4,549	6,141		
MGT	82233	Utilities Analyst	Band 011	5,015	6,771		
MGT	20683	Utilities Constr Proj Mgr	Band 016	6,402	8,642		
UCT	82230	Utilities Construction Coord	4,442	4,664	4,897	5,142	5,399
MGT	20920	Utilities Maintenance Supt	Band 022	8,578	11,581		
MGT	20975	Wastewater Operations Supt	Band 022	8,578	11,581		
MGT	20930	Water Distribution Supt	Band 019	7,410	10,004		
MGT	20990	Water Treatment Plant Supt	Band 022	8,578	11,581		
UCT	20960	Web Design Technician I	3,470	3,643	3,825	4,017	4,217

UCT	20961	Web Design Technician II	3,830	4,021	4,222	4,434	4,655

RESOLUTION NO. 2020-141

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING THE PART-TIME PAY PLAN

WHEREAS, the compensation for the part-time, unclassified group of City employees is established by the City Council from time to time; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to adopt and amend said salary ranges of the Part-time Hourly Compensation Plan and Part-Time Hourly Pay Schedule;

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 part-time salary ranges are hereby established and amended for the positions set forth in Exhibit “A” and corresponding hourly step rates set forth in Exhibit “B” which are both attached and incorporated by this reference.

3. That this Resolution supersedes Resolution No. 2019-144.

PART-TIME HOURLY COMPENSATION PLAN
January 1, 2021

RANGE I **14.00 – 17.48** Maintenance Aide I Park Attendant I Recreation Leader I Senior Service Aide I	**RANGE VI** **15.84 – 19.78** Head Lifeguard
RANGE II **14.35 – 17.92** Lifeguard Maintenance Aide II Park Attendant II Parking Enforcement Officer Recreation Leader II Senior Service Aide II	**RANGE VII** **16.24 – 20.28** Currently No Classifications
RANGE III **14.71 – 18.37** Park Attendant III Principal Recreation Leader Senior Service Aide III	**RANGE VIII** **16.64 – 20.78** Currently No Classifications
RANGE IV **15.08 – 18.83** Water Safety Instructor	**RANGE IX** **17.06 – 21.30** Currently No Classifications
RANGE V **15.45 – 19.30** Currently No Classifications	**RANGE X** **Dept. Head discretion ranging from a minimum of current California minimum wage to a maximum of $100.00 per hour.** Department Specialist Department Specialist / Reserve Maintenance Specialist Recreation Specialist I Recreation Specialist II Swimming Pool Manager Tiny Tot Instructor

(Ranger Specialist – Park Ranger I Benchmark; M&O 99)

PART-TIME HOURLY PAY SCHEDULE
January 1, 2021

Range	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
Range I - Base Rate	$14.000000	$14.350000	$14.708750	$15.076469	$15.453380	$15.839715	$16.235708	$16.641601	$17.057641	$17.484082
Range II - Base Rate	$14.350000	$14.708750	$15.076469	$15.453380	$15.839715	$16.235708	$16.641601	$17.057641	$17.484082	$17.921184
Range III - Base Rate	$14.708750	$15.076469	$15.453380	$15.839715	$16.235708	$16.641601	$17.057641	$17.484082	$17.921184	$18.369213
Range IV - Base Rate	$15.076469	$15.453380	$15.839715	$16.235708	$16.641601	$17.057641	$17.484082	$17.921184	$18.369213	$18.828444
Range V - Base Rate	$15.453380	$15.839715	$16.235708	$16.641601	$17.057641	$17.484082	$17.921184	$18.369213	$18.828444	$19.299155
Range VI - Base Rate	$15.839715	$16.235708	$16.641601	$17.057641	$17.484082	$17.921184	$18.369213	$18.828444	$19.299155	$19.781633
Range VII - Base Rate	$16.235708	$16.641601	$17.057641	$17.484082	$17.921184	$18.369213	$18.828444	$19.299155	$19.781633	$20.276174
Range VIII - Base Rate	$16.641601	$17.057641	$17.484082	$17.921184	$18.369213	$18.828444	$19.299155	$19.781633	$20.276174	$20.783079
Range IX - Base Rate	$17.057641	$17.484082	$17.921184	$18.369213	$18.828444	$19.299155	$19.781633	$20.276174	$20.783079	$21.302656
Range X - Base Rate	Salary set at Department Head discretion ranging from a minimum of current California minimum wage to a maximum of $100.00 per hour.									

ESCONDIDO
City of Choice

CITY OF ESCONDIDO

BUDGET ADJUSTMENT REQUEST

Date of Request: 11/18/2020

Department: Building

Division: Community Development

Project/Budget Manager: Mike Strong (Name) 4556 (Extension)

Council Date (if applicable): 11/18/2020
(attach copy of staff report)

For Finance Use Only

Log # _____

Fiscal Year 2021
ear

_____ Budget Balances
_____ General Fund Accts
_____ Revenue
_____ Interfund Transfers
_____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Regular Full-Time	5001-001-300	54,570	
Other Employee Overhead	5025-001-300	2,120	
PERS-Normal Cost	5026-001-300	6,270	
Medical	5027-001-300	15,700	
Workers' Compensation	5028-001-300	860	
Building Permit Revenue	4045-001	79,520	

Explanation of Request: To add a Building Development Technician position to assist with the heavier workload from increased development activity, to provide proper electronic plan coordination and routing, and better support "public facing" services.

APPROVALS

[signature]	11-3-20		
Department Head	Date	City Manager	Date
[signature]	11/4/20		
Finance	Date	City Clerk	Date

Distribution (after approval): Original: Finance
FM\105 (Rev.08/06)

ESCONDIDO
City of Choice

CITY COUNCIL STAFF REPORT

Current Business Item No. 20 **November 18, 2020** **File No. 0610-90**

SUBJECT: Re-Cap of Council Tenure and Leaving Office Comments: Councilmember Diaz

DEPARTMENT: Council Member Olga Diaz

RECOMMENDATION: None

BACKGROUND: On October 21, 2020, Councilmember Diaz requested an item be placed on the November 18, 2020 Agenda to provide a re-cap of her tenure on the City Council.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:
Olga Diaz, Councilmember
11/6/20 8:40 a.m.

ATTACHMENTS:

FUTURE CITY COUNCIL AGENDA ITEMS

Updated November 10, 2020

AGENDA ITEMS AND CITY COUNCIL MEETING DATES ARE SUBJECT TO CHANGE. CHECK WITH THE CITY CLERK'S OFFICE AT (760) 839-4617

November 25, 2020
NO MEETING (Thanksgiving Day)

December 2, 2020
NO MEETING

December 9, 2020
6:00 p.m.

Installation Ceremony

December 16, 2020
6:00 p.m.

CONSENT CALENDAR

Annual Report on Capital Funds Funded By Developer Fees for the Fiscal Year Ended June 30, 2020
(C. Holmes)

The annual report on capital funds is required by California Government Code Section 66006 and contains certain financial information for development impact fees for the fiscal year ending June 30, 2020.

PUBLIC HEARINGS

Short-Form Rent Review Board Hearing for Greencrest Mobilehome Park (Case No. 0697-20-10279)
(K. Youel)

The application meets all the eligibility criteria for submittal of a short-form rent increase application. The amount requested covers a 12-month period of consideration from June 30, 2019, to June 30, 2020. Ninety percent of the change in the CPI for the period is 1.175 percent. The average space rent for the 68 spaces subject to rent control is $477.18 The average requested increase per space is approximately $5.61.

	Tentative Subdivision Map and Condominium Permit for 10 Units at 245 East El Norte Parkway (M. Strong) *Habitat for Humanity is a non-profit organization that develops for-sale, affordable housing. The project would construct ten (10) units for households qualifying as low-income, or those with an income between 50% and 80% of the Area Median Income, per HUD guidelines. Because the project will be 100% affordable, it proposes a density bonus of two (2) units in addition to the eight (8) "base density" units allowed per State Density Bonus Law. Because the project involves a Condominium Permit (in addition to the Tentative Subdivision Map, City Council approval is required.*
	Zoning Code Amendment (M. Strong)
CURRENT BUSINESS	
	Review and Update of Current City Council Subcommittee and Member Assignments (Z. Beck) *Request the City Council make determinations and ratify members to serve on the Council/Mayoral appointed subcommittees.*
	Financial Review of Reidy Creek and Budget Adjustment (C. Holmes) *It is requested that the City Council review the City's financial obligations due to Reidy Creek and approve a budget adjustment for the fiscal year ending June 30, 2020 operating results.*
FUTURE AGENDA ITEMS	

November 18, 2020

CITY MANAGER'S WEEKLY ACTIVITY REPORT

- **No materials available at this time. Please refer to the City's website at https://www.escondido.org/latest-news-from-the-city-managers-office.aspx**