



MARCH 22, 2017

CITY COUNCIL CHAMBERS

3:30 P.M. Closed Session; 4:30 P.M. Regular Session

201 N. Broadway, Escondido, CA 92025

MAYOR

Sam Abed

DEPUTY MAYOR

John Masson

COUNCIL MEMBERS

Olga Diaz

Ed Gallo

Michael Morasco

INTERIM CITY MANAGER

Jeffrey Epp

CITY CLERK

Diane Halverson

INTERIM CITY ATTORNEY

Michael McGuinness

DIRECTOR OF COMMUNITY DEVELOPMENT

Bill Martin

DIRECTOR OF ENGINEERING SERVICES

Julie Procopio

ELECTRONIC MEDIA:

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

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

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

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



Council Meeting Agenda

**March 22, 2017
3:30 P.M. Meeting**

Escondido City Council

CALL TO ORDER

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

ORAL COMMUNICATIONS

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

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

- I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
- a. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
Employee Organization: Non-Sworn Police Bargaining Unit
 - b. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
Employee Organization: Escondido City Employee Association:
Administrative/Clerical/Engineering Bargaining Unit
 - c. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
Employee Organization: Escondido City Employee Association: Supervisory
Bargaining Unit
- II. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))**
- Case Name:** Julia Hernandez v. City of Escondido
Case No: 37-2015-00041588-CU-PO-NC

ADJOURNMENT



Council Meeting Agenda

**March 22, 2017
4:30 P.M. Meeting**

Escondido City Council

CALL TO ORDER

MOMENT OF REFLECTION:

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

FLAG SALUTE

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

PRESENTATIONS: San Diego County Water Authority - Issues Update

ORAL COMMUNICATIONS

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

CONSENT CALENDAR

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

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: Regular Meeting of March 8, 2017**

4. **HOUSING RELATED PARKS PROGRAM BUDGET ADJUSTMENT -**

Request the City Council approve budget adjustments totaling \$100,797, to reprogram Housing Related Parks (HRP) funds for multiple park projects, using Program Year (PY) 2014 and PY 2015 HRP funds from the Department of Housing and Community Development.

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

5. **BUDGET ADJUSTMENT FOR EMERGENCY PROJECTS -**

Request the City Council approve a budget adjustment to create a Capital Improvement Program project account to fund repair of emergency drainage projects.

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

6. **LEASE AGREEMENT WITH ASOCIACION DE CHARROS DE EL CABALLO PARK, AT 3400 VALLEY CENTER ROAD -**

Request the City Council approve authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with Asociacion de Charros de El Caballo Park, at 3400 Valley Center Road.

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

RESOLUTION NO. 2017-25

7. **CONTINUING EMERGENCY AND NEED TO REPAIR THE SEWER PIPELINE ON NORTH HALE AVENUE -**

Request the City Council approve declaring that pursuant to the terms of Section 22050 of the California Public Contract Code, the City Council finds there is a need to continue the emergency action and pass a resolution by four-fifths vote declaring that public interest and necessity demand the expenditure to safeguard life, health, or property.

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

RESOLUTION NO. 2017-42

8. **CONTINUING EMERGENCY AND NEED TO REPAIR THE SEWER PIPELINE IN GREEN TREE MOBILE HOME ESTATES -**

Request the City Council approve declaring that pursuant to the terms of Section 22050 of the California Public Contract Code, the City Council finds there is a need to continue the emergency action and pass a resolution by four-fifths vote declaring that public interest and necessity demand the expenditure to safeguard life, health, or property.

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

RESOLUTION NO. 2017-43

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

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

9. **ZONING CODE AMENDMENTS TO RESTRUCTURE THE PLANNED DEVELOPMENT REVIEW PROCESS AND STREAMLINE OTHER DEVELOPMENT REVIEW PROCESSES (AZ 16-0010) -**

Approved on March 15, 2017 with a vote of 5/0

ORDINANCE NO. 2017-03R (Second Reading and Adoption)

PUBLIC HEARINGS

10. **AMENDING THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND BUDGET ADJUSTMENT -**

Request the City Council approve authorizing an amendment to the Regional Transportation Improvement Program (RTIP) to update programming of TransNet funds, and adjust previously adopted Fiscal Year 2016/17 capital projects budgets; and approve a budget adjustment to reflect a net increase in funding to the FY 2017 Annual Street Resurfacing Program.

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

RESOLUTION NO. 2017-36

FUTURE AGENDA

11. **FUTURE AGENDA -**

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

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

COUNCIL MEMBERS' SUBCOMMITTEE REPORTS

CITY MANAGER'S UPDATE/BRIEFING

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

- **CITY MANAGER'S UPDATE -**

ORAL COMMUNICATIONS

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
March 29	-	-	No Meeting	-
April 5	Wednesday	3:30 & 4:30 PM	Regular Meeting	Council Chambers
April 12	-	-	No Meeting	-
April 19	-	-	No Meeting	-

TO ADDRESS THE COUNCIL

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

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

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

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

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

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

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

LIVE BROADCAST

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

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

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

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

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



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

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

CITY OF ESCONDIDO
March 8, 2017
3:30 P.M. Meeting Minutes
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 3:30 p.m. on Wednesday, March 8, 2017 in the City Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:

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

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to recess to Closed Session. Motion carried unanimously.

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

Case Name: City of Escondido v. Allan F. Heath, III, et al.
Case No: 37-2015-00038261-CU-EI-NC

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

a. **Property:** 3400 Valley Center Road, Horse Arena
City Negotiator: Graham Mitchell, City Manager
Negotiating Parties: Sergio Contreras, President, Association de Charros de El Caballo Park
Under Negotiation: Lease Renewal Terms

ADJOURNMENT

Mayor Abed adjourned the meeting at 3:55 p.m.

MAYOR

CITY CLERK

DEPUTY CITY CLERK

CITY OF ESCONDIDO
March 8, 2017
4:30 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:31 p.m. on Wednesday, March 8, 2017 in the City Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

Mel Bittner led the Moment of Reflection.

FLAG SALUTE

Councilmember Gallo led the Flag Salute.

ATTENDANCE:

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

Also present were: Graham Mitchell, City Manager; Jeffrey Epp, City Attorney; Bill Martin, Director of Community Development; Julie Procopio, Director of Engineering Services; Diane Halverson, City Clerk; and Jennifer Ekblad, Deputy City Clerk.

Mayor Abed and Chief Craig Carter commented regarding a recent tragic accident in the City.

PRESENTATIONS:

City Attorney Jeffrey Epp and Mayor Abed honored and presented a plaque to outgoing City Manager Graham Mitchell.

Alliance for Regional Solutions Update - Greg Anglea, Alliance for Regional Solutions Board President & Executive Director of Interfaith Community Services

ORAL COMMUNICATIONS

Richard Pena, Escondido, recently opened a pet store in Escondido and invited City Council and public to attend an open house.

CONSENT CALENDAR

City Attorney Jeffrey Epp recommended the addition of one Consent Calendar item to the agenda.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to add the following item to the Consent Calendar pursuant to Government Code section 54954.2(b)(2); that the need to take action arose subsequent to the posting of the agenda. Motion carried unanimously.

ADDED ITEM:

- 15. EMERGENCY REPAIR OF THE SEWER PIPELINE IN GREEN TREE MOBILE HOME ESTATES –**
Request the City Council approve declaring that pursuant to the terms of Section 22050 of the California Public Contract Code, the City Council affirms that it was appropriate for City staff to forego normal bidding procedures and to award a contract for emergency repairs of a damaged sewer main in Green Tree Mobile Home Estates near Pineapple Way. The resolution, which must be passed by four-fifths vote, also declares that public interest and necessity demand the immediate expenditure to safeguard life, health, or property. (File No. 0600-10 [A-3213])

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

RESOLUTION NO. 2017-39

MOTION: Moved by Deputy Mayor Masson and seconded by Councilmember Diaz to approve all Consent Calendar items with the exception of item 5. Motion carried unanimously.

- 1. AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
- 2. APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
- 3. APPROVAL OF MINUTES: Special Meeting of February 22, 2017**
- 4. APPROVAL AND AUTHORIZATION FOR RELEASE OF REQUEST FOR PROPOSALS FOR AFFORDABLE HOUSING PURPOSES -**
Request the City Council approve authorizing Housing Division staff to release a Request for Proposals (RFP) for the provision of long-term affordable housing through acquisition or rehabilitation or redevelopment of blighted properties. The RFP will include a total of \$450,000 in federal HOME funds. (File No. 0470-32)

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

- 5. ANNUAL PROGRESS REPORT ON THE IMPLEMENTATION OF THE GENERAL PLAN AND ANNUAL HOUSING ELEMENT REPORT -**
Request the City Council receive the General Plan Annual Progress Report; review the 2016 Annual Housing Report documenting the City's progress and compliance with State housing law on implementing the 2013-2020 Housing Element of the General Plan; and authorize submittal of the report to the State Office of Planning and Research, the State Department of Housing and Community Development, and SANDAG. (File No. 0830-07)

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

Bob Wise, Escondido, commented regarding property tax rates for affordable housing and mobilehome park rental rates.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to receive the General Plan Annual Progress Report; review the 2016 Annual Housing Report documenting the City's progress and compliance with State housing law on implementing the 2013-2020 Housing Element of the General Plan; and authorize submittal of the report to the State Office of Planning and Research, the State Department of Housing and Community Development, and SANDAG. Motion carried unanimously.

6. AMENDMENTS TO A CONSULTING AGREEMENT FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND RELATED BUDGET ADJUSTMENT (ENV 15-0001 AND SUB 15-0002) -

Request the City Council approve authorizing amendments to a Consulting Agreement for Design Professionals with Harris & Associates, Inc., and approve a Planning Division budget adjustment of \$56,688. (File No. 0600-10 [A-3183])

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

RESOLUTION NO. 2017-28

7. CHANGE ORDER FOR THE EMERGENCY REPAIR OF THE SEWER PIPELINE ON NORTH HALE AVENUE -

Request the City Council approve authorizing Change Order No. 1 to the public improvement agreement with Shaw Equipment Rentals, Inc. The value of this change order is for an amount not exceed \$147,000. (0600-10 [A-3208])

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

RESOLUTION NO. 2017-33

8. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE ESCONDIDO POLICE OFFICERS' ASSOCIATION - SWORN PERSONNEL AND BUDGET ADJUSTMENT -

Request the City Council approve the execution of a Memorandum of Understanding between the City of Escondido and the Escondido Police Officers' Association - Sworn Personnel, for a one-year term commencing January 1, 2017 through December 30, 2017; and approve a budget adjustment appropriating \$78,480 to cover increase contract costs. The Fiscal Year 2016-17 General Fund Operating Budget did not allocate funds for contract increases, but it is anticipated that budgetary saving at year end will cover these increased costs. (File No. 0740-30)

Staff Recommendation: **Approval (Human Resources Department: Sheryl Bennett)**

RESOLUTION NO. 2017-34

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

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

9. UPDATE AND AMENDMENT TO THE ESCONDIDO MUNICIPAL CODE CHAPTER 28 (TRAFFIC), ARTICLE 1 AND ARTICLE 5, SECTION 142 -

Approved on March 1, 2017 with a vote of 5/0 (File No. 680-10)

ORDINANCE NO. 2017-04 (Second Reading and Adoption)

PUBLIC HEARINGS

10. REVIEW AND RE-AFFIRM COMMUNITY DEVELOPMENT AND HOMELESS PRIORITIES OF THE FISCAL YEARS 2015-2019 CONSOLIDATED PLAN AND APPROVE THE ALLOCATION PROCESS FOR FISCAL YEAR 2017-2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND EMERGENCY SOLUTIONS GRANT (ESG) FUNDING -

Request the City Council review and re-affirm the community development priorities adopted in the Amended 2015-2019 Five-Year Consolidated Plan for CDBG; approve an allocation process for FY 2017-2018 CDBG funds to utilize the maximum 15 percent allowable for public service activities to address the priorities of the Consolidated Plan, and the maximum 20 percent allowable for administration of the CDBG program; authorize the release of a Request for Proposals (RFP) for public services and community redevelopment activities; review and re-affirm the homelessness and homelessness prevention priorities adopted in the Amended 2015-2019 Five-Year Consolidated Plan for ESG; and authorize the release of an RFP for organizations providing assistance to persons experiencing homelessness or at-risk of homelessness within the City. (File No. 0870-11)

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

Karen Youel, Housing and Neighborhood Services Manager, and Nancy Melander, Management Analyst, presented the staff report utilizing a PowerPoint Presentation.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way. No one asked to be heard. Therefore, he closed the public hearing.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to re-affirm the community development priorities adopted in the Amended 2015-2019 Five-Year Consolidated Plan for CDBG; approve an allocation process for FY 2017-2018 CDBG funds to utilize the maximum 15 percent allowable for public service activities to address the priorities of the Consolidated Plan, and the maximum 20 percent allowable for administration of the CDBG program; authorize the release of a Request for Proposals (RFP) for public services and community redevelopment activities; re-affirm the homelessness and homelessness prevention priorities adopted in the Amended 2015-2019 Five-Year Consolidated Plan for ESG; and authorize the release of an RFP for organizations providing assistance to persons experiencing homelessness or at-risk of homelessness within the City. Motion carried unanimously.

CURRENT BUSINESS

11. LIBRARY AUTOMATED MATERIALS HANDLING AND RADIO FREQUENCY IDENTIFICATION PROJECTS: BID AWARD FOR PURCHASE AND INSTALLATION -

Request the City Council approve the bid award to mk Solutions, Inc., a contract in the amount of \$269,120.04 for the purchase and installation of the Automated Materials Handling and Radio Frequency Identification systems. (File No. 0600-10 [A-3212])

Staff Recommendation: **Approval (Community Services Department: Loretta McKinney and Finance Department: Sheryl Bennett)**

RESOLUTION NO. 2017-19

Loretta McKinney, Director of Community Services/Library, and Cynthia Smith, Assistant Library Director, presented the staff report utilizing a PowerPoint presentation.

MOTION: Moved by Deputy Mayor Masson and seconded by Councilmember Morasco to approve the bid award to mk Solutions, Inc., a contract in the amount of \$269,120.04 for the purchase and installation of the Automated Materials Handling and Radio Frequency Identification systems and adopt Resolution No. 2017-19. Motion carried unanimously.

12. FLEET VEHICLE LEASING PILOT PROGRAM -

Request the City Council approve authorizing the Director of Administrative Services or her designee to enter into a five (5) year lease agreement with Enterprise Fleet Management of Dallas, Texas, for three (3) 2017 Ford F-150 trucks in the amount of \$130,860.90; and enter into a five (5) year Ford Municipal lease purchase agreement with National Fleet Auto Group of Watsonville, California, for three (3) 2017 Ford F-150 trucks in the amount of \$102,,872.85 as a fleet vehicle leasing pilot program. (File No. 0470-70)

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

RESOLUTION NO. 2017-30

Joe Goulart, Fleet Maintenance Superintendent, presented the staff report utilizing a PowerPoint Presentation.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve authorizing the Director of Administrative Services or her designee to enter into a five (5) year lease agreement with Enterprise Fleet Management of Dallas, Texas, for three (3) 2017 Ford F-150 trucks in the amount of \$130,860.90; and enter into a five (5) year Ford Municipal lease purchase agreement with National Fleet Auto Group of Watsonville, California, for three (3) 2017 Ford F-150 trucks in the amount of \$102,,872.85 as a fleet vehicle leasing pilot program and adopt Resolution No. 2017-30. Motion carried unanimously.

13. UPDATE FROM THE SAN DIEGO REGIONAL ECONOMIC DEVELOPMENT CORPORATION ON THE INNOVATE 78 REGIONAL ECONOMIC DEVELOPMENT INITIATIVE -

Request the City Council receive and file the update on Innovate 78 activities over the last year. (File No. 0865-60)

Staff Recommendation: **Receive and File (City Manager's Office: Jay Petrek)**

Michelle Geller, Economic Development Manager, and Matt Sanford, Director of Economic Development for the San Diego Regional Economic Development Corporation, presented the staff report utilizing a PowerPoint presentation.

NO ACTION, INFORMATION ONLY.

FUTURE AGENDA

14. 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: Diane Halverson)**

COUNCIL MEMBERS' SUBCOMMITTEE REPORTS

Councilmember Gallo commented regarding an upcoming presentation to the City Council from the San Diego County Water Authority.

Councilmember Morasco thanked outgoing City Manager Graham Mitchell for his service.

Councilmember Diaz attended a San Dieguito River Park Joint Powers Authority meeting and shared information regarding the draft budget, issues with pensions, shortfall on a ranger station in need of building improvements.

Mayor Abed reported attending a LAFCO meeting and shared information regarding an approved work plan for annexation of islands into the City on a case by case basis; reported regarding the SANDAG Regional Planning Commission where they approved a grant for electrical vehicle charging stations; shared information about a Town Hall Meeting on March 9, 2017 at 6:00 p.m. with Senator Joel Anderson.

CITY MANAGER'S UPDATE/BRIEFING

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

- **CITY MANAGER'S UPDATE -**

ORAL COMMUNICATIONS

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:41 p.m.

MAYOR

CITY CLERK

DEPUTY CITY CLERK

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 4
Date: **March 22, 2017**

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Public Works Director
Karen Youel, Housing & Neighborhood Services Manager

SUBJECT: Housing Related Parks Program Budget Adjustment

RECOMMENDATION:

It is requested that the City Council approve budget adjustments totaling \$100,797, to reprogram Housing Related Parks (HRP) funds for multiple park projects, using Program Year (PY) 2014 and PY 2015 HRP Program funds from the Department of Housing and Community Development (HCD).

FISCAL ANALYSIS:

PY 2014 and PY 2015 HRP funding must be used to improve park facilities in park-deficient, income-eligible areas. Due to project completion and changes in project timelines, budget adjustments are necessary in order to continue with directed park improvement projects. PY 2014 funds must be expended by June 30, 2017; and PY 2015 funds must be expended by June 30, 2018. PY 2014 HRP will be used for the rehabilitation of: PACC (\$54,086), Jim Stone Pool (\$550,064), Westside Park (\$12,000), Grove Park (\$1,000) and Washington Park (\$68,300). PY 2015 HRP funds will be used for Jim Stone Pool (\$42,497), Washington Park (\$24,103), and PACC (\$95,000).

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the City Council's Action Plan regarding Neighborhood Improvement.

PREVIOUS ACTION:

On January 14, 2015, the City Council authorized an application to HCD for PY 2014 HRP Program funds and the acceptance of grant funds if awarded, via Resolution No. 2015-16. On September 2, 2015, the City Council approved budget adjustments totaling \$685,450 for park improvement projects in conjunction with the award of PY 2014 HRP funds.

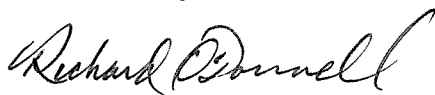
On February 3, 2016, the City Council authorized an application to HCD for PY 2015 HRP Program funds and the acceptance of grant funds if awarded, via Resolution No. 2016-14. On August 24, 2016,

the City Council approved budget adjustments totaling \$161,600 for park improvement projects at Washington Park and Jim Stone Pool, in conjunction with the award of PY 2015 HRP funds.

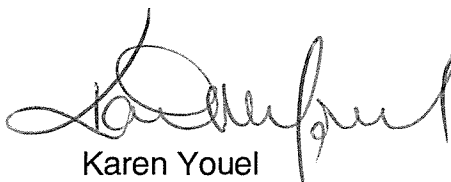
BACKGROUND:

The CA Department of Housing and Community Development (HCD) administers the Housing-Related Parks (HRP) Program which was designed to encourage cities and counties to develop new residential housing by rewarding those jurisdictions that approve housing affordable to lower-income households. The HRP Program was funded through Proposition 1C, the Housing and Emergency Shelter Trust Fund Act of 2006, Health and Safety Code Section 53545, subdivision (d) and originally established pursuant to Chapter 641, Statutes of 2008 (AB 2494, Caballero), at Chapter 8 of Part 2 of Division 31 of the Health and Safety Code (commencing with Section 50700) and subsequently amended pursuant to Chapter 779, Statutes 2012 (AB 1672, Torres).

Respectfully submitted,



for Edward N. Domingue, P.E.
Public Works Director



Karen Youel
Housing & Neighborhood Services Manager



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: March 22, 2017
Department: Public Works
Division: _____
Project/Budget Manager: Julie Procopio 4001
Name Extension
Council Date (if applicable): March 22, 2017
(attach copy of staff report)

For Finance Use Only	
Log #	<u>BA 03-08</u>
Fiscal Year	<u>2017</u>
ear	
_____	Budget Balances
_____	General Fund Accts
_____	Revenue
_____	Interfund Transfers
_____	Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Jim Stone Pool Improvements PY 2014 funds	401-0000-509301		\$66,936
Jim Stone Pool Improvements PY 2015 funds	401-0000-509301	\$32,497	
HCD Projects (PY 2014 funds)	401-509311	\$68,300	
HCD Projects (PY 2015 funds)	401-509311		\$32,497
PACC Improvements	401-509307		\$1,364

Explanation of Request:

PY 2014 & PY 2015 Housing Related Parks funding will be spent to improve park facilities in park-deficient, income-eligible areas, including rehabilitation efforts at Jim Stone Pool, Washington Park and Park Avenue Community Center. Due to project completion (PACC), and changes in project timelines, budget adjustments are necessary in order to continue with directed park improvement projects.

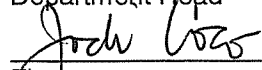
APPROVALS


Department Head

3/13/2017
Date

City Manager

Date


Finance

3/16/17
Date

City Clerk

Date

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 5

Date: March 22, 2017

TO: Honorable Mayor and Members of the City Council
FROM: Julie Procopio, Director of Engineering Services/City Engineer
SUBJECT: Budget Adjustment for Emergency Projects

RECOMMENDATION:

It is requested that the City Council approve a budget adjustment to create a Capital Improvement Program project account to fund repair of emergency drainage projects.

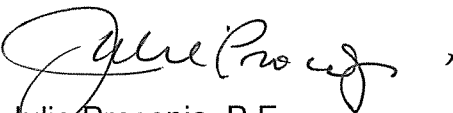
FISCAL ANALYSIS:

Engineering Trust Deposits in the amount of \$75,299 remain unclaimed after attempts to return them to the depositors. An advertisement has been conducted in accordance with Government Code Sections 50050 through 50056. It is recommended that these unclaimed funds be designated for emergency projects outside of the street right of way.

BACKGROUND:

Recent heavy rains have resulted in erosion and damage to drainage infrastructure, including a detention basin in the Lomas Serenas area and a portion of the Indian Creek Channel Wall. It is requested that a budget adjustment be approved to fund these and other such emergency projects. Setting aside funding in this manner will expedite repairs.

Respectfully submitted,



Julie Procopio, P.E.
Director of Engineering Services/City Engineer



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: March 22, 2017

Department: Engineering

Division: _____

Project/Budget Manager: Julie Procopio x4001
Name Extension

Council Date (if applicable): March 22, 2017
(attach copy of staff report)

For Finance Use Only

Log # BA 03-05

Fiscal Year 2017

____ Budget Balances
____ General Fund Accts
____ Revenue
____ Interfund Transfers
____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Engineering Misc Projects	4226-001-000	\$75,299	
Transfer Out-General Fund	5999-001-000	\$75,299	
Transfer In-Street Project Fund	4999-206-000	\$75,299	
Emergency Drainage Repairs	206-NEW	\$75,299	

Explanation of Request:

Create a CIP project to designate funding for emergency drainage repair projects, including repair of Lomas Serenas detention basin, Indian Creek Channel Wall and other emergency projects using Engineering's unclaimed deposits.

APPROVALS

Julie Procopio
Department Head
Josh Warr
Finance

Date
3/13/17
Date

City Manager Date

City Clerk Date

Distribution (after approval):

Original: Finance

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 6

Date: March 22, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Julie Procopio, Director of Engineering Services/City Engineer
Vincent Mc Caw, Real Property Manager

SUBJECT: Lease Agreement with Asociacion de Charros de El Caballo Park, at 3400 Valley Center Road

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2017-25 authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with Asociacion de Charros de El Caballo Park, at 3400 Valley Center Road.

FISCAL ANALYSIS:

N/A

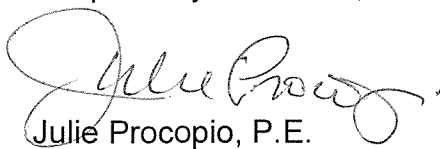
PREVIOUS ACTION:

N/A

BACKGROUND:

The Asociacion de Charros de El Caballo Park, a California unincorporated association, have been using the City's horse arena site, along with two other groups on alternating weekends, under a lease agreement with the City for the past three years. The lease expired on March 6, 2017, and is currently on a month to month status. The proposed new lease agreement would allow the group to continue use of the site for a three-year term for purposes of horse training, practicing and events. The lease requires that the leaseholder develop and maintain a schedule that accommodates all groups and that the groups meet quarterly to coordinate events and arena maintenance. As consideration for use and enjoyment of the premises, the prospective lessee would be responsible for all maintenance and utility costs.

Respectfully submitted,



Julie Procopio, P.E.
Director of Engineering Services/City Engineer



Vincent McCaw
Real Property Manager

RESOLUTION NO. 2017-25

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE REAL PROPERTY
MANAGER AND CITY CLERK TO EXECUTE,
ON BEHALF OF THE CITY, A LEASE
AGREEMENT WITH ASOCIACION DE
CHARROS DE EL CABALLO PARK**

WHEREAS, the City of Escondido ("City") is the owner of certain real property located at 3400 Valley Center Road; and

WHEREAS said property is located within an identified spillway and is undergoing master planning for development as a future equestrian public park; and

WHEREAS, Asociacion de Charros de el Caballo Park is a California unincorporated association organized for purposes of practicing, training and performing charros style horse riding activities; and

WHEREAS, Asociacion de Charros de el Caballo Park has been using the premises for the past three years under a Lease Agreement, along with other charros groups on an alternating basis and said Lease expired on March 6, 2017, continuing on a month to month basis; and

WHEREAS, the City and Asociacion de Charros de el Caballo Park desire to enter into a Lease Agreement to allow Asociacion de Charros de el Caballo Park to use the site for its charros horse riding purposes as an interim use; and

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

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 Real Property Manager and City Clerk are authorized to execute, on behalf of the City, the Lease Agreement with Asociacion de Charros de el Caballo Park, a California unincorporated association. A copy of the Lease Agreement is attached hereto as Exhibit "1" and is incorporated by this reference.



3400 Valley Center Road Horse Arena LEASE AGREEMENT

**Lessee: Asociacion de Charros de El Caballo
Park**

Term: Three Years

Premises: 3400 Valley Center Road

Date: April 1, 2017

Lease Agreement between the City of Escondido and Asociacion de Charros de El Caballo Park for use of a portion of the property at 3400 Valley Center Road, Escondido, CA 92025 for specific purposes as set forth below.

TABLE OF CONTENTS

SECTION 1	DEFINITION OF TERMS.....	1
SECTION 2	ADMINISTRATION	1
SECTION 3	TERM.....	1
SECTION 4	TERMINATION OF LEASE.....	2
SECTION 5	OPTIONS TO RENEW.....	2
SECTION 6	VACATION OF PREMISES	2
SECTION 7	RENT.....	2
SECTION 8	SECURITY DEPOSIT.....	2
SECTION 9	LATE PAYMENT.....	3
SECTION 10	UTILITIES PAYMENTS.....	3
SECTION 11	TAXES, ASSESSMENTS AND FEES	3
SECTION 12	ACCEPTANCE AND MAINTENANCE	3
SECTION 13	ALTERATIONS.....	4
SECTION 14	USE.....	4
SECTION 15	OCCUPANCY, ASSIGNMENT AND SUBLETTING	6
SECTION 16	CONDUCT	6
SECTION 17	NOTICES	6
SECTION 18	RIGHT OF INSPECTION.....	7
SECTION 19	INSURANCE	7
SECTION 20	INDEMNIFICATION	8
SECTION 21	ATTORNEY'S FEES, COSTS AND EXPENSES	9
SECTION 22	NON-DISCRIMINATION.....	9
SECTION 23	SUPERSEDURE	9
SECTION 24	HAZARDOUS AND/OR CONTAMINATED SOIL AND MATERIAL.....	9
SECTION 25	LAW TO GOVERN; VENUE.....	10
SECTION 26	SPECIAL PROVISIONS.....	10
SECTION 27	AMERICANS WITH DISABILITIES ACT	10
SECTION 28	AMENDMENT.....	10
SECTION 29	WAIVER.....	10

CITY OF ESCONDIDO LEASE AGREEMENT

This Lease Agreement is made as of March____,2017 between the City and Asociacion de Charros de El Caballo Park, status as a California Non Profit Public Benefit Corporation pending as of the date of this drafting.

Section 1 Definition of Terms

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

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

Lease. Lease means this Lease Agreement.

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

Lessee. Lessee means Asociacion de Charros de El Caballo Park, status as a California Non Profit Public Benefit Corporation pending (under the leadership of Sergio Contreras as of the date of the drafting of this Lease), and does not include its heirs, assigns, or successors-in-interest, or any other group calling itself by the same name.

Premises. Premises means a portion of real property commonly known as 3400 Valley Center Road, Escondido, Ca, as depicted in the attached Exhibit "A."

Section 2 Administration

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

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

and on behalf of Lessee by Sergio Contreras whose address is:

P.O. Box 462004-2004
Escondido, CA 92046

Section 3 Term

3.1 The term of this Lease shall be three (3) years, commencing on April 1, 2017.

3.2 Hold Over. The occupancy of the Premises by Lessee, after the expiration of the Term shall be construed as a month to month tenancy, and all other terms and conditions of this Lease Agreement shall continue in full force and effect, on a month to month basis. The City shall have the right to terminate the month to month tenancy without cause and

for any reason by giving sixty (60) days prior notice to Lessee.

Section 4 Termination of Lease

4.1 Each party shall have the right to terminate this Lease early without penalty by providing the other with a written notice 60 days in advance.

4.2 Default. If the City discovers at any time during the Lease Term that the Lessee or any other party has used, is using, or will use the Premises in an unlawful manner or for an unlawful purpose, or in any manner that is inconsistent with any provision of this Lease, City may notify Lessee of the failure to perform and terminate the Lease upon written notice. If the City determines the Lessee has violated any provision of this Lease, City may notify Lessee of the violation and immediately terminate the Lease upon written notice.

Section 5 Options to Renew

Not applicable to this lease.

Section 6 Vacation of Premises

Upon termination of this Lease for any reason, Lessee shall peaceably vacate and deliver the Premises to City in the same condition as Lessee found them upon its acceptance of the Premises hereunder, excepting ordinary wear and tear and conditions caused by acts of God.

Upon such termination, Lessee shall immediately:

- A. Arrange and pay for the disconnection of all utilities and services ordered by Lessee;
- B. Provide a written statement to the Lease Administrator of Lessee's new address for purpose of refunding monies, if any, due Lessee under this Lease; and
- C. Deliver any keys for the Premises to the Administrator or send said keys by certified mail to the City.

Section 7 Rent

Rent shall be set at \$1.00 (One Dollar) per year. In the event that Lessee's status as a nonprofit organization should change during the term of this Lease, City reserves the right to increase the rent at City's sole discretion. No increase in rent will occur without the City first providing Lessee with written notice at least 90 days in advance.

Section 8 Security Deposit

Not applicable to this lease.

Section 9 Late Payment

Not applicable to this lease.

Section 10 Utilities Payments

Lessee agrees to provide and pay for all utilities and services necessary for the occupancy and use of the Premises, including, but not limited to: gas, water, electricity, sewage charges or septic service, trash and any telecommunications services. Lessee shall contact the utilities companies, including but not limited to, SDG&E and the City's Water Department, to arrange for the transfer of all utilities into its name as of the effective date of this Lease.

Section 11 Taxes, Assessments and Fees

The terms of this Lease may result in the creation of a possessory interest. If such a possessory interest is vested in Lessee, Lessee may be subjected to the payment of personal property taxes levied on such interest. Lessee shall be responsible for the payment of, and shall pay before delinquent, all taxes, assessments, and fees assessed or levied upon Lessee, on said Premises or any interest therein, on any buildings, structures, machines, appliances, or other improvements of any nature whatsoever, or on any interest therein.

Lessee further agrees not to allow such taxes, assessments, or fees to become a lien against said premises or any improvement thereon. Nothing herein contained shall be deemed to prevent or prohibit Lessee from contesting the validity of amount of any such tax, assessment, or fee in any manner authorized by law.

Section 12 Acceptance and Maintenance

Lessee hereby acknowledges that Lessee has inspected the Premises and Lessee accepts said Premises "as is" and "where is." Lessee acknowledges that the City makes no representations as to the condition or suitability of the Premises or any improvements on the Premises. Pursuant to the noticing requirements of California Civil Code Section 1938, Lessee acknowledges that the Premises being lease has not undergone inspection by a Certified Access Specialist.

Lessee agrees to maintain the Premises in good condition and in compliance with all applicable property maintenance and related laws. Lessee releases the City from the obligation to maintain any portion of the Premises. Said release is part of the consideration for the rental of the Premises, and Lessee therefore waives all rights it may otherwise have under California Civil Code Sections 1941 and 1942.

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

Lessee hereby acknowledges that Lessee has inspected the Premises, that the Premises is located within the Dixon Lake spillway, which, if needed will catch water released from Dixon Dam to protect the dam's integrity.

Section 13 Alterations

Lessee shall not paint, alter, cut, add to, or otherwise change the appearance, structure, or condition of the Premises without the prior written consent of the Lease Administrator and only after obtaining applicable permits.

Any tenant improvements, and additional improvements made with the consent of the Lease Administrator shall become a fixture to the realty and shall remain on and be surrendered with the Premises upon termination of this Lease.

Lessor or its representatives shall have the right to go upon and inspect the Demised Premises at all reasonable times and shall have the right to post and keep posted thereon notices of nonresponsibility, or such other notices which the Lessor may deem to be proper for the protection of the Lessor's interest in the Demised Premises.

Section 14 Use

Lessee agrees to use the Premises for horse training, horse riding and horse shows, all of which may be open to the public, in accordance with the provisions and requirements contained in any permits required by the City of Escondido and obtained at least thirty (30) days in advance of the proposed event from the appropriate City Department or Departments. Further, Lessee agrees to abide by the following rules:

- On the day of events, Lessee will call the Escondido Police Department non-emergency number **(760) 839-4722** to inform the dispatcher that an event is about to begin. At the conclusion of the event, the Lessee will again call this number to let the Police Department know that the event is over. The event must be concluded no later than 6:00 p.m.
- The onsite individuals who will be responsible for the operation of each of these events shall wear a brightly colored vest, shirt or jacket that makes them easily identifiable by City staff. A description of this clothing shall be provided to the police dispatcher when they are called to inform the Police Department that the event is about to begin.

- The use of a public address system to describe the event is approved, however, the sound must be contained within the arena area and may not be used prior to 10:00 a.m. or after the conclusion of the events (**no later than 6:00 p.m.**). An instrumental band (without amplification) for each of the events is approved. The band must be located at a sufficient distance from the announcer to ensure the music is not amplified in any manner. Use of a DJ is approved provided that the DJ is located at a sufficient distance from the location where event announcements are made to ensure the music is not amplified in any manner.
- Charging a fee for parking is prohibited. The Lessee shall be responsible for monitoring the parking areas to ensure this does not occur.
- Charging an entry fee to the event is permitted, but should take place only at the entry gates into the arena area.
- The sale or consumption of alcoholic beverages of any kind is prohibited.
- Livestock may not be kept overnight at the arena.
- Only charcoal briquettes or propane barbeques are allowed and only on designated burn days. There shall be no fires permitted on or about the premises, without exception.
- All animal waste shall be properly removed off site and properly disposed of. Under no circumstance shall such waste be permitted to runoff into the creek or otherwise jeopardize the water quality.
- Lessee agrees to meet quarterly with other interested Charros groups, particularly the "Charros de Escondido" and the "Asociacion de Charros Herencia Charra" to develop and maintain an event schedule, a practice schedule and coordinate arena maintenance.
- Lessee shall submit for approval of the City a schedule of each year's events ("Schedule") in advance of each season. City reserves the right of final determination of approval or disapproval of the Schedule. Changes in the approved Schedule must be submitted at least thirty (30) days in advance, and must be approved by the Lease Administrator and Police Department.
 - The Schedule shall include the names, addresses and phone numbers of at least two individuals responsible for the operation of activities and events.
 - City shall have the right to require a rescheduling of events, even though City may have previously approved the Schedule, but City will not require such rescheduling unless a conflict of use has been determined.

- Lessee agrees and understands that in the event this Lease is terminated pursuant to Paragraph 4 herein, all approved events scheduled to occur subsequent to Lease termination shall be canceled, unless City agrees otherwise in writing.

Lessee shall not use, nor permit the use of, the Premises other than as described. In any case where Lessee is, or should reasonably be, in doubt as to the propriety of any particular use, Lessee may request, and will not be in breach or default if Lessee abides by, the written determination of the Lease Administrator that such use is or is not permitted.

Lessee shall make the use of the Premises available to the public for use consistent with the uses allowed herein. Lessee may require certain reasonable assurances from any person requesting to use the Premises, including but not limited to insurance, contract, or other form of reasonable security. Any entity which satisfies the insurance requirements under this lease shall be considered to have given reasonable assurances to Lessee. Nothing in this paragraph shall limit any requirement of Lessee under this Lease Agreement.

Failure to adhere to the rules and terms governing this Lease, or any other City policy, may result in the termination of this Lease, in accordance with Section 4.

Section 15 Occupancy, Assignment and Subletting

The Premises shall only be occupied by Lessee except with prior written consent of the Lease Administrator. Lessee may not assign any interest in this Lease to any other party, at any time, including a transferee of a controlling interest in Lessee without written consent from the Lease Administrator.

Section 16 Conduct

Lessee and guests of Lessee shall at all times conduct themselves in a quiet and dignified manner so as to cause no annoyance or inconvenience to neighbors of Lessee.

Lessee shall not violate, or permit the violation of, any City or County ordinance, or state or federal law, in or about the Premises.

Noncompliance by Lessee with any provision of this Section shall allow the Lease Administrator to terminate this Lease.

Section 17 Notices

Any notice required or permitted to be given by this Lease must either be personally served on the other party or served by certified mail, return receipt requested, to the addressee. Notices served by mail shall be sent to the address listed above. A change

of either party's address must also be immediately served in the manner described above.

Section 18 Right of Inspection

City reserves the right for its agents or employees to enter upon and inspect the Premises at any reasonable time to ascertain if Lessee is complying with the provisions of this Lease.

Section 19 Insurance

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

- A. General liability insurance with at least \$2 Million combined single-limit coverage per occurrence for bodily injury and property damage.
- B. Automobile liability insurance of \$1 Million combined single-limit per accident for bodily injury and property damage for any and all vehicles that are owned by the Lessee (if applicable).
- C. Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship.
- D. Commercial property insurance in an amount commensurate with the value of the improvements on the Premises.
- E. During the construction of Tenant Improvements, insurance in an amount no less than to cover construction risks, etc. Each insurance policy required above must be acceptable to the City Attorney:
- F. Each policy must name the City specifically as an additional insured under the policy on a separate endorsement page, with the exception of the workers' compensation policy.
- G. 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.

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

Lessee agrees to deposit with City, on or before the effective date of this Lease, one certificate of insurance for each of the policy or policies necessary to satisfy the insurance provisions of this Lease and to keep such insurance in effect during the entire term of this Lease. This certificate must be reviewed by, and acceptable to, the City Attorney, prior to

commencement of the Lease Term. Lessee will also deposit with the City within 60 days of the Effective Date of this Lease, an additional insured endorsement naming City specifically and separately as an "additional insured", with the exception of the worker's compensation policy. The appropriate endorsements described above shall follow within sixty (60) days. Noncompliance by Lessee with any provision of this Section shall allow the Lease Administrator to terminate this Lease.

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

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

Noncompliance by Lessee with any provision of this Section shall allow the Lease Administrator to terminate this Lease.

Section 20 Indemnification

Lessee shall defend, indemnify, and hold harmless City, its officers, agents, and employees from and against the following:

- (A) Any and all claims, demands, and liabilities for loss of any kind or nature which City, its officers, agents, or employees may sustain or incur or which may be imposed upon them or any of them for injury to or death of persons or damage to property as a result of, arising out of, or in any manner connected with this Agreement or with the occupancy and use of the Premises by Lessee, its invitees, visitors, or any other persons whatsoever;

- (B) 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 use of the Premises.

Lessee further agrees to pay any and all costs and expenses, including, but not limited to, court costs and reasonable attorney's fees incurred by City on account of any such claims, demands, or liabilities. However, the provisions of this Agreement shall not be construed to indemnify City for claims or acts arising from City's sole negligence.

Section 21 Attorney's Fees, Costs and Expenses

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

Section 22 Non-Discrimination

Lessee covenants that this Lease is made and accepted upon and subject to the condition that there shall be no discrimination against or segregation of any person or group of persons on account of physical or mental disabilities, race, color, creed, religion, sex, marital status, national origin or ancestry in the use, occupancy, tenure or enjoyment of the leased premises. Lessee shall not establish or permit any such practice of discrimination or segregation with reference to the selection, location, number, or use of occupancy by customers, tenants or vendees in the leased premises.

Section 23 Supersedure

This Lease, upon becoming effective, shall supersede any leases or rental agreements heretofore made or issued for the Premises between the City and Lessee.

Section 24 Hazardous and/or Contaminated Soil and Material

Lessee will not place or permit to be placed materials and/or contaminated soils on the premises which under federal, state, or local law, statute, ordinance, or regulations require special handling in collection, storage, treatment, and/or disposal. Lessee also hereby covenants and agrees that, if at any time it is determined there are materials and/or contaminated soils located on the premises which under any environmental requirement require special handling in collection, storage, treatment, or disposal, Lessee

shall notify City. Within thirty (30) days after written notice to City or from City, Lessee shall commence to take and thereafter diligently complete, at Lessee's sole expense, such actions as may be necessary to comply with environmental requirements.

Section 25 Law to Govern; Venue

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

Section 26 Special Provisions

Lessee hereby acknowledges that Lessee waives all rights to any form of relocation assistance provided for by local, state, or federal law to which Lessee may be entitled by reason of this Lease.

Section 27 Americans with Disabilities Act

It is the duty of the Lessee while operating under this Lease to comply with all local, state, and federal laws, including, but not limited to, the Americans with Disabilities Act and to indemnify City from any violation of any such law. Failure to comply with a provision of local, state, or federal law is grounds for the Lease Administrator's immediate termination of this Lease. The Premises being leased has not undergone inspection by a Certified Access Specialist.

Section 28 Amendment

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

Section 29 Waiver

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

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

CITY OF ESCONDIDO

Date: _____

Vincent McCaw, Real Property Manager

Date: _____

Diane Halverson, City Clerk

Date: _____

ASOCIATION DE CHARROS DE EL CABALLO PARK

By: _____
Sergio Contreras, President

Date: _____

By: _____

Print Name/Title

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
MICHAEL McGUINNESS, Interim City Attorney

By: _____

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 7

Date: March 22, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Christopher W. McKinney, Director of Utilities

SUBJECT: Continuing Emergency and Need to Repair the Sewer Pipeline in North Hale Avenue

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2017-42, declaring that pursuant to the terms of Section 22050 of the California Public Contract Code, the City Council finds there is a need to continue the emergency action and pass a resolution by four-fifths vote declaring that public interest and necessity demand the expenditure to safeguard life, health, or property.

FISCAL ANALYSIS:

Funding for this emergency sewer pipeline work is available in the Wastewater Fund. The contract is a time and materials contract, meaning that the contractor will bill for staff time, equipment, and construction materials necessary to complete the repairs. The contract value is not to exceed \$497,000 without further Council approval.

PREVIOUS ACTION:

On February 1, 2017, the City Council adopted Resolution No. 2017-22, approving an emergency public improvement agreement with Shaw Equipment Rentals, Inc. to immediately begin repairs on the 24-inch sewer pipeline on North Hale Avenue.

On March 1, 2017, the City Council adopted Resolution No. 2017-26, authorizing the continuation of the emergency action for the repair of the sewer pipeline in North Hale Avenue.

On March 8, 2017, the City Council adopted Resolution No. 2017-33, authorizing Change Order No. 1 to the public improvement agreement with Shaw Equipment Rentals, Inc., in an amount not to exceed \$147,000.

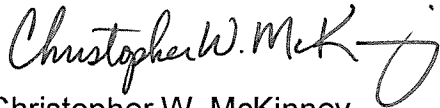
BACKGROUND:

This pipeline conveys raw sewage from approximately 30 percent of the City of Escondido to the Hale Avenue Resource Recovery Facility. Emergency action is required to replace approximately 300 feet

Continuing Emergency and Need to Repair the Sewer Pipeline in North Hale Avenue
March 22, 2017
Page 2

of damaged and deteriorated sewer pipeline. Work is progressing and completion is expected by March 31, 2017.

Respectfully submitted,

A handwritten signature in black ink, reading "Christopher W. McKinney". The signature is written in a cursive style with a large, stylized "M" and a long, sweeping underline.

Christopher W. McKinney
Director of Utilities

RESOLUTION NO. 2017-42

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
FINDING THAT AN EMERGENCY CONTINUES
TO REQUIRE THE IMMEDIATE REPAIR OF
THE ESCONDIDO SEWER PIPELINE IN
NORTH HALE AVENUE**

WHEREAS, the City Council recognizes that a portion of the 24-inch sewer pipeline on North Hale Avenue between North Tulip Avenue and the railroad tracks has suffered a catastrophic failure; and

WHEREAS, the sewer flows are temporarily bypassing the damaged pipeline with mobile pumps and above ground temporary pipelines in order to avoid a sewer spill; and

WHEREAS, pursuant to Resolution No. 2017-22, the City Council previously found that the damage to the 24-inch sewer pipeline was an emergency and approved a Public Improvement Agreement ("Agreement") with Shaw Equipment Rentals, Inc. in an amount not to exceed three hundred fifty thousand dollars (\$350,000); and

WHEREAS, pursuant to Resolution No. 2017-26, the City Council found it to be in the best public interest to continue the emergency action; and

WHEREAS, pursuant to Resolution No. 2017-33, the City Council approved Change Order No. 1 to the Agreement with Shaw Equipment Rentals, Inc. in an amount not to exceed one hundred forty seven thousand dollars (\$147,000), bringing the total not to exceed contract value to \$497,000, to fund anticipated costs to complete the emergency project; and

WHEREAS, pursuant to Section 22050 of the Public Contract Code, the City Council must review the emergency action every 14 days and determine by a four-fifths vote there is a need to continue the action; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to continue the emergency action;

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 finds the damage to the sewer pipeline in North Hale Avenue is a public health and safety emergency, that this emergency will not permit the delay that would result from a competitive bidding process, and that the action is still necessary to respond to the emergency requiring immediate repair of the sewer pipeline.

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 8
Date: March 22, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Christopher W. McKinney, Director of Utilities

SUBJECT: Continuing Emergency and Need to Repair the Sewer Pipeline in Green Tree Mobile Home Estates

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2017-43, declaring that pursuant to the terms of Section 22050 of the California Public Contract Code, the City Council finds there is a need to continue the emergency action and pass a resolution by four-fifths vote declaring that public interest and necessity demand the expenditure to safeguard life, health, or property.

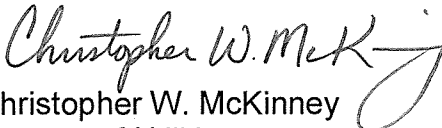
FISCAL ANALYSIS:

Funding for this emergency sewer pipeline work is available in the Wastewater Fund. The contract is a time and materials contract, meaning that the contractor will bill for staff time, equipment, and construction materials necessary to complete the repairs. The contract value is not to exceed \$570,000 without further Council approval.

BACKGROUND:

Previously, the City Council adopted Resolution No. 2017-39, approving an emergency contract with Southland Paving, Inc. to immediately begin repairs on the 27-inch sewer pipeline in Green Tree Mobile Home Estates. This pipeline conveys raw sewage from approximately 40 percent of the City of Escondido to the Hale Avenue Resource Recovery Facility. Emergency action is required to replace approximately 400 feet of damaged and deteriorated sewer pipeline. Work is progressing and completion is expected in April 2017.

Respectfully submitted,


Christopher W. McKinney
Director of Utilities

RESOLUTION NO. 2017-43

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
FINDING THAT AN EMERGENCY CONTINUES
TO REQUIRE THE IMMEDIATE REPAIR OF
THE ESCONDIDO SEWER PIPELINE IN
GREEN TREE MOBILE HOME ESTATES**

WHEREAS, the City Council recognizes that a portion of the 27-inch sewer pipeline in Green Tree Mobile Home Estates near Pineapple Way has suffered a catastrophic failure; and

WHEREAS, work has commenced on the replacement of the sewer pipeline; and

WHEREAS, pursuant to Resolution No. 2017-39, the City Council previously found that the damage to the 27-inch sewer pipeline was an emergency and approved a Public Improvement Agreement ("Agreement") with Southland Paving, Inc. in an amount not to exceed five hundred seventy thousand dollars (\$570,000); and

WHEREAS, pursuant to Section 22050 of the Public Contract Code, the City Council must review the emergency action every 14 days and determine by a four-fifths vote there is a need to continue the action; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to continue the emergency action;

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 finds the damage to the sewer pipeline in Green Tree Mobile Home Estates is a public health and safety emergency, that this emergency will not permit the delay that would result from a competitive bidding process, and that the action is still necessary to respond to the emergency requiring immediate repair of the sewer pipeline.

ORDINANCE NO. 2017-03R

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING THE ESCONDIDO ZONING CODE ARTICLES 1, 16, 19, 26, 39, 55, 57 AND 61 TO STREAMLINE THE PLANNED DEVELOPMENT REVIEW PROCESS; ESTABLISH A MINOR CONDITIONAL USE PERMIT, IDENTIFY CRITERIA AND ELIGIBLE USES; EXPAND THE REVIEW AUTHORITY OF THE ZONING ADMINISTRATOR; ALLOW ADDITIONAL TYPES OF ADMINISTRATIVE ADJUSTMENTS; CLARIFY THE PLOT PLAN REVIEW PROCESS; AND MAKE ASSOCIATED CHANGES TO DEFINITIONS, OFF-STREET PARKING AND MISCELLANEOUS USE SECTIONS

APPLICANT: City of Escondido
PLANNING CASE NO.: AZ 16-0010

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

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

SECTION 2. That the City Council has reviewed and considered the Notice of Exemption prepared for this project and issued on February 22, 2017, in conformance with Title 14 California Code of Regulation, California Environmental Quality Act ("CEQA") Section 15061(b)(3) "General Rule", and has determined that all environmental issues have been addressed and finds that no significant environmental impact will result from approving these code amendments.

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

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 10

Date: March 22, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Julie Procopio, Director of Engineering Services/City Engineer
Matt Souttere, Associate Engineer

SUBJECT: Amending the Regional Transportation Improvement Program and Budget Adjustment

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2017-36, authorizing an amendment to the Regional Transportation Improvement Program (RTIP) to update programming of TransNet funds, and adjust previously adopted Fiscal Year 2016/17 capital project budgets. It is also requested that the City Council approve a budget adjustment to reflect a net increase in funding to the FY 2017 Annual Street Resurfacing Program.

FISCAL ANALYSIS:

Through the annual audit process, excess cash from completed projects and interest earned on TransNet funds was identified and required to be reprogrammed to current projects. Reduced revenue forecasts from SANDAG also require adjusting the Programming of Projects in the RTIP.

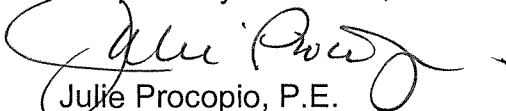
PREVIOUS ACTION:

The City Council adopted Resolution No. 2016-46, in June 2016, approving the Five Year (Fiscal Years (FY) 2016/17–2020/21) Capital Improvement Program (CIP) and FY 2016/17 CIP Budgets.

BACKGROUND:

An update to the RTIP is required based on audit findings, earned interest, and revised revenue estimates received from SANDAG. This action will allow staff to close out completed projects. The budget adjustment of \$14,585 is a net increase to the Annual Street Resurfacing Program, bringing funding totals for that Program to \$4,366.590 for FY 2017.

Respectfully submitted,



Julie Procopio, P.E.

Director of Engineering Services/City Engineer



Matt Souttere

Associate Engineer



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: March 22, 2017
Department: Engineering
Division: _____
Project/Budget Manager: Julie Procopio x4001
Name Extension
Council Date (if applicable): March 22, 2017
(attach copy of staff report)

For Finance Use Only
Log # BA 03-07
Fiscal Year 2017
____ Budget Balances
____ General Fund Accts
____ Revenue
____ Interfund Transfers
____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Pavement Rehabilitation FY17	230-694701	\$25,516	
Pavement Maintenance FY17	230-697701		\$10,931
Transnet Fund Balance	3050-230		14,585

Explanation of Request:

To adjust the Pavement Maintenance and Reahabilitation projects for the reduction in revenue estimates and to add completed project remaining balances.

APPROVALS

Julie Procopio 3/13/17
Department Head Date
Jodi Gar 3/15/17
Finance Date

____ City Manager Date
____ City Clerk Date

Distribution (after approval):

Original: Finance

RESOLUTION NO. 2017-36

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE ADOPTION OF AN
AMENDMENT TO THE TRANSNET LOCAL
STREET IMPROVEMENT PROGRAM OF
PROJECTS FOR FISCAL YEARS 2017
THROUGH 2021**

WHEREAS, on November 4, 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan ("TransNet Extension Ordinance"); and

WHEREAS, the TransNet Extension Ordinance provides that SANDAG, acting as the Regional Transportation Commission, shall approve on a biennial basis, a multi-year program of projects submitted by local jurisdictions identifying those transportation projects eligible to use transportation sales tax ("TransNet") funds; and

WHEREAS, the City of Escondido was provided with an estimate of annual TransNet local street improvement revenues for fiscal years 2017 through 2021; and

WHEREAS, the City of Escondido approved its 2016 TransNet Local Street Improvement Program of Projects ("POP") on June 15, 2016, and the City of Escondido desires to make adjustments to its Program of Projects; and

WHEREAS, the City of Escondido has held a noticed public meeting with an agenda item that clearly identified the proposed amendment prior to approval of the projects by its authorized legislative body in accordance with Section 5(A) of the TransNet Extension Ordinance and Rule 7 of SANDAG Board Policy No. 31;

NOW THEREFORE, BE IT RESOLVED that the City of Escondido requests that SANDAG make the following changes, as shown in Table 1, to its 2016 POP (the "Amendment"). A copy of Table 1 is attached as Exhibit "A" to this resolution and is incorporated by this reference; and

BE IT FURTHER RESOLVED that pursuant to Section 2(C)(1) of the TransNet Extension Ordinance, the City of Escondido certifies that no more than 30 percent of its annual revenues shall be spent on local street and road maintenance-related projects as a result of the Amendment.

BE IT FURTHER RESOLVED that pursuant to Section 4(E)(3) of the TransNet Extension Ordinance, the City of Escondido certifies that all new or changed projects, or major reconstruction projects included in the Amendment and funded by TransNet revenues shall accommodate travel by pedestrians and bicyclists, and that any exception to this requirement permitted under the Ordinance and proposed shall be clearly noticed as part of the City of Escondido's public hearing process for the Amendment.

BE IT FURTHER RESOLVED that the City of Escondido does hereby certify that all applicable provisions of the TransNet Extension Ordinance and SANDAG Board Policy No. 31 have been met.

BE IT FURTHER RESOLVED that the City of Escondido continues to agree to indemnify, hold harmless, and defend SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims related to the City of Escondido's TransNet funded projects.

PASSED AND ADOPTED by the City of Escondido on the 22nd day of March, 2017.

Table 1
2016 Regional Transportation Improvement Program
San Diego Region (in \$000s)

Escondido, City of

MPO ID: ESC02A								AMENDMENT: 16-04		
Project Title:	East Valley/Valley Center							EA NO: 260		
Project Description:	East Valley Pkwy/Valley Center Rd from Bevin Dr to northern City limits - Widen roadway from 4 to 6 lanes with raised medians, left turn pockets, and dedicated right turn lanes; modify signals at Lake Wohlford Rd/Valley Center Rd and Beven Dr/Valley Center Rd; widen bridge over Escondido Creek							EARMARK NO: CA332/260 RAS (M-40) TransNet - LSI: CR		
Capacity Status: CI		Exempt Category: Non-Exempt								
Est Total Cost: \$10,620		Open to Traffic: Dec 2017								
	TOTAL	PRIOR	16/17	17/18	18/19	19/20	20/21	PE	RW	CON
TransNet - L (Cash)	\$54		\$54							\$54
TransNet - LSI (Cash)	\$632	\$632								\$632
TransNet - LSI Carry Over	\$4,526	\$750	\$3,776						\$70	\$4,456
HPP	\$1,600	\$1,600								\$1,600
Local Funds	\$3,445	\$2,540	\$905					\$500		\$2,945
Local RTCIP	\$363	\$363								\$363
TOTAL	\$10,620	\$5,885	\$4,735					\$500	\$70	\$10,050

MPO ID: ESC11				AMENDMENT: 16-04						
Project Title:	Street Rehabilitation & Resurface						TransNet - LSI: Maint			
Project Description:	Citywide - Refer to City Maintenance Zone Map - reconstruction, resurfacing, chip sealing, crack filling and sidewalk repair									
Capacity Status: NCI		Exempt Category: Safety - Pavement resurfacing and/or rehabilitation								
Est Total Cost: \$23,046										
	TOTAL	PRIOR	16/17	17/18	18/19	19/20	20/21	PE	RW	CON
TransNet - L	\$1,904	\$1,904								\$1,904
TransNet - L (Cash)	\$961	\$961								\$961
TransNet - LSI	\$1,996	\$1,996								\$1,996
TransNet - LSI (Cash)	\$39	\$39								\$39
TransNet - LSI Carry Over	\$3,638	\$3,593	\$45							\$3,638
Local Funds	\$14,508	\$14,508						\$300		\$14,208
TOTAL	\$23,046	\$23,001	\$45					\$300		\$22,746

Table 1
2016 Regional Transportation Improvement Program
San Diego Region (in \$000s)

Escondido, City of

MPO ID: ESC37			AMENDMENT: 16-04							
Project Title:	Pavement Maintenance							TransNet - LSI: Maint		
Project Description:	This project includes maintenance of various streets primarily in the maintenance zone of focus, and those classified as Collector and above throughout the City; the City's maintenance zones can be identified in the uploaded Maintenance Zone Map, FY16 - Maintenance Zone CS, FY17 - Maintenance Zone EN, FY18 - Maintenance Zone NE - this is an annual project that includes maintenance (crackseal, chipseal, slurry, sidewalk repairs) of various street elements city-wide									
Capacity Status:	NCI		Exempt Category: Safety - Pavement resurfacing and/or rehabilitation							
Est Total Cost: \$17,325										
	TOTAL	PRIOR	16/17	17/18	18/19	19/20	20/21	PE	RW	CON
TransNet - LSI	\$6,604	\$1,002	\$1,044	\$1,072	\$1,117	\$1,161	\$1,208			\$6,604
TransNet - LSI (Cash)	\$3		\$3							\$3
TransNet - LSI Carry Over	\$2,046	\$978	\$1,068							\$2,046
Local Funds	\$8,672	\$5,533	\$825	\$670	\$624	\$548	\$471			\$8,672
TOTAL	\$17,325	\$7,513	\$2,940	\$1,742	\$1,741	\$1,709	\$1,679			\$17,325

MPO ID: ESC38		AMENDMENT: 16-04									
Project Title:	Pavement Rehabilitation/Reconstruction							TransNet - LSI: CR			
Project Description:	Includes rehabilitation of various streets primarily in the maintenance zone of focus, and those classified as Collector and above throughout the City; the City's maintenance zones can be identified in the uploaded Maintenance Zone Map, FY16 - Maintenance Zone CS, FY17 - Maintenance Zone NE, FY18 - Maintenance Zone NW - annual project to rehabilitate existing pavement greater than 1" in depth within the city's 8 maintenance zones. Each year the project rotates to a new zone, and we treat identified roads in poor condition.										
Capacity Status: NCI		Exempt Category: Safety - Pavement resurfacing and/or rehabilitation									
Est Total Cost: \$18,804											
	TOTAL	PRIOR	16/17	17/18	18/19	19/20	20/21	PE	RW	CON	
TransNet - L (Cash)	\$1,394	\$1,350	\$44							\$1,394	
TransNet - LSI	\$15,307	\$2,235	\$2,436	\$2,502	\$2,606	\$2,710	\$2,819			\$15,307	
TransNet - LSI (Cash)	\$8		\$8							\$8	
TransNet - LSI Carry Over	\$2,095	\$172	\$1,923							\$2,095	
TOTAL	\$18,804	\$3,757	\$4,411	\$2,502	\$2,606	\$2,710	\$2,819			\$18,804	

** Include SANDAG in progress and pending projects - these projects are subject to change when accepted by SANDAG

Table 1
2016 Regional Transportation Improvement Program
San Diego Region (in \$000s)

RTIP Fund Types

<i>Federal Funding</i>	
HPP	High Priority Program under SAFETEA-LU
<i>Local Funding</i>	
Local Funds AC	Local Funds - Advanced Construction; mechanism to advance local funds to be reimbursed at a later fiscal year with federal/state funds
RTCIP	Regional Transportation Congestion Improvement Program
<i>TransNet-L</i>	Prop. A Local Transportation Sales Tax - Local Streets & Roads
<i>TransNet-L (Cash)</i>	TransNet - L funds which agencies have received payment, but have not spent
<i>TransNet-LSG</i>	Prop. A Extension Local Transportation Sales Tax - Local Smart Growth
<i>TransNet-LSI</i>	Prop. A Extension Local Transportation Sales Tax - Local System Improvements
<i>TransNet-LSI Carry Over</i>	TransNet - LSI funds previously programmed but not requested/paid in year of allocation
<i>TransNet-LSI (Cash)</i>	TransNet - LSI funds which agencies have received payment, but have not spent

** Include SANDAG in progress and pending projects - these projects are subject to change when accepted by SANDAG

FUTURE CITY COUNCIL AGENDA ITEMS

Updated March 16, 2017

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

March 29, 2017
NO MEETING (5th Wednesday)

April 5, 2017
4:30 p.m.

PROCLAMATIONS
Earth Day and Earth Awareness Month
PRESENTATIONS
Earth Day Poster Contest Award Presentation
CONSENT CALENDAR
Fiscal Year 2016 State Homeland Security Grant Program and Budget Adjustment (R. Knowles) <i>The Fiscal Year 2016 State Homeland Security Grant Program is a continuation of Federal funding from the DHS. The City began receiving DHS funds in 2003; funding has continued each subsequent year at varying levels. Funds will be used by both the Police and Fire Departments to improve communications and to enhance the protection of personnel and critical infrastructure.</i>
Extension of Time (SUB 15-0030) (B. Martin) <i>The Tentative Map originally was approved by the City Council on May 24, 2006. The Tentative Map was scheduled to expire in 2009, but State legislation automatically extended the map until May 24, 2016. The map is still eligible for a local time extension up to five additional years. The applicant submitted an application to extend the map prior to the expiration date, which put a hold on the expiration until a final Council decision.</i>
Adoption of a Debt Policy (S. Bennett) <i>Senate Bill 1029 took effect on January 1, 2017. One of the requirements of this bill is that the City needs to adopt a local debt policy in compliance with Section 8855(i) of the bill. The State Water Resources Control Board will not move forward on the Wastewater Fund's State Revolving Fund (SRF) loans until we have this policy approved by Council.</i>

April 5, 2017
Continued

	PUBLIC HEARINGS
	CURRENT BUSINESS
	Council Response to AB 805 (S. Abed and J. Masson)
	Council Response to SB 54 (S. Abed and M. Morasco)
	Draft of 2017-2018 City Council Action Plan (J. Petrek) <i>The City Council Action Plan represents the City Council's collective vision for Escondido's future and the key activities that will be used to achieve that vision. It is developed biennially following a workshop where key policy interests are identified and discussed by the City Council and City Staff.</i>
	FUTURE AGENDA ITEMS (D. Halverson)

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

March 16, 2017

SPECIAL EVENTS

- **California Amateur Hockey Association State Championships**
March 17 through Tuesday, March 19 - Escondido Iceplex
The tournament brings 16 teams to Escondido that will be traveling from all over California. Over 600 players and spectators will be visiting the area during the tournament.

ECONOMIC DEVELOPMENT

On Thursday, March 16 the City of Escondido is holding an informational roundtable to discuss how businesses can leverage the California Competes Tax Credit to reduce California tax liability. The application period for this round of CalCompetes runs from March 6 – 27 with over \$68 million available to California companies. The workshop covers the basics of the program and help businesses understand how to craft a competitive application.

- **Innovate78 California Competes Tax Credit Workshop**
When: Thursday, March 16, 12:30 – 1:30 PM
Location: Escondido City Hall Parkview Room - 201 N Broadway, Escondido, CA 92025

Representatives from the San Diego Regional Economic Development Corporation will give an overview of the California Competes Tax Credit, answer questions about the application process, and provide guidance on creating a competitive application for your company.

ENVIRONMENTAL PROGRAMS

The WaterSmart Landscape contest is back again this year and the deadline to enter is April 7. If you come across a landscape in Escondido that is drought tolerant, reach out to the resident and encourage them to apply for the program. For more information visit: <http://landscapecontest.com/>

COMMUNITY DEVELOPMENT

Major Projects Update

Commercial / Office:

1. Escondido Research and Technology Center – East (ERTC) (Developer: James McCann) –
This is a 72,000 square foot medical office building proposed on the east side of Citracado Parkway across from Palomar Medical Center located at 2130 Citracado Parkway. A grading permit has been issued by the Engineering Division. Building plans have been submitted for

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

plan check. A grading plan for a temporary parking lot to serve the hospital was approved June 13, 2016, and the parking lot is now under construction.

2. Escondido Research and Technology Center – West (ERTC) (Developer: James McCann) – This is a 144,000 sq. ft. development involving two medical office buildings proposed on the west side of Citracado Parkway across from Palomar Medical Center located at 2097 – 2175 Citracado Parkway. A grading permit has been issued by the Engineering Division. Esgil and the Planning Division have approved the building plans. A modified building permit to add a linear accelerator has been approved. A fee deferral agreement has been signed and the building permit was issued June 23, 2016. A revised grading plan recently has been approved and grading is underway.
3. Centerpointe 78 Commercial (Developer: Lars Andersen, Pacific Development) – This project is a 45,650 sq. ft. supermarket and restaurant located at 925 N. Broadway. The project was approved by the City Council on December 9, 2015. Demolition of the former auto dealership has been completed down to the foundation. Grading plans have been submitted to Engineering and Planning for review. Engineering has provided second plan check comments for the off-site improvements and third plan check comments for the grading plan and are awaiting resubmittal from the applicant. Building plans for the supermarket were submitted to the Building Division on September 14, 2016, and are close to issuance. A boundary adjustment application to place the two buildings on separate parcels went to Planning on October 14, 2016.
4. Westfield Theater (Developer: Kim Brewer, Westfield) – *This project has been placed on hold by Westfield while they finalize lease negotiations so there is no change from the following update reported last week:* This project is a 10-auditorium movie theater totaling 57,600 sq. ft. located on the north side of the Westfield Mall. The project was approved by the City Council on November 4, 2015. No grading, building or improvement plans have been submitted by the developer at this time.
5. Felicita Development, LLC (Developer: Katherine Park, Creative Design Associates) – This project is a 140-unit hotel, and a gas station or office/residential care facility at the southeast corner of Felicita Rd. and Gamble Lane. The applicant and staff met with the architect to discuss building elevations, five-story height limitations and site design issues given the existing wetland constraints on the property. The project application remains incomplete as additional technical analysis and coordination is needed to address traffic, biology, water and sewer service, geotechnical and storm water concerns, along with a market study for the proposed uses. Follow-up meetings conducted by the applicant with staff and the wildlife agencies lead staff to believe a revised project is forthcoming. The project is on hold pending further direction and submittal of information from the applicant.

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

6. Springhill Suites (Developer: Raj Patel, San Bernardino Hospitality LLC) – *The applicant is cleared to start construction so there is no change from the following update reported last week:* This project is a four-story, 105-suite hotel totaling 73,300 sq. ft. located at 200 La Terraza Drive. The hotel includes a small conference room and an enlarged lobby for serving continental breakfast. A revised set of grading plans has been approved since February 2016 and grading for the hotel site has started. Building plans have been approved and permit fees were paid before the end of the year clearing the way for construction to commence. On January 3, 2017, a new ownership group met with the City Council Economic Development Subcommittee and staff to discuss renewing the now-expired Economic Incentive Agreement that had been granted to the original developer. The City Council approved a new Economic Incentive Agreement on January 25, 2017. Construction is expected to commence within the next two months.
7. Escondido Auto Park Association (Developer: Tim Brecht, Escondido Auto Park Association) *The applicant is cleared to start construction so there is no change from the following update reported last week:* The association is proposing to upgrade the existing electronic message sign along I-15. An application for a new regional market sign and an amendment to the Sign Ordinance to increase the allowable display area for a regional market sign was submitted to the Planning Division on May 6, 2016. The proposed sign would be located in the same location as the existing sign at a slightly lower height (73.5 feet) with approximately the same overall dimensions. The Planning Commission recommended approval of the new regional market sign and amendment to the Sign Ordinance on July 12, 2016. The City Council approved the new regional market sign and amendment to the Sign Ordinance on August 17, 2016. A building permit for the sign was issued on January 19, 2017.
8. Downtown Courtyard Marriott Hotel (Developer: Craig Clark) – *Staff is awaiting a revised project submittal from the applicant so there is no change from the following update reported last week:* A modification to a Master Plan and a Precise Plan for a revised downtown hotel design consisting of 154 rooms in four stories over ground-level parking. The majority of the building would be located in the parking lot between City Hall and the CCAE conference center. The primary entry to the hotel would be from a redesigned entry drive with new porte cochere on Escondido Boulevard. The hotel would operate the conference center and would provide a bistro and bar area for guests. The application was submitted on November 18, 2016 for processing and review. During the course of review, City staff transmitted comments incrementally to the applicant. A final letter summarizing all requested revisions and/or corrections was sent to the applicant on December 22, 2016. City staff met with the development team on January 10, 2017 to discuss the staff comment letter. Revised plans are expected to be resubmitted within the next two weeks.
9. Centre City Commercial Center (Developer: Todd Dwyer) - This commercial redevelopment project proposes a 15,870 square foot commercial shopping center on the southeast corner of Centre City Parkway and W. Mission Avenue, addressed as 425 W. Mission Avenue (former Wagon Wheel Restaurant and Palm Tree Lodge). The project would include three buildings, two of which contain drive-thru restaurants along with other retail or restaurant

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

tenant spaces. The third building would be a drive-thru self-serve carwash. A Plot Plan and Tentative Parcel Map were submitted on January 31, 2017, and staff review is underway. The applicant's environmental consultant is currently preparing a Draft Initial Study/MND for initial review by staff. A traffic study prepared by the applicant's traffic consultant has been reviewed by Engineering staff. Discussions with the applicant regarding potential traffic mitigation measures are underway.

Industrial

1. StorQuest (Developer: The William Warren Group, Inc.) – This proposed project at 220 W. Mission Avenue involves a 102,500 sq. ft., four-story self-storage facility development with three in-line shops and a small office. The Planning Commission voted to recommend approval of the proposed General Plan Amendment, Planned Development and Zone Change on August 9, 2016. The project was approved by the City Council on September 14, 2016. A grading plan was submitted for review on November 3, 2016. Building plans were submitted during the week of December 19, 2016. Both grading and building plans have been returned to the applicant with staff comments. Staff is awaiting resubmittal of revised plans from the applicant.
2. Victory Industrial Development (Developer: Scott Merry, Badiie Development) – This project involves two industrial buildings totaling 91,000 sq. ft. (one building 55,500 sq. ft., second building 35,500 sq. ft.) located at 2005 Harmony Grove Road and a zone change from residential to Planned Industrial consistent with the updated General Plan. The Planning Commission voted to recommend approval of the proposed General Plan Amendment, Planned Development and Zone Change on August 9, 2016. It was approved by the City Council on September 14, 2016. Building plans were submitted into plan check the following day and comments have been provided by staff. Boundary adjustment applications with three property owners in the adjacent Harmony Grove Business Park that are needed to implement the project design were submitted to Planning on February 8 and are being readied by staff for signature and recording. It is expected the grading permit can be issued once the applicant secures his Army Corps, Regional Board, and CA Fish and Wildlife permits.

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

3. Escondido Self-Storage Facility (Developer: Brandywine Homes, Inc.) – A modification to a Master and Precise Development Plan for revisions to the design of a previously approved, but not yet constructed, self-storage facility with direct access to Brotherton Road near the intersection with Cranston Drive. The proposed project was submitted on May 11, 2016, and proposes approximately 77,500 SF of storage area in two buildings. The larger building is two stories over a basement with all interior loading. The smaller building is one-story with some exterior roll-up doors. The project site is also part of a five-lot Tentative Map for four residential lots and one commercial lot (Tract 900) that is concurrently being processed for an extension of time. The project was recommended for approval by the Planning Commission on September 13, 2016, and the City Council approved the project on October 12, 2016. Building plans were submitted the week of December 11, 2016. Grading and landscape plans and the final map have also been submitted and are being reviewed by staff. Engineering has completed a first check of the grading plans and is awaiting resubmittal from the applicant.
4. Innovative Industrial Development (Developer: Scott Merry, Badiiee Development) – This project involves a unique proposal in which two potential industrial development scenarios were analyzed for the 5.76-acre site located at 1925 Harmony Grove Road, directly in front of the “Victory Industrial Development” described above. The first development scenario involves a single tenant building with 98,500 square feet and 197 parking spaces. The alternative scenario envisions three industrial buildings roughly within the same footprint as the single tenant proposal. The three industrial buildings would include a total of 86,000 square feet with 234 parking spaces. The Planning Commission voted to recommend approval of this project on December 13, 2016. The City Council approved the proposal as recommended by the Planning Commission on January 11, 2017. The applicant has recently notified staff that he intends to move forward with construction of the three-building design. Grading plans were submitted for plan check on February 27, 2017 and are now being reviewed by staff.
5. North American Self-Storage (Developer: Russ Colvin) – This project at 852 Metcalf proposes a 132,556 square foot, self-storage facility consisting of four stories over a full basement level on a 1.12-acre site in the M-1 zone. A Plot Plan application was submitted to Planning on September 14, 2016 and a conditional letter of approval was issued on December 21, 2016. An erosion control and demo permit has been approved. The applicant has submitted grading, building and landscape plans into plan check under the city’s “expedited plan-check” pilot program. Staff comments on the first grading plan check were issued 12 working days following the first submittal. The applicant submitted building plans into plan check on March 8, 2017. Those plans are currently being reviewed by Esgil, Planning and Fire under the expedited plan check program.

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

City Projects

1. Micro-Filtration Reverse Osmosis (Developer: City of Escondido Utilities Department) – *No further updates to this item will be provided while litigation is in progress:* The proposed project involves a Conditional Use Permit (CUP) for the development of a new City facility to provide advanced treatment for recycled water produced at the City of Escondido's Hale Avenue Resource Recovery Facility (HARRF) for agricultural uses with the capacity for future treatment for indirect potable reuse. The facility would be sized for a total production capacity of 2.0 million gallons per day (mgd). A previous proposal for development of the facility at 2512 East Washington Avenue has now been shelved while staff pursues development of the facility on an alternative site located on the southeastern corner of Washington Avenue and Ash Street. On July 20, 2016, the City Council approved a first-phase design contract with Black and Veatch for the design effort need to bring the new site design to the Planning Commission for CUP consideration. Site and building design concepts have been developed and two neighborhood meetings were held on October 12, 2016 and November 3, 2016. A 30-day public review period for the proposed Mitigated Negative Declaration ended on November 27, 2016. The Planning Commission approved the proposed CUP on December 13, 2016. An appeal of that decision was filed and the City Council denied the appeal on January 11, 2017 and affirmed the Planning Commission's decision to approve the project.
2. Wastewater Collections Yard Expansion (Developer: City of Escondido Utilities Department) – *No change from the following update reported last week:* The project involves development of 1.8 acres of a larger, approximately 15.4-acre site for the construction of a new wastewater collections yard and maintenance facility for the City's Hale Avenue Resource Recovery Facility (HARRF) at 1521 S. Hale Avenue. The proposed facilities will consist of three separate pre-fabricated metal buildings 3,735 sq. ft. - 5,670 sq. ft. for collections; work bays and workshops for regular maintenance of vehicles and equipment. The project would require the processing of a Conditional Use Permit (CUP) and rezone. The Planning Commission held a public hearing and recommended approval on May 10, 2016. It was approved by the City Council on June 15, 2016. Grading, building and landscape plans are now being reviewed by staff for permit issuance.
3. HARRF Biogas to Energy Project (Developer: City of Escondido Utilities Department) – *Communications with the applicant are on-going but no construction plans have been submitted since the project was approved and there are no new milestones to report this week:* This project is a proposed Conditional Use Permit that will utilize the existing digester gas created during the sewage treatment process to power two generators with a combined output of 1,200 kW of power. The gas which is currently being flared on the site will be redirected for a useful purpose and used to offset the HARRF's demand on utility natural gas and electricity from SDG&E. A Conditional Use Permit for the project was approved by the Planning Commission December 13, 2016.

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

4. Lake Wohlford Replacement Dam (Developer: City of Escondido Utilities Department) – – This project consists of the construction of a replacement dam downstream (west) from the existing dam at Lake Wohlford, as well as partial deconstruction of the existing dam. In 1924, hydraulic fill was added to increase the overall height of the original dam from 76 feet to 100 feet. A 2007 seismic analysis of the dam identified a stability concern for the raised portion of the dam in the event of a major earthquake. As a result, the City reduced the reservoir's water level to limit the risk of a potential failure. The water level reduction decreased the reservoir's capacity to approximately 40% of its prior size. To improve the dam's seismic safety and regain the lost water storage capability, the City is planning to construct the replacement dam so the resultant reservoir level and storage capacity are equal to the elevation and capacity prior to the water level restriction, at 1,480 feet elevation and 6,500 acre feet, respectively. AECOM working under contract to the civil engineer (Black & Veatch) was selected to prepare an Environmental Impact Report for the project. A Draft EIR was prepared and issued for a 45-day public review period that began on October 4, 2016 and closed on November 17, 2016. Staff and AECOM are now in the process of coordinating responses to the comments that were received during the public review period. As part of that effort, Utilities and Planning staff met with representatives of the permitting agencies on March 14, 2017.

Institutional

1. Escondido United Reformed Church (Developer: Brent Cooper) – The project is an expansion for a phased, multi-year, master construction/development plan for a new 12,250 SF two-story sanctuary, conversion of existing buildings to a social hall, demolition of an existing social hall/classroom building (approx. 4,620 SF) and construction of approximately 5,250 SF for a nursery, multi-purpose room, and classrooms for Sunday school at 1864 N. Broadway. Revised architectural plans were unanimously approved by the Planning Commission on June 14, 2016. A revised grading plan is close to approval.
2. Emmanuel Faith Community Church (Developer: Jim North, EFCC) – *The applicant is cleared to start construction on the Phase I children's building. No plans have been submitted for any other phases so there is no change from the following update reported last week:* The project is a phased, multi-year construction and renovation program for the Emmanuel Faith campus that includes demolishing the existing children's rooms and constructing a new nursery and children's building for up to 200 children, construction of a two-story training center/youth complex, renovation of the existing high school/college building, conversion of the existing education center into an office and meeting room building, demolition of the existing café and construction of a new café, demolition and construction of a new maintenance building, construction of a new gathering plaza with baptismal outdoor water feature, and reconstruction and expansion of the existing worship center from 1,600 seats to 2,000 seats. The Planning Commission approved the proposed modification to the Conditional Use Permit for the campus on June 9, 2015. Grading, building and landscape plans for the first phase (45,414 square foot new children's building) have been reviewed by

City Manager's WEEKLY UPDATE to City Council

staff and Esgil. The grading permit has been approved and the building permit for the children's building was issued on February 28, 2017.

3. Self-Realization Fellowship Center (Developer: John Pyjar, Domusstudio Architecture) – *Project review and communications with the applicant are on-going but there are no new milestones to report this week:* This proposal to modify the Center's existing CUP would expand the campus by constructing a new 7,424 square foot meditation chapel with seating for 200 persons, a 4,278 square foot multi-purpose building, a 3,929 square foot Sunday school classroom and would convert an existing office/residential building to a bookstore. Additional parking would be provided and some existing buildings on the site would be relocated or demolished. The CUP application was submitted on November 14, 2016. Staff reviewed the initial submittal and sent a letter to the applicant on December 14, 2016, indicating that the application was incomplete and specifying the additional information that was necessary to complete the application.

Residential

1. Oak Creek (Developer: Jason Han, New Urban West) – *This project has been placed on hold by the developer while they pursue land use entitlements on the former Escondido Country Club Golf Course so there is no change from the following update reported last week:* This project is a 65-unit single family development located at the southeastern corner of Felicita Road and Hamilton Lane approved by the City Council in 2015. The LAFCO Board unanimously approved the annexation on October 5, 2015, and the annexation has been recorded. No grading or improvement plans have been submitted by the developer at this time.
2. Amanda Estates (Developer: Jason Han, New Urban West) – *This project has been placed on hold by the developer while they pursue land use entitlements on the former Escondido Country Club Golf Course so there is no change from the following update reported last week:* This project is a 22-unit single family development on Amanda Lane approved by the City Council in 2015. The LAFCO Board approved the reorganization (annexation) at their meeting on August 3, 2015, and the annexation has been recorded. No grading or improvement plans have been submitted by the developer at this time.
3. Pradera (Developer: Moses Kim, Lennar Homes) – This project consists of a 70-unit single family development located at the northeastern corner of Ash Street and Lehner Avenue. The developer has obtained building permits for six phases involving 52 homes and those phases are under construction. Homebuyer interest in the product remains high and sales are progressing. All five final maps in the project have now been recorded. Precise grading plans for all phases have been approved. Phases 7 and 8 for the construction of 11 additional homes were received on December 12, 2016. Improvement plans for the new 20" water line in Conway Street are now being reviewed by the Utilities Department.

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

4. Lexington (Zenner) (Developer: Eric Johnston, KB Homes) – The project is a 40-unit, single-family development at the northeastern corner of Lehner Avenue and Vista Avenue. A rough grading permit was issued for the project site on August 18, 2016 and grading is underway. The final map has been approved by City Council. The precise grading plan for Phase 1 has been approved. Building plans for Phase 1 were submitted into plan check on December 20, 2016 and permits were issued before the end of the year. On January 24, 2017, the Planning Commission approved a variance request from KB Homes to reduce perimeter wall setbacks for five residential lots. The precise grading plan for the remainder of the project site was approved on March 14, 2017. KB Homes is coordinating with Engineering to close Lehner Avenue during the two-week school spring break that starts on Saturday, April 8, 2017. The closure is needed to construct storm drain improvements in the street.
5. Stella Park Condominiums (Developer: Edward Kaen, ETP, LLC) – This project is a 63-unit, three-story townhome Planned Development located at 2516 S. Escondido Blvd. The project includes three separate recreation areas for residents. The City Council approved the project on April 27, 2016. A Substantial Conformance Tentative Map (TM) and proposed modification to the Precise Development Plan was filed by Lyon Homes on December 12, 2016. The Planning Commission approved a modification to the Precise Development Plan and the substantial conformance TM on February 14, 2017. Lyon Homes is coordinating demo fee credits with staff prior to submitting plans into plan check.
6. Wohlford (Developer: Jack Henthorne) – *Project review and communications with the applicant are on-going but there are no new milestones to report this week:* This project is a 55-unit single family development located on Bear Valley Parkway east of Encino Drive. A Specific Alignment Plan for Bear Valley Parkway detailing the proposed roadway design is under review. The EIR consultant has recently submitted a second screen check of the Draft EIR to staff for review. An application for a Development Agreement has been submitted by the applicant.
7. Latitude II (Developer: Peter Zak, Lyon/NCA) – This project is a 112-unit multi-family development, located at the northeastern corner of Centre City Parkway and Washington Avenue, and was approved by the City Council on August 19, 2015. A boundary adjustment for a property exchange with the adjacent motel owner has been approved and recorded. A grading permit has been issued and the applicant is coordinating with installation of BMP's with Engineering. Building plans are nearing approval pending approval of the final map and a sewer reimbursement agreement.
8. Canyon Grove Estates Tract 932 (Developer: John Vance, Shea Homes) – This project is a 179-lot single family residential development on the north side of Vista Avenue east of Conway Drive. The final architectural design and landscaping plans for the Precise Plan application were approved by the Planning Commission on June 14, 2016. Building permits for the construction of eight model homes have been issued and construction is underway. Phase 1 has also received permits. Permits for Phase 11 have been issued and the remainder of the homes are now in for building plan check. The applicant is coordinating the

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

plan review for off-site street improvements on Ash Street with the County's Department of Public Works.

9. Safari Highlands Ranch (SHR) (Developer: Jeb Hall, Concordia Homes) – *Project review and communications with the applicant are on-going but there are no new milestones to report this week:* This project is a 550-unit single family development located east of the Rancho San Pasqual community and north of the San Diego Safari Park. The project involves 1,100 acres including annexation and a Sphere of Influence update for a master planned community with parks, trails, recreation center, fire station and open space. Planning and Engineering extensions of staff have been funded by the applicant and retained to assist the City in processing the project. The City Council approved the consultant contract for preparing the EIR on March 23, 2016. The contract planner has been meeting with the consultant, Michael Baker International (MBI), and has started review of first draft sections of the EIR. While the EIR is generally on schedule, there have been some changes to the site plan, which will affect the EIR schedule. The changes include the elimination of the “water factory” for wastewater treatment, elimination of the public park, changes to the entry road which would now be private instead of public, and relocation of the fire station to the former public park site. These changes will require the applicant's civil engineer to make a number of revisions to the tentative map, but are not anticipated to affect the proposed development envelope or the number of proposed lots. A revised tentative map depicting the site plan changes was submitted on October 17, 2016 and is being reviewed by staff and the contract planner.
10. High Pointe Tract 693-J (Developer: Russell Schaeffer, True Life Communities) – *The applicant continues to actively market the property and there is no change from the following update reported last week:* This project is a custom-home development with 39 estate lots accessed from Mesa Rock Road. Staff has prepared a bond and fee letter based on the proposed grading and landscape plans, and has sent it to the applicant.
11. Del Prado (Developer: Kerry Garza, Touchstone Communities) – *Communications with the applicant are on-going but there are no new milestones to report this week:* This project is a 113-unit townhome-style Planned Development located at the southwestern corner of Brotherton Road and the Centre City Parkway frontage road. The project includes a recreational facility, pool, and open space areas. Staff worked through various site design and utility issues with the applicant prior to scheduling the project for a public hearing. The City Council approved the project on May 11, 2016. No grading or improvement plans have been submitted by the developer at this time.
12. 701 San Pasqual Valley Rd (Developer: Bob Stewart) – This project is a 19-unit single family development located at 701 San Pasqual Rd/1201 E. 5th Avenue (formerly Tract 898) on 7.2 acres. The application is under review and a letter detailing additional comments and submittal requirements was forwarded to the applicant. Staff has met several times with the applicant to help work through project design and storm water issues. A Draft Mitigated Negative Declaration has been submitted and is being reviewed by staff.

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

13. Veterans Village (Developer: Veterans Village of San Diego) – *Project review and communications with the applicant are on-going but there are no new milestones to report this week:* This project is a mixed-use development involving a 54-unit affordable multi-family residential apartment project for military veterans and their families. It includes an on-site administration office, business center, club house and other support spaces for the residents; and a small commercial component to support training opportunities offered at the facility at 1556 S. Escondido Boulevard. Building plans have been submitted for review and comment; the grading plans and landscaping plans have been approved. Demolition has been completed.
14. Escondido Gateway (Developer: Greg Waite, Integral Communities) – This project is a mixed-use development involving 126 residential units within three, 4-5 story buildings with indoor and outdoor recreational areas and an opportunity for a small (1,000 sq. ft.) commercial/flex space on 2.6 acres (48 dwelling units/acre) located at 700 W. Grand Avenue (former Police Station) across the street from the Escondido Transit Center. Plans were submitted for the project involving a Specific Plan Amendment, Tentative Map, Planned Development and Development Agreement. The City Council approved the project on October 12, 2016. The Development Agreement has recorded. Building plans were submitted into plan check the week of December 11, 2016. Grading plans and final map were resubmitted (2nd review) on January 23 and January 25, 2017, and are currently being reviewed by staff. Comments/corrections on the building plans have been provided to the applicant and the plans were resubmitted on March 7, 2017. The City's former tenant has vacated the old building and the applicant is moving swiftly towards issuance of a demo permit.
15. The Villages at Escondido Country Club (Developer: Jason Han, New Urban West, Inc.) – The project would redevelop the former 109.3-acre Escondido Country Club golf course property with a new residential development consisting of 392 dwelling units including single-family detached and attached duplex units. The proposed project density is 3.6 dwelling units per acre with a minimum residential lot size of 2,555 square feet. The development would include 46 acres of open space including a landscaped greenbelt with a four-mile trail system linking park features. Other proposed amenities include a new clubhouse building, swimming pool, gym, tennis/pickle ball court, restaurant and bar and banquet facilities. The proposed General Plan Amendment, Specific Plan, Vesting Tentative Map and Zone Change applications and plans were submitted to the Planning Division on October 31, 2016. The developer has retained Dudek to prepare the Draft EIR for the project. The developer will fund a contract planner working under the direction of the Planning Division to assist the City in processing the project. A kick-off meeting was held on November 15, 2016, to commence project-related discussions between Planning staff and their contract planner, the applicant and the EIR consultant. A letter indicating the project application is incomplete was sent to the applicant on November 30, 2016. City staff met with the applicant on December 22, 2017 to review the comment letter. A Notice of Preparation (NOP) for the EIR was issued on January 25, 2017 for a 30-day review period ending on February 24, 2017. The NOP includes notification of a public scoping meeting that was held on February 13, 2017. The

City Manager's WEEKLY UPDATE to City Council

applicant recently notified staff that a project resubmittal addressing staff's November 30, 2016 letter will be brought in soon. The resubmittal is expected to include additional information for the proposed specific alignment plan for Country Club Lane. Planning staff has developed a new section on the City's website for ECC project-related documents and plans. The information can be accessed at the following link: [ECC - City of Escondido](#)

16. Ivy/Valley Parkway Mixed-Use Development (Developer: Abad Rahan Pars Inc./ Norm Wieme, Architect – This project at 113 N. Ivy consists of a plot plan application to construct a four-story building with 20 two-bedroom apartment units and approximately 3,000 square feet of commercial space on a vacant 0.5-acre parcel located at 113 N. Ivy Street. The conditional letter of approval for the plot plan was approved and issued on September 19, 2016. The applicant has indicated that grading and building plans are expected to be submitted into plan check soon. Utilities staff is currently working on a reimbursement agreement for new water infrastructure that will be installed the project in the adjoining alley.

Building Division:

1. The Building Division issued 47 permits for a total valuation of \$117,373. Issued permits were mostly miscellaneous plumbing, mechanical and electrical.
2. Only seven photovoltaic permits were issued for the week. The Building Division has issued 174 solar permits this year compared to 269 issued for the same time last year.
3. Counter technicians assisted, on average, 33 customers per day with 34 customers on Friday.
4. Building inspections were back up with good weather and averaged 34 inspections per day with 26 inspections on Friday.
5. The total building valuation for all issued permits issued this year through the 11th of March is \$12,841,771 compared with \$8,349,055 for the same time last year. Building has processed 597 projects to date compared with 714 projects for the same time period in 2016.
6. Projects nearing permit issuance are:
 - a. Latitude 2, a 112-unit apartment complex consisting of six, three-story buildings at 610-660 Centre City Pkwy.
 - b. Veterans Village, at 1540 S. Escondido Blvd., a 40,000 square foot, three-story apartment building providing affordable housing for veterans and their families.
 - c. Westminster Seminary student housing, 1725 Bear Valley Parkway, consisting of ten buildings with 72 residential units for students and their families.

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

7. The construction of the City Plaza three-story mixed use building at 300 S. Escondido Blvd. has completed the podium slab and second and third floor wall framing is progressing.
8. The Solutions for Change affordable housing project at 1560 S. Escondido Blvd. has received inspection approvals for the first floor drywall.
9. Roof framing is proceeding at The Meadowbrook three-story apartment building with underground garage at 2081 Garden Valley Glen.
10. Escondido Disposal is proceeding with the tenant improvement for the existing building and has completed the drywall. Roof framing on their new transfer building also has been completed.
11. Demolition is almost complete at the former bank building at 444 S. Escondido Blvd.
12. The Talk of the Town carwash building at 400 Brotherton Road will be approved for occupancy soon. The plans for the interior of the restaurant building have been submitted and are under review.
13. Plans were submitted for the new four-story self-storage building at 852 Metcalf St.

Code Enforcement:

1. As of March 13, the total number of open code enforcement cases is 457. During the prior week, 81 new cases were opened, and 79 cases were closed, with a backlog of an additional 36 cases not yet opened for assignment and investigation.
2. A total of 152 illegal signs were confiscated during the weekend.
3. Last week, the Business License Division issued 62 new licenses and received 40 new applications, in addition to 91 renewals. Twenty businesses closed and/or closed out their business licenses.

ENGINEERING

CAPITAL IMPROVEMENTS

2015/2016 Street Rehabilitation and Maintenance Project

The installation of traffic signs and legends is ongoing throughout the project. Installation of the 3000 ft. modified asphalt berm along the Westside neighborhood between Quince Street to Spruce Street, and 5th Avenue to 16th Avenue will continue this week.

Encino Street Emergency Storm Drain Repair

The design for completing the storm drain repairs has been solicited and awaiting a final price, bidding ends on Thursday, March 16, 2017.

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

Indian Creek Wall

An emergency repair plan has been developed to replace a 29' segment of concrete channel wall that failed during recent rains. The wall is located between Industrial Avenue and Simpson Way. The low bidders have been awarded and construction is set to begin on March 20, 2017.

PRIVATE DEVELOPMENT

Pradera - Lennar Communities

New onsite street lighting is being energized this week. The Contractor is working on items such as concrete replacement that was damaged during construction.

Lexington Model Homes - KB Homes

The installation of onsite sewer main, water main and storm drain is continuing this week. Lehner Avenue is scheduled to be closed for 7 days during the spring break period to allow for major construction activity.

Escondido Boulevard at 3rd Avenue

No changes from the following reported last week: The contractor is continuing to deliver material for the construction of the second floor. Lane closures along 3rd Avenue will be a regular occurrence to allow for the lifting of construction materials to the newly completed second floor.

Tract 932 - Canyon Grove Shea Homes Community

The traffic signal for El Norte Parkway at Vista Verde Road is continuing with the pot holing of utilities to determine conflicts that will need to be addressed during the conduit installation. The concrete pole foundations were poured this past week. Onsite construction of the water quality basin is continuing along with the installation of potable water main installation along the new roadways.

Quantum Academy at Falconer Road

Escondido Elementary School District has completed the installation of the new water main to the existing facility, the test plate separating the City main and the new water system was pulled this week energizing the entire system. Final street restoration will begin this week so traffic can resume full use of the roadway.

Latitude II Condominiums by a Lyon Homes Partnership: Washington Avenue at Centre City Parkway

Construction activity has resumed this week with the contractor restoring the Storm Water device in preparation of replacing the City's 12" sewer main that crosses the project.

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

Westminster Theological Seminary Graduate Student Housing: Boyle Avenue at Bear Valley Parkway

The contractor has completed the installation and testing of the new water main along the Bear Valley Parkway side of the project. There will be two tie-ins performed this week to activate the new system.

Talk of the Town

The project is nearing completion; punch list is being prepared for project close out.

Tract 877 – Bernardo Ave. by Ambient Communities

The project is a 13 lot single family residential project located at the cul-de-sac end of Bernardo Ave. The construction of the 16' high sound wall along the freeway is ongoing this week.

Palomar Medical Center

No changes from the following reported last week: The project encountered a conflict while constructing the new sewer main, a redesign will halt construction for a period of time.

CAPITAL IMPROVEMENT PROJECTS

East Valley Parkway/Valley Center Road Widening Project

SDG&E is making final design revisions so that their facilities fit within the right of way. Once SDG&E's final design is received, the project will be advertised for bid. It is anticipated that bids will be opened in May 2017 with construction to begin summer 2017.

Neighborhood Streetlight Project

This project will add new streetlights to meet current lighting standards and retrofit existing streetlights with LED fixtures at five established communities throughout the City. The project plans and specifications are currently at 85% design, and working toward 100% for final review and approval by the City Engineer. Staff anticipates making corrections to the project plans and specifications and obtain City Engineer approval in time to advertise for bids by April 2017.

Jim Stone Pool

This project will renovate both existing pools and update pool equipment required to meet current County Health standards. Demolition of the existing mechanical building is anticipated to start on March 27, 2017 with reconstruction to be completed by the end of April 2017. Construction to re-plaster the pools is anticipated to begin in early April and be completed in June 2017.

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

POLICE

INCIDENTS:

- On 3/5/17, at 17:18 hours, a vehicle vs. bicycle collision was reported at 800 N. Midway Dr. When units arrived they discovered an 11-year-old boy on a bicycle had been hit by a truck. The boy was awake and breathing, but unresponsive and had visible injuries. The boy was transported to Children's Hospital for treatment.
- On 3/5/17, at 18:55 hours, an officer was in the area of 8th Avenue and Quince Street when he heard numerous gunshots. Calls from citizens immediately followed. Officers flooded the area and found a 28-year-old Hispanic male victim with a gunshot wound to the hand in the 400 Block of W. 6th Ave. He was transported to Palomar Medical Center for treatment.
- On 3/7/17, at 00:00 hours, officers stopped a vehicle at 13th Street and Redwood Street for suspicious circumstances. Officer Banks' K9 conducted a narcotics sweep around the car and immediately alerted. Once both occupants were removed from the car a search of the car was conducted. A total of 29 grams of methamphetamine was found in several different areas in the car and on the occupants, and 1 gram of heroin was located on the passenger. Also located during the search was an unloaded firearm under the driver side floor mat, \$800 in cash, scales, and other paraphernalia. Both occupants were arrested for various felony drug and weapons offenses.
- On 03/07/17, at 14:18 hours, the Police Department received a call regarding a subject on the ground bleeding at Washington Park. Officers arrived and discovered the victim (18-year-old documented gang member) had been stabbed approximately ten times. Suspects were identified as adult Hispanic males and claimed gang affiliation.
- On 3/7/17 at 17:06 hours, officers were dispatched to El Norte Parkway and Ivy Street regarding a pedestrian versus vehicle accident. Police and Fire paramedics arrived on scene and located a 17-year-old male in the street. Fire personnel treated the juvenile at the scene and transported him to Palomar Medical Center. Based on witness statements and physical evidence at the scene, the juvenile was riding a skateboard on the north sidewalk of El Norte Parkway. He attempted to cross El Norte Parkway southbound at Ivy Street and was struck by a 23-year-old female driver. The juvenile sustained serious but non-life threatening injuries. The driver was not injured in the collision and alcohol or drug impairment is not a factor in this collision.
- On 03/07/17, at 21:09 hours, Police and Fire personnel were dispatched to the 1900 block of E. Grand Avenue regarding a vehicle collision. Once on scene, officers determined that the female driver of a silver Toyota Camry, identified as 55-year-old Escondido resident Catherine Kennedy, had actually been shot once in the head. According to witnesses, it is believed at least two possible gang members were shooting at each other in the 1800 block of E. Grand Ave. As the shooting was occurring, Kennedy was driving east on Grand Ave and was struck by a stray bullet, causing her to lose control and crash into a parked, unoccupied vehicle. Kennedy was transported to Palomar Medical Center but later died as a result of her injuries. The

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

suspect(s) responsible for this crime have not yet been identified. The investigation into this case is on-going.

- On 03/08/17, at 10:37 hours, the Police Department received a call regarding a subject masturbating at 412 N. Hickory Street with a 3-year-old nearby. Officers responded and searched for the subject. An officer located a subject, who was arrested and charged with indecent exposure.
- On 03/09/17, at 13:56 hours, officers observed a suspicious vehicle with paper plates carrying four subjects in the area of 1700 block of Crofton Lane and initiated a traffic stop. After a short vehicle pursuit, the vehicle stopped at Harding Avenue and Washington Street, with only the driver remaining. Officers located an ice pick, shaved screwdriver, and a 13" socket wrench placed in different seats of the vehicle. The driver of the vehicle was arrested and a search of the area resulted in the arrest of two additional occupants. All were gang members and charged with various weapons and gang conspiracy charges.
- On 03/09/17, at 15:20 hours, The Psychiatric Emergency Response Team (PERT) and 2 officers responded to 925 Grand Place regarding a mentally ill subject. Once PERT placed him on hold for evaluation, the delusional and uncooperative subject took a fighting posture and made statements of violence. A Taser was deployed, but the subject was still able to actively resist. Officers eventually were able to place handcuffs on the subject but he continued to resist to the point where cord cuffs had to be placed to safely transport him to Palomar Medical Center.
- On 03/10/17, at 01:25 hours, officers were dispatched to the 7-11 at 1030 N. Broadway in reference to possible casers. A male subject was contacted in a vehicle parked outside the store and found to be under the influence of a controlled substance. He was placed under arrest and a search incident to arrest revealed he was in possession of methamphetamine, 6.51 net grams of heroin and almost \$1,100 in cash. He was charged with possession for sale.
- On 03/11/17 at 14:42 hours, a male adult subject went to the Downtown Palomar Medical Center Emergency Room advising that he was stabbed in the chest, kicked, and hit with a metal pipe. The victim stated he was jumped by 6 subjects near the Del Taco on El Norte Pkwy around 04:00 hours. He was challenged for gang affiliation. The victim's injuries do not appear to be life threatening and no suspects are in custody.

###