



MARCH 19, 2014

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

Olga Diaz

COUNCIL MEMBERS

Ed Gallo

John Masson

Michael Morasco

CITY MANAGER

Clay Phillips

CITY CLERK

Diane Halverson

CITY ATTORNEY

Jeffrey Epp

DIRECTOR OF COMMUNITY DEVELOPMENT

Barbara Redlitz

DIRECTOR OF PUBLIC WORKS

Ed Domingue

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 19, 2014
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, Clay Phillips
Employee Organization: Non-Sworn Police Bargaining Unit
- b. **Agency Negotiator:** Sheryl Bennett, Clay Phillips
Employee Organization: Escondido City Employee Association: Supervisory Bargaining Unit
- c. **Agency Negotiator:** Sheryl Bennett, Clay Phillips
Employee Organization: Escondido City Employee Association: Administrative/Clerical/Engineering Bargaining Unit

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

Case Name: Escondido City Employees Association v. City of Escondido
Case No: LA-CE-618-M

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

- a. **Property:** 418 E. Second Ave.
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: Grand Dentistry
Under Negotiation: Price and Terms of Agreement

- b. **Property:** 2005 Harmony Grove Road; 1925 Harmony Grove Road
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: Harmony Grove Property Company, LLC; Berghuis Freerk Family Trust (08-08-02)
Under Negotiation: Price and Terms of Agreement

ADJOURNMENT



Council Meeting Agenda

**March 19, 2014
4:30 P.M. Meeting**

**Escondido City Council
and as Successor Agency to the CDC**

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 Fair

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: A\) Regular Meeting of February 12, 2014; B\) Special Meeting of February 26, 2014; C\) Special Meeting of March 5, 2014](#)

4. [NOTICE OF COMPLETION FOR ENCINO/EL DORADO STORM DRAIN REPLACEMENT PROJECT -](#)

Request Council approve and accept the public improvements and authorize staff to file a Notice of Completion for the Encino/El Dorado Storm Drain Replacement Project.

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

5. [LAND ACQUISITION APN 225-270-54 AND 2512 E. WASHINGTON AVENUE FOR THE RECYCLED WATER EASTERLY MAIN EXTENSION PROJECT AND BUDGET ADJUSTMENT](#)

Request Council authorize the Real Property Manager and City Clerk to execute documents necessary for the purchase of two properties required for the Recycled Water Easterly Main Extension Project: APN 225-270-54 and 2512 E. Washington Avenue; and approve a Budget Adjustment to increase the Park Development Fund related to the disposition of real property (\$1.06 million).

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

RESOLUTION NO. 2014-33

6. [AMENDMENT TO ENCROACHMENT REGULATIONS -](#)

Request Council amend Article 1, Chapter 23 of the Escondido Municipal Code to provide for an Annual Encroachment Permit.

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

ORDINANCE NO. 2014-07 (Introduction and First Reading)

7. [CITY OF ESCONDIDO LANDSCAPE MAINTENANCE DISTRICT - PRELIMINARY ENGINEER'S REPORT FOR ZONES 1 THROUGH 37 FOR FISCAL YEAR 2014/2015 -](#)

Request Council initiate the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) for Zones 1 through 37 for the 2014/2015 FY; approve the preliminary Engineer's report for LMD Zones 1 through 37; and set a public hearing date of May 7, 2014, for LMD Zones 1 through 37.

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

A) RESOLUTION NO. 2014-03; B) RESOLUTION NO. 2014-04

8. [FINAL ASSESSMENT ENGINEER'S REPORT FOR ZONE 38 OF THE CITY OF ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2014/2015 -](#)

Request Council approve the assessment ballot tabulation for Zone 38 of the City of Escondido LMD; approve the Assessment Engineer's Report; and approve the annual levy and collection of assessments in Zone 38 of the LMD for FY 2014/2015.

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

RESOLUTION NO. 2014-02

9. [NOTICE OF COMPLETION FOR THE DIGESTER CLEANING 2013 PROJECT -](#)

Request Council approve the filing of a Notice of Completion for the Digester Cleaning 2013 Project.

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

RESOLUTION NO. 2014-31

10. TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2013

Request Council receive and file the Quarterly Investment Report.

Staff Recommendation: **Receive and file (City Treasurer's Office: Kenneth C. Hugins)**

11. OVERSIGHT BOARD VACANCY -

Request Council approve the Mayoral appointments to the Oversight Board.

Staff Recommendation: **Approval (City Attorney's Office: Jeffrey Epp)**

12. CONSULTING AGREEMENT FOR GRAPE DAY PARK MASTER PLAN AND GRAPE DAY PARK PLAY EQUIPMENT DESIGN -

Request Council authorize the Mayor and the City Clerk to execute the Consulting Agreement with RHA Landscape Architects Planners, Inc. in the amount of \$100,000 to complete the Grape Day Park Master Plan and the Grape Day Park Play Equipment Design and Construction project.

Staff Recommendation: **Approval (Library and Community Services: Loretta McKinney)**

RESOLUTION NO. 2014-34

13. AUTHORIZATION TO APPLY FOR ESCONDIDO CHARITABLE FOUNDATION GRANT -

Request Council authorize a grant application to the Escondido Charitable Foundation for a \$30,000 Science, Technology, Engineering and Mathematics (STEM) Grant for capital costs related to implementing an expanded STEM curriculum at the On-Track After School program.

Staff Recommendation: **Approval (Community Services Department: Loretta McKinney)**

14. FISCAL YEAR 2013 OPERATION STONEGARDEN GRANT AND BUDGET ADJUSTMENT -

Request Council authorize the Police Department to accept FY 2013 Operation Stonegarden Grant funds in the amount of \$50,000 from the California Emergency Management Agency (CALEMA) through San Diego County; authorize the Police Chief to submit grant documents on behalf of the City; and approve budget adjustments needed for overtime expenses related to enforcement in support of Department of Homeland Security goals.

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

15. FISCAL YEAR 2008 CALIFORNIA OFFICE OF TRAFFIC SAFETY "AVOID DUI CAMPAIGN" GRANT MODIFICATION AND BUDGET ADJUSTMENT -

Request Council authorize the Police Department to accept additional grant funds in the amount of \$10,000 from the San Diego Sheriff's Department for the "Avoid DUI Campaign" Grant Program; authorize the Police Chief to submit grant documents on behalf of the City; and approve budget adjustments needed for overtime expenses related to DUI enforcement operations.

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

16. FISCAL YEAR 2014 COLLABORATIVE AGENCY RESOURCES FOR ESCONDIDO (CARE) YOUTH PROJECT GRANT AND BUDGET ADJUSTMENT -

Request Council authorize the Escondido Police Department to accept additional funds in the amount of \$7,788 for the FY 2014 CARE Youth Project Grant from the Escondido Union School

District; authorize the Chief of Police and Police Department staff to execute contract documents on behalf of the City; and approve budget adjustments needed to spend grant funds.

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

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.)

17. [**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO REJECTING THE DETERMINATIONS OF THE DIRECTOR OF COMMUNITY DEVELOPMENT AND THE PLANNING COMMISSION AND APPROVING A 99 CENTS ONLY STORE WITHIN THE CENTRE CITY URBAN DISTRICT OF THE DOWNTOWN SPECIFIC PLAN. \(CASE NO. ADM 13-0168\) -**](#)

Approved on February 12, 2014 with a vote of 3/2, Abed and Gallo voting no.

RESOLUTION NO. 2014-24 (R)

18. [**CITY COUNCIL MEETINGS AND PROCEDURES -**](#)

Approved on February 12, 2014 with a vote of 4/1, Diaz voting no.

ORDINANCE NO. 2014-09 (Second Reading and Adoption)

PUBLIC HEARINGS

19. [**REAFFIRM COMMUNITY DEVELOPMENT PRIORITIES FOR THE FISCAL YEAR 2010-2015 CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AND APPROVE ALLOCATION PROCESS FOR FISCAL YEAR 2014-2015 CDBG-FUNDED ACTIVITIES -**](#)

Request Council conduct a public hearing to review and reaffirm the community development priorities adopted in the 2010-2015 Five-Year Consolidated Plan for CDBG; approve an allocation process for FY 2014-2015 CDBG funds to utilize the maximum 15 percent allowable for public service activities to address the priorities for the Consolidated Plan and the maximum 20 percent allowable for administration of the CDBG program.

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

CURRENT BUSINESS

20. [**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE CITIES OF CARLSBAD, OCEANSIDE, SAN MARCOS AND VISTA -**](#)

Request Council authorize the Mayor to execute a Memorandum of Understanding (MOU) for Business Retention and Attraction Cooperation between the City of Escondido and the cities of Carlsbad, Oceanside, San Marcos and Vista.

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson)**

21. [**FINANCIAL REPORT FOR THE QUARTER ENDING DECEMBER 31, 2013 -**](#)
Request Council receive and file the second quarter financial report for fiscal year 2013/2014.

Staff Recommendation: **Receive and file (Finance Department: Sheryl Bennett)**

WORKSHOP

22. [**CITY COUNCIL WORKSHOP: CHARTER CITY PROPOSAL -**](#)
Discussion and input from the public regarding a potential Charter City measure to be placed on the ballot.

Staff Recommendation: **Provide direction to staff (City Attorney's Office: Jennifer K. McCain)**

FUTURE AGENDA

23. [**FUTURE AGENDA -**](#)
The purpose of this item is to identify issues presently known to staff or which members of the 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

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ADJOURNMENT

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
March 26	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
April 2	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
April 9	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
April 16	-	-	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 839-4641. 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
February 12, 2014
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, February 12, 2014 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE

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

ORAL COMMUNICATIONS

None

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

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

I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)

- a. Agency negotiator: Sheryl Bennett, Clay Phillips
Employee organization Maintenance & Operations, Teamsters Local 911
- b. Agency negotiator: Sheryl Bennett, Clay Phillips
Employee organization Management & Unclassified Employees

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

Case Name: CITY OF ESCONDIDO V. SYLVIA CLARK
Case No: Case No.: 37-2013-00074379-CU-MC-NC

Case Name: WLODARCZYK/NOWAK, ET AL. V. CITY OF ESCONDIDO, ET AL.
Case No: Case No.: 37-2012-00057561-CU-PO-NC

Case Name: COOPER, ET AL. V. CITY OF ESCONDIDO
Case No: Case No.: 37-2012-00057303-CU-PO-NC

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

- | | | |
|----|---------------------|------------------------------------|
| a. | Property: | 1944 Bienvenido Lane |
| | City Negotiator | Debra Lundy |
| | Negotiating parties | San Diego Foundation |
| | Under negotiation | Price and Terms of Agreement |
| b. | Property: | APN: 241-171-01 |
| | City Negotiator | Debra Lundy, Real Property Manager |
| | Negotiating parties | Djukic Living Trust |
| | Under negotiation | Price and Terms of Agreement |
| c. | Property: | APN: 240-230-29,30 & 31 |
| | City Negotiator | Debra Lundy, Real Property Manager |
| | Negotiating parties | Charles Lypps |
| | Under negotiation | Price and Terms of Agreement |
| d. | Property: | APN: 235-050-15; APN: 235-050-58 |
| | City Negotiator | Debra Lundy, Real Property Manager |
| | Negotiating parties | Lee & Associates |
| | Under negotiation | Price and Terms of Agreement |
| e. | Property: | APN: 225-270-54 |
| | City Negotiator | Debra Lundy, Real Property Manager |
| | Negotiating parties | Hallmark Communities |
| | Under negotiation | Price and Terms of Agreement |
| f. | Property: | 2512 E. Washington Avenue |
| | City Negotiator | Debra Lundy, Real Property Manager |
| | Negotiating parties | County of San Diego Tax Collector |
| | Under negotiation | Price and Terms of Agreement |

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:47 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
February 12, 2014
4:30 P.M. Meeting Minutes

Escondido City Council
And as Successor Agency to the CDC
Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council, Successor Agency to the CDC and Mobilehome Rent Review Board was called to order at 4:48 p.m. in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Abed led the flag salute.

ATTENDANCE

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

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Public Works Director; Diane Halverson, City Clerk; and Liane Uhl, Minutes Clerk.

ORAL COMMUNICATIONS

Jerry Van Leeuwen, California Center for the Arts Director, gave a presentation on an upcoming Art in Nature event on April 5-6, 2014.

Rick Paul, Escondido, indicated that Friends of Daley Ranch did not oppose cell towers on Daley Ranch.

Grant Taylor, Escondido, stated he did not want a BMX track at Kit Carson Park.

Dragan Razmilovic, Escondido, voiced concern with his high water bill.

Roy Garrett, Escondido, asked Council to plant new roses in the rose garden at Grape Day Park and to plant a water-wise garden in Kit Carson Park.

Homer Farsad, Escondido, expressed concern with his high water bill and asked that a Councilmember look into the matter.

Nancy Burian, Escondido, voiced concern with maintenance vehicles parked on the streets, people using cell phones while driving, and smokers in apartments.

Julianne Jones, Escondido, expressed concern that her clients were receiving parking tickets when visiting her business in downtown Escondido.

CONSENT CALENDAR

Councilmember Diaz removed items 8, 11, and 18 and Councilmember Morasco removed items 4, 5, 9, 14 and 19 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson that the following Consent Calendar items be approved with the exception of items 4, 5, 8 9, 11, 14, 18 and 19. 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:** Regular Meeting of January 8, 2014
Regular Meeting of January 15, 2014
4. **AWARD BID FOR SIX TOYOTA CAMRY HYBRIDS** - Request Council award the bid for the purchase of six 2014 Toyota Camry Hybrids to Toyota of Escondido in the amount of \$156,570 which includes sales tax, documentation fees and California State Tire Recycling fee. The purchase of these six vehicles will replace four City Hall carpool vehicles, one Traffic Engineering vehicle and one Water Treatment Plant vehicle. (File No. 0470-35)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

RESOLUTION NO. 2014-14

Councilmember Morasco asked if there were safety issues with the vehicles.

Joseph Goulart, Fleet Services Superintendent, stated that vehicles were replaced when they had excessive miles and these vehicles should have been replaced in 2011.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to award the bid for the purchase of six 2014 Toyota Camry Hybrids to Toyota of Escondido in the amount of \$156,570 which includes sales tax, documentation fees and California State Tire Recycling fees. The purchase of these six vehicles will replace four City Hall carpool vehicles, one Traffic Engineering vehicle and one Water Treatment Plant vehicle and adopt Resolution No. 2014-14. Motion carried unanimously.

5. **AWARD BID FOR A VACUUM SEWER JET TRUCK** - Request Council reject Haaker Equipment Company's bid in the amount of \$428,976 which includes sales tax, documentation fees, training and California State Tire Recycling fee as a nonresponsive bidder; and accept Plumbers Deport Incorporated in the amount of \$451,175 for the purchase of a vacuum sewer jet truck to be utilized by the Public Works Street Department for storm water compliance. (File No. 0470-35)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

RESOLUTION NO. 2014-15

Councilmember Morasco if there could be a rebid for a vacuum sewer truck.

Joseph Goulart, Fleet Services Superintendent, and Blanca Wolf, Purchasing Supervisor, explained the bidding process and indicated the lowest bidder had deviated from the requirements.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Dias to reject Haaker Equipment Company's bid in the amount of \$428,976 which includes sales tax, documentation fees, training and California State Tire Recycling fee as a nonresponsive bidder; and accept Plumbers Deport Incorporated in the amount of \$451,175 for the purchase of a vacuum sewer jet truck to be utilized by the Public Works Street Department for storm water compliance and adopt Resolution No. 2014-15. Motion carried unanimously.

6. **APPROVAL OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 14-15A) FOR THE PERIOD JULY 2014 THRU DECEMBER 2014** - Request Council approve the Recognized Obligation Payment Schedule (ROPS 14-15A) so that the Successor Agency may continue to make payments due for enforceable obligations. (File No. 0440-35)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

RESOLUTION NO. 2014-06

7. **GRANT OF ELECTRIC FACILITIES EASEMENT TO SDG&E (APN: 235-051-05)** - Request Council authorize the Real Property Manager to execute a utility easement to SDG&E. (File No. 0480-70)

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

RESOLUTION NO.: 2014-07

8. **SECOND AMENDMENT TO THE CONSULTING AGREEMENT WITH AECOM FOR DESIGN OF THE CITRACADO PARKWAY EXTENSION PROJECT** - Request Council authorize the Mayor and City Clerk to execute the second amendment to the consultant contract with AECOM in the amount of \$634,448 for additional design services for the Citracado Parkway Extension Project. (File No. 0600-10 [A-3059])

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

RESOLUTION NO. 2014-19

Councilmember Diaz asked for the source of the funding.

Julie Procopio, Public Works Engineering Assistant Director, indicated the funding was from Transnet.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to authorize the Mayor and City Clerk to execute the second amendment to the consultant contract with AECOM in the amount of \$634,448 for additional design services for the Citracado Parkway Extension Project and adopt Resolution No. 2014-19. Motion carried unanimously.

- 9. APPROVE A PUBLIC SERVICES AGREEMENT AND BUDGET ADJUSTMENT FOR REPAIR OF A STORM DRAIN PIPE ON DON LEE PLACE** - Request Council authorize the Public Works Director/City Engineer to execute a Public Services Agreement with Shaw Equipment Rentals; and approve a budget adjustment for repair of a storm drain on Don Lee Place. (File No. 0600-10 Misc.)

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

RESOLUTION NO. 2014-18

Councilmember Morasco asked for clarification of the contingency on the bid.

Julie Procopio, Public Works Engineering Assistant Director, answered that the project had possible unknown situations and required a higher contingency.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to authorize the Public Works Director/City Engineer to execute a Public Services Agreement with Shaw Equipment Rentals; and approve a budget adjustment for repair of a storm drain on Don Lee Place and adopt Resolution No. 2014-18. Motion carried unanimously.

- 10. IMPLEMENT TWO HOUR AND THREE HOUR PARKING ON PORTIONS OF LINCOLN AVENUE, ASH STREET AND W. NINTH AVENUE** - Request Council approve implementing limited time parking on Lincoln Avenue between Ash Street and Harding, Ash Street south of Lincoln Avenue and the 300 Block of W. Ninth Avenue. (File No. 1050-50)

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

RESOLUTION NO. 2014-09

- 11. NOTICE OF COMPLETION FOR THE ESCONDIDO CREEK TRAIL LIGHTING PROJECT** - Request Council approve and accept the Escondido Creek Trail Lighting Project; and authorize staff to file a Notice of Completion for the project located along the Escondido Creek Trail between Broadway and Ash Street. (File No. 0600-10 [A-3080])

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

Councilmember Diaz indicated there was an event on Saturday, March 8, 2014 to celebrate the installation of 88 lights on the Escondido Creek Trail. The event will begin at dusk by the Grape Day Park trail.

MOTION: Moved by Councilmember Diaz and seconded by Mayor Abed to approve and accept the Escondido Creek Trail Lighting Project; and authorize staff to file a Notice of Completion for the project located along the Escondido Creek Trail between Broadway and Ash Street. Motion carried unanimously.

- 12. FIRST AMENDMENT TO LEASE AGREEMENT WITH LA PAZ FUNERAL HOME, INC. AT 240 SOUTH BROADWAY** - Request Council authorize the Real Property Manager and City Clerk to execute a First Amendment to Lease Agreement with La Paz Funeral Home, Inc. at 240 South Broadway. (File No. 0600-10 [A-3070])

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

RESOLUTION NO. 2014-12

- 13. FIRST AMENDMENT TO LEASE AGREEMENT WITH ESCONDIDO FEDERAL CREDIT UNION AT 201 N. BROADWAY (POR.) AND EAST VALLEY COMMUNITY CENTER (POR.)** - Request Council authorize the Real Property Manager and City Clerk to execute a First Amendment to the Lease Agreement with the Escondido Federal Credit at 201 N. Broadway (Por.) and the East Valley Community Center (Por.). (File No. 0600-10 [A-3007])

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

RESOLUTION NO. 2014-11

- 14. LEASE AGREEMENT WITH CHARROS DE ESCONDIDO, F.M.CH. AT 3400 VALLEY CENTER ROAD** - Request Council authorize the Real Property Manager and City Clerk to execute a Lease Agreement with the Charros de Escondido, F.M.CH. at 3400 Valley Center Road. (File No. 0600-10 [A-3110])

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

RESOLUTION NO. 2014-10

Councilmember Morasco indicated he approved the lease with the Charros de Escondido, F.M.CH.

Alejandro Sanchez, Escondido, stated the lease language confused him and he would like it rewritten.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to authorize the Real Property Manager and City Clerk to execute a Lease Agreement with the Charros de Escondido, F.M.CH. at 3400 Valley Center Road and adopt Resolution No. 2014-10. Motion carried unanimously.

- 15. ESTABLISH ENGINEERING AND TRAFFIC SURVEYS (SPEED ZONES) AT FOUR LOCATIONS CITYWIDE** - Request Council approve establishing Engineering and Traffic Surveys (speed zones) at four locations. (File No. 1050-50)

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

RESOLUTION NO. 2014-16

- 16. BID AWARD FOR THE WATER TREATMENT PLANT (WTP) FLOCCULATION AND SETTLING BASIN REHABILITATION PROJECT** - Request Council authorize the Mayor and City Clerk to execute a Public Improvement Agreement with the lowest responsive and responsible bidder for the WTP Flocculation and Settling Basic Rehabilitation Project. (File No. 0600-10 [A-3107])

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

RESOLUTION NO. 2014-20

- 17. PUBLIC SAFETY DISPATCH POSITION AUTHORIZATION** - Request Council authorize the Chief of Police and Police Department staff to convert two part-time public safety dispatcher positions to one-full public safety dispatcher position, using Fiscal Year General Fund Budget monies allocated for part-time positions. (File No. 0700-50)

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

- 18. CITY COUNCIL MEETINGS AND PROCEDURES** - Recommend Council authorize amending Sections 2-21 of the Escondido Municipal Code pertaining to time and conduct of City Council Meetings and City Council policies; and approve amending the Council Rules and Procedures to provide for similar changes. (File No. 0610-90)

Staff Recommendation: **Approval (City Attorney's Office: Jeffrey Epp)**

A. RESOLUTION NO. 2014-21

B. ORDINANCE NO. 2014-09 (Introduction and First Reading)

Councilmember Diaz asked for clarification of several terms in the policies and procedures.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Masson to authorize amending Sections 2-21 of the Escondido Municipal Code pertaining to time and conduct of City Council Meetings and City Council policies; approve amending the Council Rules and Procedures to provide for similar changes, have a future discussion of the policies, adopt Resolution No. 2014-21 and introduce Ordinance No. 2014-09. Ayes: Abed, Gallo, Masson and Morasco. Noes: Diaz. Absent: None. Motion carried.

- 19. SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM APPLICATION** - Request Council authorize the Director of Community Development or her designee to complete an application to the Strategic Growth Council/Department of Conservation for state Sustainable Communities Planning Grant and Incentive Program funds to prepare and update Area Plans for a combined South Escondido Boulevard/South Quince Street Target Area. If awarded, it is requested that the Director of Community Development or her designee be authorized to accept the grant funds and to complete grant documents on behalf of the City. (File No. 0480-70)

Staff Recommendation: **Approval (Community Development/Planning: Barbara Redlitz)**

RESOLUTION NO. 2014-23

Councilmember Morasco asked what the qualifications were for an environmental justice community.

Karen Youel, Housing Department, indicated that income and language were the primary qualifiers.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to authorize the Director of Community Development or her designee to complete an application to the Strategic Growth Council/Department of Conservation for state Sustainable Communities Planning Grant and Incentive Program funds to prepare and update Area Plans for a combined South Escondido Boulevard/South Quince Street Target Area. If awarded, it is requested that the Director of Community Development or her designee be authorized to accept the grant funds and to complete grant documents on behalf of the City and adopt Resolution No. 2014-23. Motion carried unanimously.

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.)

PUBLIC HEARINGS

- 20. SHORT-FORM RENT INCREASE APPLICATION SUBMITTED BY LAKE BERNARDO MOBILE ESTATES (FILE NO. 0697-20-9970) CONTINUED HEARING** - Request Council consider the short-form rent increase application submitted by Lake Bernardo Mobile Estates and information presented by the Park owner regarding the rehabilitation of roads and other projects. If approved, grant an increase of seventy-five percent (75%) of the change in the Consumer Price Index, or 1.654% (an average of \$9.83) for the period of December 30, 2011 to June 30, 2013 upon receipt of a satisfactory project schedule for rehabilitating the Park roads by staff. **This item was continued from the Council Meeting on January 15, 2014.** (File No. 0697-20-9970)

Staff Recommendation: **Approval (Community Development/Housing: Barbara Redlitz)**

RRB RESOLUTION NO. 2014-01R

Karen Youel, Housing Department, gave the staff report and presented a series of slides.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way.

Priscilla Cervantes, Park Owner Representative, stated the park had a plan for the scheduled maintenance and road repairs at the park.

Claire Lacour, Park Owner Representative, described the landscape replanting project proposed for the park.

Nancy Wikoff, Escondido, stated there were maintenance issues in the park.

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

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to grant the short-form application and adopt RRB Resolution No. 2014-01R. Motion carried unanimously.

- 21. APPEAL OF A LAND USE DETERMINATION (ADM 13-0168)** - Request Council approve denying the appeal and upholding the Land Use Determination made by the Planning Commission and the Director of Community Development. (File No. 0800-40 ADM 13-0168)

Staff Recommendation: **Denial of the appeal (Community Development/Planning Division: Barbara Redlitz)**

RESOLUTION NO. 2014-24

Barbara Redlitz, Community Development Director, gave the staff report and presented a series of slides.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way.

Marco Gonzales, Coast Law Group, gave a presentation and requested Council grant the appeal.

Todd Walters, Vista, stated he did not support a 99 cent store in the downtown area.

Michael Rubin, Shopping Center Owner, indicated the shopping center had two owners and urged Council to grant the appeal.

Matthew Strauss, Rancho Santa Fe, requested that Council grant the appeal.

Jim Crone, Escondido, urged Council to grant the appeal.

Doug Digison, Anaheim 99 Cent Store Owner, stated he was available for questions and requested that Council grant the appeal.

Jonathan Langford, Corona del Mar Real Estate Manager, urged Council to grant the appeal.

Nicole Downey, Escondido, stated the residents wanted a 99 cent store.

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

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to approve the appeal of the Land Use Determination. Ayes: Diaz, Masson and Morasco. Noes: Abed and Gallo. Absent: None. Motion carried.

- 22. PUBLIC HEARING FOR CITY OF ESCONDIDO LANDSCAPE MAINTENANCE DISTRICT ZONE 38** - Request Council receive public input from the property owner in Zone 38 of the City of Escondido Landscape Maintenance District (LMD) on the proposed budget and assessments for Fiscal Year 2014/2015. No Council Action is required. (File No. 0685-10)

Staff Recommendation: **None (Public Works/ Engineering: Ed Domingue)**

Julie Procopio, Public Works Engineering Assistant Director, gave the staff report.

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.

NO ACTION, INFORMATION ONLY

CURRENT BUSINESS

- 23. BUDGET ADJUSTMENT AND MODIFICATION TO THE PARK DEVELOPMENT FUND TO TRANSFER FUNDS TO PAY FOR UNANTICIPATED REPAIRS TO THE KIT CARSON PARK SOFTBALL COMPLEX CONCESSION** - Request Council approve a budget transfer from the Park Development Fund's Kit Carson Park Play Equipment project in the amount of \$134,384; and approve transferring funds to make repairs and upgrades in the Kit Carson Park Adult Softball

Complex concession stand to meet County Environmental Health Department requirements. (File No. 0430-80)

Staff Recommendation: **Approval (Library and Community Services/Recreation: Loretta McKinney)**

RESOLUTION NO. 2014-26

Loretta McKinney, Library and Community Services Director, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve a budget transfer from the Park Development Fund's Kit Carson Park Play Equipment project in the amount of \$134,384; approve transferring funds to make repairs and upgrades in the Kit Carson Park Adult Softball Complex concession stand to meet County Environmental Health Department requirements and adopt Resolution No. 2014-26. Motion carried unanimously.

- 24. RENAME KIT CARSON PARK'S "SAND LAKE" TO "SCOUT LAKE"** - Request Council approve the renaming of Kit Carson Park's "Sand Lake" to "Scout Lake". (File No. 0915-07)

Staff Recommendation: **Approval (Library and Community Services: Loretta McKinney)**

Loretta McKinney, Library and Community Services Director, and Christopher McKinney, Utilities Director, gave the staff report and presented a series of slides.

Dr. Pat Archer, Escondido, urged Council to rename the lake to "Eagle Scout Lake".

Barry Baker, Escondido, indicated the name should be "Eagle Scout Lake" instead of "Scout Lake".

Dr. Jungman, Escondido, requested Council change the lake's name to "Eagle Scout Lake".

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve the renaming of Kit Carson Park's "Sand Lake" to "Eagle Scout Lake". Motion carried unanimously.

- 25. NEXT GENERATION REGIONAL COMMUNICATIONS SYSTEM AGREEMENT (NEXTGEN RCS)** - Request Council approve the Next Generation Regional Communications System (NextGen RSC) Agreement between the County of San Diego and participating cities and jurisdictions regarding the implementation, governance, method of funding and costs of a regional radio system providing communication services to Public Safety and Public Service Agencies operating in San Diego and Imperial Counties; and authorize the Mayor to execute the agreement on behalf of the City. (File No. 0600-10 [A-3109])

Staff Recommendation: **Approval (Fire Department: Michael Lowry)**

RESOLUTION NO. 2014-22

Fire Chief Michael Lowry gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve the Next Generation Regional Communications System (NextGen RSC) Agreement between the County of San Diego and participating cities and jurisdictions regarding the implementation, governance, method of funding and costs of a regional radio system providing communication services to Public Safety and Public

Service Agencies operating in San Diego and Imperial Counties; authorize the Mayor to execute the agreement on behalf of the City and adopt Resolution No. 2014-22. Motion carried unanimously.

FUTURE AGENDA

- 26. FUTURE AGENDA** - The purpose of this item is to identify issues presently known to staff or which members of the 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)**

Mayor Abed stated the State of the City address would be held on February 26, 2014 at the California Center for the Arts, Escondido. Boards and Commissions interviews would be held on March 5, 2014 and March 12, 2014. The North County Branding Memorandum of Understanding would be on the March 19, 2014 agenda.

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Gallo stated the San Diego County Water Authority was meeting to discuss the drought situation in California.

Councilmember Masson attended a League of California Cities meeting where the 211 phone services were discussed. He also attended a SANDAG retreat

Councilmember Morasco indicated he and Councilmember Masson were on the City's Annual Awards Committee and had chosen those individuals to be presented the awards at the State of the City address.

Mayor Abed stated LAFCO had discussed several projects that were to be annexed to the City. SANDAG was moving forward with the FORWARD Program.

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

Nicole Downey, Escondido, stated the Crusin' Grand fundraiser was scheduled for Sunday, February 16, 2014.

Benjamin Carson, Escondido, asked Council to overlook the daily operations of senior facilities.

Alejandro Sanchez, Escondido, indicated that many seniors were not treated well in some senior facilities.

ADJOURNMENT

Mayor Abed adjourned the meeting at 9:00 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

**CITY OF ESCONDIDO
SPECIAL MEETING OF THE CITY COUNCIL
8:30 A.M. WEDNESDAY, FEBRUARY 26, 2014
CALIFORNIA CENTER FOR THE ARTS, ESCONDIDO
STATE OF THE CITY
MINUTES**

CALL TO ORDER

The Special Meeting of the City Council of the City of Escondido, California, was called to order at 8:30 a.m. on Wednesday, February 26, 2014 at the California Center for the Arts, Escondido with Mayor Abed presiding.

WELCOME

City Manager, Clay Phillips, welcomed everyone to the annual State of the City address by Mayor Abed.

FLAG SALUTE

George Chamberlain, Financial Analyst, led the flag salute accompanied by the Police and Fire Department Color Guard.

MASTER OF CEREMONIES

George Chamberlain introduced the Mayor and Councilmembers and noted numerous elected officials from other cities in attendance.

CHAMBER OF COMMERCE REMARKS

Fred Baranowski, Chairman of the Board, reported on the Chamber of Commerce sponsored activities that were held in the city.

ATTENDANCE

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

RECOGNITION OF COMMUNITY AND STAFF

The following employees were acknowledged for their service to the City of Escondido:

<i>Frank Schmitz.....</i>	<i>35 years</i>
<i>Jonathan Hinchliff.....</i>	<i>25 years</i>
<i>Lt. Jim Lanigan.....</i>	<i>25 years</i>
<i>Gail Walker.....</i>	<i>25 years</i>

Escondido City Council Awards were presented by Mayor Abed and members of the Council to the following:

<u>Recipient</u>	<u>Category</u>
<i>Patricia Huerta</i>	<i>Mayor's Leadership Award</i>
<i>Escondido Growers for Agricultural Preservation</i>	<i>Business</i>
<i>Dana Nuesca.....</i>	<i>Civic Engagement</i>
<i>Patti Thompson.....</i>	<i>Community Service</i>
<i>Adriana Teodoro.....</i>	<i>Education</i>
<i>Zella Norwood.....</i>	<i>Youth</i>
<i>The Heritage Garden.....</i>	<i>Service Above Self</i>

Recognition was given to the following Board and Commission members who retired during the past year:

Community Services Commission
Jennifer Burrows.....3 years
Joseph Garcia1 year
Dolly Pitcher4 years
Lynn Russell.....13 years

Planning Commission
Darol Caster16 years

Public Art Commission
Dawn Evans.....21 years
Phyllis Savin.....14 years

MAYOR'S STATE OF THE CITY ADDRESS

Mayor Abed noted the many accomplishments made in the past year including a balanced budget, new downtown housing projects, new school campuses, two Wal-Mart stores, The Cheesecake Factory, Swami's, Plan 9 Alehouse and soon a Black Angus Steakhouse as major improvements in the city.

Mayor Abed listed four key areas to build the economy in 2014:

ECONOMIC GROWTH: Prepare the Public Works Yard and adjacent city properties for a business park; conduct a comprehensive review of building codes and regulations, and work to bring a full service hotel to Escondido.

PUBLIC SAFETY: Address Police and Fire staffing and technological needs and integrate the \$5 million Regional Communication System to improve efficiency.

NEIGHBORHOOD IMPROVEMENT: Implement a proactive code enforcement policy; develop a 5-year comprehensive plan to improve our urban core; and maintain and improve our recreational facilities and parks.

FISCAL MANAGEMENT: Resubmit the Charter City proposal to the voters this November and maintain our balanced budget and use surpluses to improve core services.

ORAL COMMUNICATIONS

None

ADJOURNMENT

Mayor Abed adjourned the meeting at 9:30 a.m.

MAYOR

CITY CLERK

MINUTES CLERK

**CITY OF ESCONDIDO
MARCH 5, 2014
3:30 p.m. Meeting Minutes**

Mitchell Room

**Special Meeting of the
Escondido City Council, Building Advisory and Appeals Board,
Library Board of Trustees, Personnel Board of Review and Transportation and
Community Safety Commission**

CALL TO ORDER

ATTENDANCE

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

ORAL COMMUNICATIONS

JOINT CITY COUNCIL AND BOARD/COMMISSION INTERVIEWS

3:30 – 4:00 p.m. Library Board of Trustees

Oral Communications

Brief description of the Library Board of Trustees (**Loretta McKinney**)

Discussion among Council, current Board/Commission members and applicants regarding expectations and responsibilities and duties associated with membership on the Library Board of Trustees, and the role of the Library Board of Trustees in City Government.

Adjournment

4:00 – 4:15 p.m. Personnel Board of Review

Oral Communications

Brief description of the Personnel Board of Review **(Sheryl Bennett)**

Discussion among Council, current Board/Commission members and applicants regarding expectations and responsibilities and duties associated with membership on the Personnel Board of Review, and the role of the Personnel Board of Review in City Government.

Adjournment

4:15 – 4:45 p.m. Transportation and Community Safety Commission

Oral Communications

Brief description of the Transportation & Community Safety Commission **(Ali Shahzad)**

Discussion among Council, current Board/Commission members and applicants regarding expectations and responsibilities and duties associated with membership on the Transportation & Community Safety Commission and the role of the Transportation & Community Safety Commission in City Government.

Adjournment

4:45 – 5:00 p.m. Building Advisory and Appeals Board

Oral Communications

Brief description of the Building Advisory & Appeals Board **(Tim Draper)**

Discussion among Council, current Board/Commission members and applicants regarding expectations and responsibilities and duties associated with membership on the Building Advisory & Appeals Board, and the role of the Building Advisory & Appeals Board in City Government.

Adjournment

ADJOURNMENT

Adjournment at 5:05 p.m.

CITY COUNCIL

For City Clerk's Use:

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APPROVED

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DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 4

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Public Works Director/City Engineer
Julie Procopio, Assistant Director of Public Works/Engineering

SUBJECT: Notice of Completion for Encino/El Dorado Storm Drain Replacement Project

RECOMMENDATION:

It is requested that Council approve and accept the public improvements and authorize staff to file a Notice of Completion for the Encino/El Dorado Storm Drain Replacement Project.

FISCAL ANALYSIS:

Funding for the storm drain replacement was available in the Storm Drain Infrastructure Budget.

PREVIOUS ACTION:

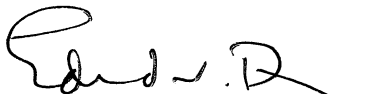
Council adopted Resolution No. 2013-146 that authorized the Mayor and City Clerk to execute a Public Improvement Agreement for an amount not to exceed \$460,000.

BACKGROUND:

Encino/El Dorado Storm Drain Replacement Project replaced a failing private storm drain with a public system. In order to alleviate flooding, and provide for the ultimate drainage system needs, the existing 36" pipeline was replaced with a 60" drain pipe.

The contract was awarded to Shaw Equipment Rentals, Inc. The work began December 12, 2013 and was completed by February 27, 2014. The total contract price was \$452,925.65.

Respectfully submitted,

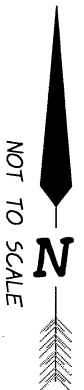
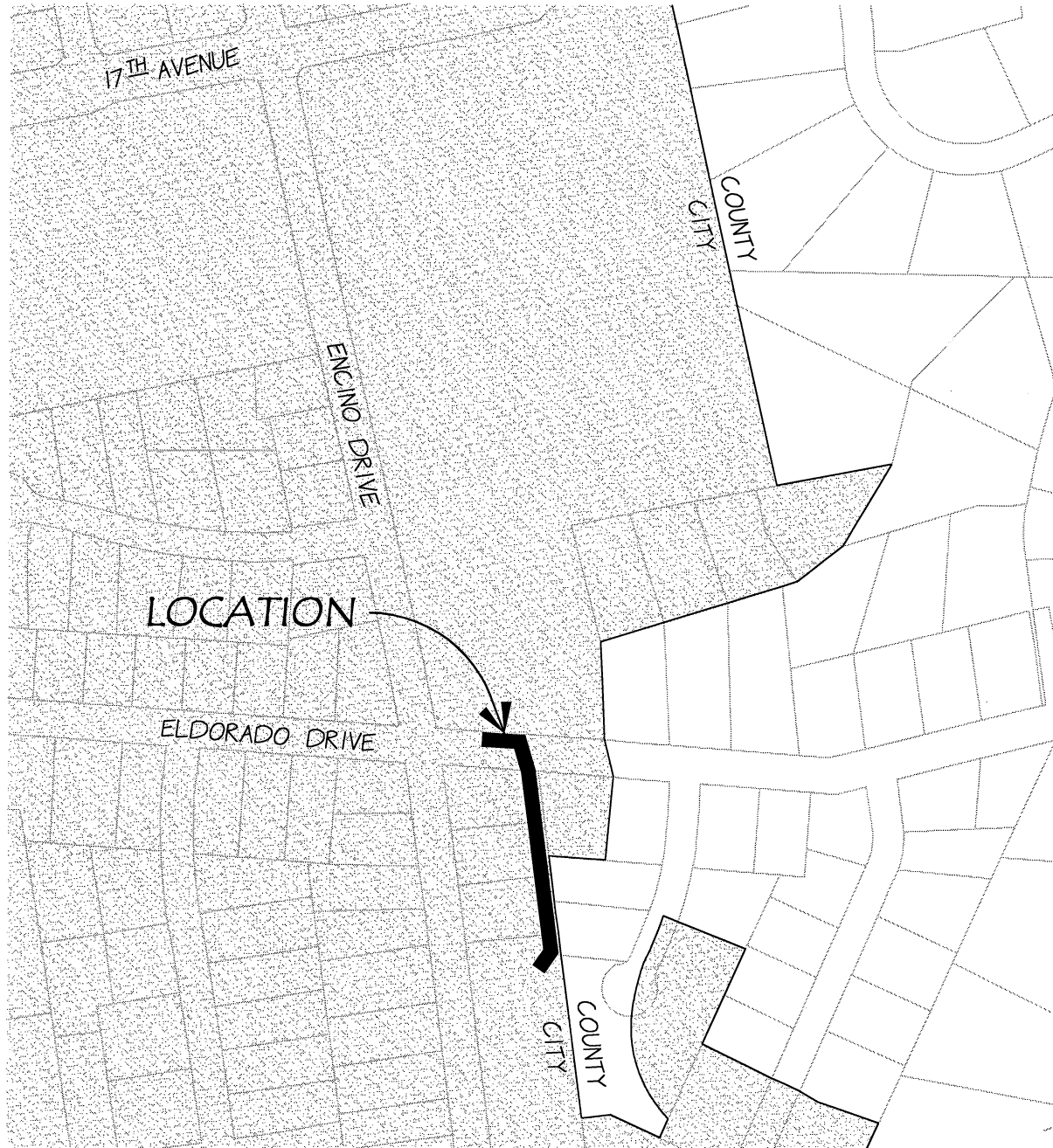


Edward N. Domingue, P.E.
Public Works Director/City Engineer



Julie Procopio, P.E.
Assistant Director of Public Works/Engineering

ENCINO / ELDORADO STORM DRAIN PROJECT



NOTICE OF COMPLETION
CITY COUNCIL MEETING 03-19-2014

CITY COUNCIL

For City Clerk's Use:

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APPROVED

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DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 5

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Debra Lundy, Real Property Manager

SUBJECT: Land Acquisition of APN 225-270-54 and 2512 E. Washington Avenue for the Recycled Water Easterly Main Extension Project

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2014-33 authorizing the Real Property Manager and City Clerk to execute documents necessary for the purchase of two properties required for the Recycled Water Easterly Main Extension Project: APN 225-270-54 and 2512 E. Washington Avenue; and approve a Budget Adjustment to increase the Park Development Fund related to the disposition of real property (\$1.06 million).

FISCAL ANALYSIS:

The Wastewater Fund plans to purchase City owned real property, APN 225-270-54, with an appraised value of \$1.06 million from the Park Development Fund. Funding for this purchase will come from an existing Wastewater Capital Project called the Recycled Water Easterly Main Storage Tank and Pump Station Project #801202. This project currently has an available balance of \$1.4 million and was originally funded with wastewater bonds issued in 2012. Additionally, if the County approves the City's application to purchase the Tax Default property located at 2512 E. Washington Avenue, this same Wastewater Project #801202 will pay up to \$132,000 to the County for the property acquisition.

PREVIOUS ACTION:

N/A

BACKGROUND:

The proposed Recycled Water Easterly Main Project ("Project") will expand the City's existing recycled water conveyance system to deliver recycled water to customers located east of the City's existing recycled water service area. The Project is currently in design, and will involve the extension of the existing pipeline, and the construction and operation of a recycled water pump station and recycled water storage tank. Additionally, an Advanced Water Treatment Facility is anticipated to improve the quality of reclaimed water delivered.

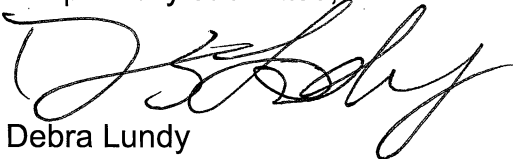
The City currently owns an unimproved 3.25 acre site within the Project area, which was purchased for park development. Ryan Park was subsequently developed and this site was no longer needed for park purposes. The property was in escrow until 2011 when the Buyer backed out of the deal. Utilities identified this site as crucial to its Project due to its size, proximity to Citrus Avenue and the channel, and its flat terrain. Alternatives have been explored, however this site remains the best available option for siting of the pump station and related facilities.

An appraisal was performed of the City site, which concluded a fair market value of \$1.06 million dollars. This action will allow staff to effectuate the fund and asset transfer between the Park Development Fund and Utilities Department, which will enable Utilities to construct the next phase of its Project.

The adjacent property, located at 2512 E. Washington, is available for purchase via a Tax Default Sale. The City has submitted an application to the County to purchase this property for the Project, which will include the construction of an Advanced Water Treatment Facility. This action would further authorize the acquisition and expenditure of up to \$120,000 plus 10% for administrative costs as may be required by the County (\$132,000) for the acquisition of this parcel.

The Project is located within a residential community and appropriate screening and blending with the community will be required in accordance with the CEQA document (Mitigation Measure AES-1: Vegetation Screening to Reduce Visual Impacts: Final Mitigated Negative Declaration, October 2013). Further, as part of the City's mitigation, the proposed facilities will be painted low-glare earth-tone colors to blend with the surrounding terrain and will be designed in a manner reasonably consistent with the architectural features of the surrounding neighborhood. At least one community meeting will be held in order to invite public participation in the design and planning of the proposed Project. The Utilities Department will bring the final design plans to City Council for approval at a future date.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Debra Lundy', written over a horizontal line.

Debra Lundy
Real Property Manager



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: 3/10/2014
Department: City Manager's Office/Real Property
Division: Real Property
Project/Budget Manager: Debra Lundy x4034
Name Extension
Council Date (if applicable): 3/19/2014
(attach copy of staff report)

For Finance Use Only

Log # _____
Fiscal Year _____
____ Budget Balances
____ General Fund Accts
____ Revenue
____ Interfund Transfers
____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Sale of City Property	4901-109-000	\$1,060,000	

Explanation of Request:

To show the revenue from the sale of City property in the Park Development Fund.

APPROVALS

Department Head

3/11/14

Date

City Manager

Date

Finance

Date

City Clerk

Date

Distribution (after approval):

Original: Finance

RESOLUTION NO. 2014-33

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE REAL PROPERTY
MANAGER AND CITY CLERK TO EXECUTE,
DOCUMENTS NECESSARY FOR THE
PURCHASE OF LAND NEEDED FOR THE
RECYCLED WATER EASTERLY MAIN
EXTENSION PROJECT

APNs: 225-270-54 & 225-270-56

WHEREAS, the City of Escondido purchased, with Park Development Funds, certain real property located on East Washington Avenue (APN 225-070-54, hereafter "City Owned Parcel") for park purposes; and

WHEREAS, subsequent to the acquisition, Ryan Park was purchased and developed, thereby rendering the City Owned Parcel surplus to the City's needs; and

WHEREAS, the City Owned Property, which was in escrow to a private third party, fell out of escrow in 2011; and

WHEREAS, the City's Utilities Department has been searching for a site to construct a pump station and related facilities within the vicinity of the site for its Recycled Water Easterly Main Extension Project ("Project"); and

WHEREAS, the City Owned Parcel was appraised at \$1.06 million, which the Wastewater Capital Project will pay into the Park Development Fund for the asset transfer; and

WHEREAS, the adjacent property located at 2512 East Washington Avenue (APN 225-270-56) is available via a County Tax Default Sale ("Tax Sale Parcel"); and

WHEREAS, the Project also involves the construction of an Advanced Water Treatment Facility, which will require additional land for which Utilities desires the Tax Sale Parcel to assemble with the City Owned Parcel; and

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

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, documents necessary for purchasing the City Owned Parcel and Tax Sale Parcel for the Project in substantially the form used by the City for such projects, and subject to final approval as to form by the City Attorney.

CITY COUNCIL

For City Clerk's Use:

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APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 6

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Ed Domingue, Public Works Director/City Engineer
Julie Procopio, Assistant Public Works Director/Engineering

SUBJECT: Amendment to Encroachment Regulations

RECOMMENDATION:

It is requested that Council adopt Ordinance 2014-07 to amend Article 1, Chapter 23 of the Escondido Municipal Code to provide for an Annual Encroachment Permit.

FISCAL ANALYSIS:

There is no anticipated fiscal impact. The Annual Encroachment Permit fee will be equal to the average amount of Permit fees paid by each Utility Company during previous fiscal years. Minor and ordinary work is covered under the Annual Permit fee. Non-standard work, such as After-hours Inspections or Large Projects, are processed in accordance with the adopted fee schedule for those items.

PREVIOUS CITY COUNCIL ACTION:

City Council adopted Resolution 2013-99 that set a fee for a San Diego Gas and Electric ("SDG&E") Annual Permit of \$20,000 per year.

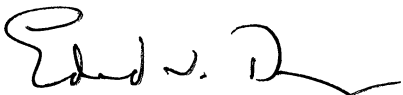
BACKGROUND:

As part of controlling streets and other public property, a city may prohibit encroachments into and obstructions on public property. Typically municipalities regulate encroachments by requiring an encroachment permit and permitting the encroachment only under specified conditions. The permit process enables city staff to know the nature of work occurring in the street, assure that other utilities will not be impacted, provide for public safety, and accomplish a number of other monitoring purposes which are important for the maintenance of safe streets, sidewalks, and related areas. Permits also provide indemnity to the City, and require the permit holder to have insurance, both of which minimize risk for the City in the event of mishap. The City of Escondido's process for permitting encroachments on public property is located in Article 1, Chapter 23 of the Escondido Municipal Code.

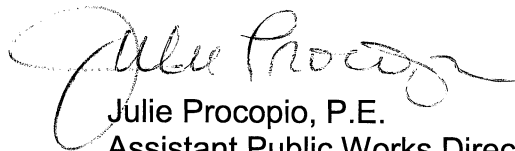
Currently an entity that does large volumes of work, such as SDG&E, has been required to individually permit each encroachment. The proposed changes implemented by Ordinance 2014-07 will now offer an efficient option for companies performing continuous and significant work to obtain an Annual Encroachment Permit. Under an Annual Permit, processing is streamlined and minor work can be completed within two days of advance notice. The Annual Permit option removes unnecessary steps from the permitting process and will benefit utility providers through decreased bureaucracy and time. The City has been working closely with SDG&E to discuss these amendments to the Code, and representatives from SDG&E are pleased with the proposed modifications.

Ordinance 2014-07 contains additional minor amendments to reflect current requirements such as street repairs, traffic control requirements, and classifications of work.

Respectfully submitted,



Edward N. Domingue, P.E.
Public Works Director/City Engineer



Julie Procopio, P.E.
Assistant Public Works Director/Engineering

ORDINANCE NO. 2014-07

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING ARTICLE 1, CHAPTER 23 OF
THE ESCONDIDO MUNICIPAL CODE TO
ADD ANNUAL ENCROACHMENT PERMITS

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

SECTION 1. Article 1, Chapter 23 of the Escondido Municipal Code is hereby amended to read as follows:

Sec. 23-1. Notice to remove obstructions required; manner of notification.

If any street, alley or public ground in the City is or shall be encroached upon or obstructed by any fence, building or other obstruction placed therein, the City Engineer shall require the encroachment or obstruction to be removed therefrom within ten (10) days by giving oral or written notice to the person causing or owning the encroachment or obstruction if such person resides in the City; or by posting notices in three (3) public places in the City if the person does not reside in the City.

Sec. 23-2. Removal of obstructions by city; recovery of costs, expenses.

If the encroachment or obstruction referred to in section 23-1 is not removed or commenced to be removed, and the removal diligently prosecuted prior to the expiration of the ten (10) days from the service or posting of the notice, the City Engineer may remove the same at the expense of the owner or person causing or controlling it, and recover his costs and expenses incurred in an action for that purpose.

Sec. 23-3. Implements, machines on sidewalks.

(a) It shall be unlawful to place, keep or expose on a sidewalk in the City, for advertising or exhibition, any sharp or dangerous tool, implement or machine, or to have on any portion of the sidewalk for longer than six (6) hours any tool, implement or machine that may endanger the limbs or safety of any person using or passing along such sidewalk.

(b) The provisions of this section shall not apply to encroachments or obstructions duly authorized by competent authority.

Sec. 23-4. Merchandise on sidewalks.

It shall be unlawful to place or leave, or permit to be placed or left, any goods, wares, merchandise, or other obstructions on the sidewalk in the City beyond the line of the building except as permitted by Ordinance 92-43 (Display and Sale of Retail Merchandise), or the Downtown Revitalization Area Specific Plan (91-02-SP).

Sec. 23-5. Placing merchandise, tools on outer side of sidewalk.

It shall be unlawful to place on the outer or street side of a sidewalk any goods, wares, tools or merchandise.

Sec. 23-6. Failure to remove obstruction an infraction.

Any person violating sections 23-3, 23-4 and 23-5, who does not, within one hour after notice, remove such obstruction, shall be guilty of an infraction.

Sec. 23-7. Freeway and expressway agreements or contracts.

Unless and until approved by a majority of the city's electors voting at a general or special election, the city shall not enter into an agreement or contract with the State of California or any other government or department, subdivision, agency or commission thereof (1) allowing construction of a freeway or expressway which would be in whole or in part within the boundaries of the city or (2) to close any city streets at or near the point of its intersection with any freeway or expressway or to make provision for carrying such city streets over or under or to a connection with the freeway or expressway or to do any work on such city street as is necessary therefore. The terms of this section shall not apply to existing Highway 395 or to currently proposed Interstate Freeway I-15.

Sec. 23-8. Encroachment Permits.

(a) Required. No person shall excavate, construct improvements, grade, or encroach within any public right-of-way of the City of Escondido without an Encroachment Permit issued pursuant to the terms of this Article.

(b) Annual Encroachment Permit. As an alternative procedure to the issuance of an individual Encroachment Permit as provided by Paragraph (a) of this Section, any person proposing to do continuous and significant work within the public right-of-way may request an Annual Encroachment Permit subject to approval by the City ("Annual Permittee").

Sec. 23-9. Classifications of Work.

For purposes of this Article, the word "work" shall mean an action to excavate, bore, construct, erect, install, operate, maintain, use, repair, locate, relocate, or replace any

pipings, poles, wires, conduits and appurtenances thereto in, upon, along, across, under or over the public rights-of-way.

(a) Minor Work means any work performed in the public right-of-way or in any City of Escondido easement that is completed without damage to the existing improvements. Minor Work is generally confined to work performed on existing facilities without damage to existing improvements. Any work performed on a street classified as a Prime Arterial, Major Road or Collector shall not be considered Minor Work. All vehicles on site must be able to park legally or on private property to complete any work under this classification.

(b) Emergency Work means any work which is urgent in nature, and is initiated to fulfill the City's and any Annual Permittee's desire to maintain or restore service to the residents and businesses within the City. This work will begin immediately and be completed within the shortest possible time frame.

(c) Ordinary Work means work performed in the public right-of-way or City of Escondido easement that will take one (1) to ten (10) working days to complete. This category of work includes the excavation, removal, and replacement of existing City of Escondido improvements, including sidewalks, street surfacing, curb and gutter, landscaping, and irrigation. Minor Work with Traffic Control performed on Prime Arterials, Major Roads, or Collectors will be included in this category.

(d) Non-Standard Work means any work in the public right-of-way or city easement within the City of Escondido that will require more than ten (10) working days to complete or requires City staff to be available during non-standard hours.

Sec 23-10. Annual Permit Requirements.

(a) Notification under Annual Permit. An Annual Permittee shall provide to the City a fax, E-mail or hand-delivered notice of its intent to commence work within the timeframes set forth below. A copy of the notice shall be kept on the construction site. This copy shall be presented and shown upon demand to any City Official for verification of authority to work. A lack of notice to the City for intended work pursuant to an Annual Permit may be subject to a stop work notice.

(1) **Minor Work** notices must be received at least two (2) business days prior to commencement of the work.

(2) **Emergency Work** notices must be received by the Engineering Department Permit Technician no later than three (3) working days after start of the work.

(3) **Ordinary Work** must be approved by the City prior to commencement. Notices must include submittal of a job sketch and Traffic Control Plan (TCP) on a form approved by the City. Plans for Ordinary Work will be reviewed within fifteen (15) working days from receipt of the notice. After receiving approval, the Annual Permittee must call to schedule a preconstruction meeting with the City Inspector.

(4) **Non-Standard Work** must be approved by the City prior to commencement. In addition to the requirements above for Ordinary Work, notification must include the circumstances and magnitude of the work, any proposed coordination with the City, and the amount of interface necessary. An Annual Permittee must also submit construction and traffic control drawings prior to receiving a specific authorization to work.

(b) Special Conditions. All Annual Permittees shall work with the City to address circumstances and conditions unique to any particular work and will comply with all reasonable requests which are intended to mitigate or lessen any impact caused by authorized work which may arise during the course of the Annual Permit.

(1) All **Work** must be done under the direct supervision of the Annual Permittee's Field Supervisor/Representative. Crews working under this Annual Permit shall have a supervisor/representative on the site during all work activities. Any subcontractor(s) acting on behalf of the Annual Permittee, shall have a qualified and skilled foreman on site during all work activities, and be under direct supervision of the Annual Permittee's field construction representative, who shall monitor and direct as needed, their subcontractors to include directing unskilled persons in their craft, site safety and health issues, construction methods involving all construction activities, traffic control, site maintenance, and any construction which impacts existing facilities.

(2) All Annual Permittees shall adhere to all right-of-way and/or Encroachment Permit conditions, standards, requirements, codes expected of a normally issued Encroachment Permit, except as preempted by State or Federal rules and laws.

(3) The City shall reserve the right to inspect the job site for public safety at any phase of construction. If at any time a City Inspector determines an unsafe condition exists, the condition will be mitigated on site or terminated until such condition can be resolved.

Sec. 23-11. Traffic Control.

All permittees shall abide by appropriate traffic control standards for the safe movement of traffic or pedestrians upon highways and streets in accordance with the State Vehicle Code and pursuant to the City Design Standards. The following time restrictions apply to all Minor and Ordinary Work. Residential street time restrictions are from 7:30 AM to 3:30 PM Monday through Friday. Time Restrictions for Collectors or Arterials are from 8:00 AM to 3:00 PM Monday through Friday. Any work activities which require work beyond these time restrictions require prior City Engineer approval.

Sec. 23-12. Street Repair.

Any damage to a right-of-way will be restored in accordance with City standards to an equal or better condition within five (5) days after completion of the work unless otherwise approved by the City Engineer. The extent of said repairs shall be determined by the City

in accordance with City standards. For those sections of the public right-of-way damaged, the permit holder will repair or replace the right-of-way to an equal or better condition, and will also guarantee the repair for an indefinite period.

Sec. 23-13. Capital Improvement Schedule.

The City prepares a list of streets anticipated to be resurfaced during the year as part of the City's Capital Improvement Plan ("Resurfaced Streets"). All permittees will not perform any work involving excavation, removal, or replacement in Resurfaced Streets, or curb and gutters abutting Resurfaced Streets within a three year period of the resurfacing. Exemptions may be granted to ensure that the health and safety of its employees and general public as well as system reliability are not negatively impacted by the moratorium. Such exemptions include, but are not limited to, performance of Emergency Work, work initiated by municipal improvement projects, the installation of new customer service, and work mandated by City, State or federal requirements. Full street resurfacing will be required for trenching during the moratorium period, the extent of said repairs shall be subject to approval of the City Engineer.

Sec. 23-14. Bonds and insurance.

For any Encroachment Permit issued within the public right-of-way, proof of a bond and liability insurance shall be posted in an amount and form satisfactory to the city engineer to insure timely completion of work and to cover damages caused by the work.

Sec. 23-15. Application.

To obtain an Encroachment Permit, an applicant shall file a written or electronic application with the City Engineer on a form or in a manner provided by the City. The Encroachment Permit is subject to all requirements of this Article, all individualized conditions contained within the application, the City of Escondido Standard Specifications, Standard Drawings, Special Provisions, and Design Standards, and such other conditions as may be imposed by the City Engineer at the time of application.

Sec. 23-16. Issuance by City Engineer.

(a) The City Engineer shall issue an Encroachment Permit upon the public right-of-way of the City of Escondido only if an applicant for such a permit can demonstrate that:

(1) There is a need to use the City right-of-way for the applicant's proposed use;

(2) The issuance of a permit will not be detrimental to the public health, safety and welfare;

(3) Applicant will comply with, or be capable of complying with, all the terms, conditions, and restrictions that are incorporated in the permit; and

(4) Applicant has complied with all applicable state and federal laws, and has obtained all applicable permits or certifications required under state or federal law.

(b) The City Engineer shall have the discretion to require the applicant, as a condition of permit issuance, to disclose information regarding:

(1) The applicant's proposed use of any lines, wires, cables, conduits or other equipment in the right-of-way;

(2) The quantity of applicant's proposed installation of lines, wires, cables, conduits or other equipment in the right-of-way;

(3) The quantity of applicant's proposed installation of lines, wires, cables, conduits or other equipment which will be solely used for provision of telephone service which are currently certificated by the Public Utilities Commission of the State of California;

(4) The specific dates applicant intends to begin using any lines, wires, cables, conduits or other equipment in the right-of-way;

(5) The location of all of applicant's existing lines, wires, cables, conduits or other equipment in any City of Escondido right-of-way; and

(6) The specific safety measures applicant proposes to use while applicant is excavating or obstructing any right-of-way.

Sec. 23-17. Penalty for violation of terms.

(a) The City Engineer shall revoke any Encroachment Permit upon determining that the permittee has failed to comply with one or more of the terms, conditions or restrictions incorporated in the permit, or upon discovery that the permittee has provided false or misleading information. Upon the revocation of an Encroachment Permit, the permittee must immediately cease and desist from encroaching on or in the public right-of-way of the City of Escondido. Any work done after revocation of a permit is a public nuisance and subject to immediate abatement.

(b) Any person conducting work in the right-of-way without a valid Encroachment Permit is guilty of a misdemeanor and subject to punishment as provided in Section 1-13 of this Code.

(c) No permittee who has been determined by the City Engineer to be in violation of any of the terms, conditions or restrictions of an Encroachment Permit issued to such permittee shall be eligible to receive an Encroachment Permit from the City of Escondido for a period of one (1) year following the date of such determination, unless this restriction is waived by the City Engineer.

Sec. 23-18. Fees.

Unless otherwise exempted by existing law or contractual agreement, every person shall pay a fee to the City of Escondido prior to issuance of an Encroachment Permit. The fee shall be determined as follows:

(a) From time to time the city council will approve by resolution a fee schedule for certain types of Encroachment Permit applications.

(b) For permit applications which are not defined in the list of fees approved from time to time by the city council, the amount of the permit fee will be determined by the city engineer subject to the approval of the city council, and may take into account any of the following factors:

(1) The nature of any new lines, wires, cables, conduits or other equipment to be installed in the right-of-way;

(2) The quantity of applicant's proposed installation of lines, wires, cables or conduits in the right-of-way;

(3) The quantity of applicant's proposed installation of lines, wires, cables, conduits or other equipment which are not currently certificated by the Public Utilities Commission of the State of California;

(4) The specific dates applicant intends to begin using any lines, wires, cables, conduits or other equipment in the right-of-way;

(5) The anticipated future cost to the city of any predictable accelerated degradation of the street surface caused by the proposed excavation or encroachment;

(6) The anticipated cost to the city of any staff time required to ensure the safety of the roadway, the coordination of the application with other applications, or the proper restoration of the street surface;

(7) Whether the timing of the application may be coordinated with an existing excavation or encroachment in the same location by the city or another applicant; and

(8) Any other expense which is reasonably related to the additional cost the city may incur as the direct result of the application, or which is allowed under existing state and federal law.

Sec. 23-19. Nonexclusive use of right-of-way.

Any permit issued by the city under this chapter which permits the applicant to excavate, construct improvements, grade or encroach within any public right-of-way shall also permit the city to utilize the right-of-way for its own purposes during the same time period

as the applicant's use. The city may extend the proposed time period of the applicant's proposed use of the right-of-way to suit its own purposes

Sec. 23-20. Appeal.

(a) Any person aggrieved by the City Engineer's decision to deny an encroachment permit application or to impose a fee on an application granted under this chapter must first appeal to the transportation commission within ten (10) days after receiving notification of the city engineer's decision. A request for appeal must be filed with the city clerk, and a hearing before the transportation commission will be scheduled within a reasonable time after the filing of the appeal.

(b) Any person aggrieved by the transportation commission's decision with respect to the issuance, denial or revocation of an encroachment permit or permit application or with respect to the imposition of a fee on an application granted under this chapter may appeal to the city council within ten (10) days after receiving notification of the transportation commission's decision. A request for appeal must be filed with the city clerk, and a hearing before the city council will be scheduled within a reasonable time after the filing of the appeal.

SECTION 2. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 3. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the City of Escondido.

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 7

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Public Works Director/City Engineer
Frank P. Schmitz, Parks and Open Space Administrator

SUBJECT: City of Escondido Landscape Maintenance District – Preliminary Engineer's Report for Zones 1 through 37 for Fiscal Year 2014/2015

RECOMMENDATION:

It is requested that Council adopt Resolution Nos. 2014-03 and 2014-04 that will initiate the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) (see attached map) for Zones 1 through 37 for the 2014/2015 fiscal year, approve the preliminary Engineer's report for LMD Zones 1 through 37, and set a public hearing date of May 7, 2014, for LMD Zones 1 through 37.

FISCAL ANALYSIS:

The LMD reimburses all costs incurred by the City in all zones except Zones 12 and 13. The City of Escondido purchased property adjacent to the Reidy Creek environmental channel that lies within Zone 12 and therefore assumed the assessment assigned to this property. Zone 13 was formed to pay for the maintenance of the median landscaping in Centre City Parkway south of Felicita Avenue and north of Montview Drive. The City shares the cost of the maintenance in Zone 13 with the two shopping centers on either side of the parkway.

PREVIOUS ACTION:

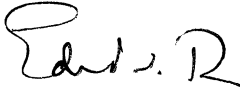
The City Council approved the formation of the LMD in 1986.

BACKGROUND:

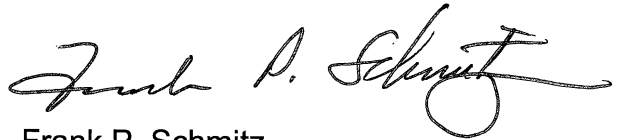
The LMD was established as a means to fund the ongoing maintenance of certain landscape improvements associated with the development of specific properties within the City of Escondido. These landscape improvements have special benefit to those specific properties. The LMD is divided into various zones. Property owners of parcels within each zone are assessed for the benefit received within their zone for the maintenance of the landscape improvements.

Each year the City Council is required to review and approve the upcoming fiscal year budget and assessment for the LMD. The preliminary Engineer's Report presented today details the proposed budget and assessment for Zones 1 through 37 within the LMD for fiscal year 2014/2015. As part of the approval process, a public hearing is held to give property owners within Zones 1 through 37 of the LMD the opportunity to comment on the proposed LMD budget and assessment. The final Engineer's Report for LMD Zones 1 through 37 for fiscal year 2014/2015 will be presented to the City Council for approval on June 18, 2014.

Respectfully submitted,

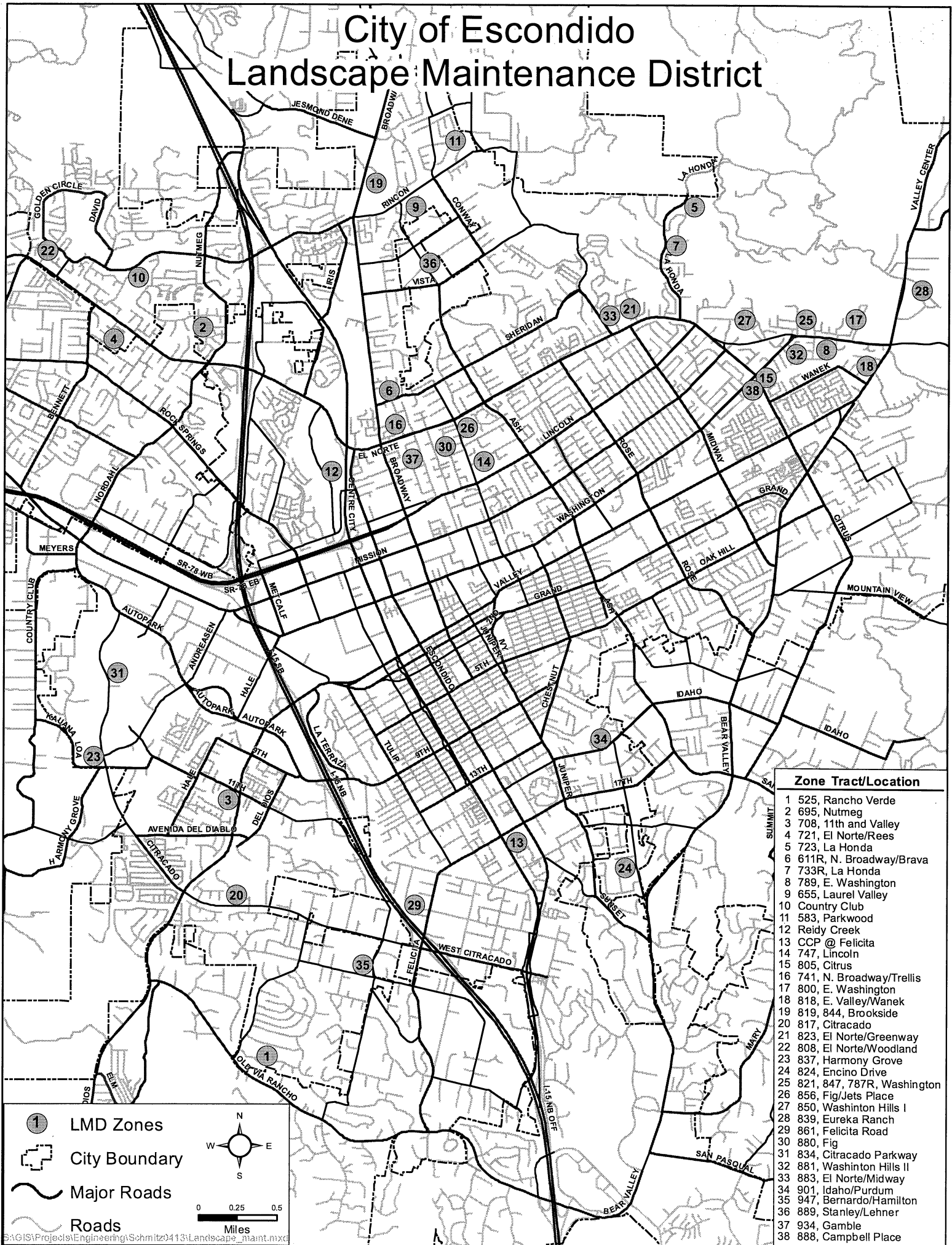


Edward N. Domingue, P.E.
Public Works Director/City Engineer



Frank P. Schmitz
Parks and Open Space Administrator

City of Escondido Landscape Maintenance District



RESOLUTION NO. 2014-03

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ORDERING THE PREPARATION OF AN
ASSESSMENT ENGINEER'S REPORT FOR
THE ANNUAL LEVY OF ASSESSMENTS IN
ZONES 1 THROUGH 37 OF THE
ESCONDIDO LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT

WHEREAS, the City Council of the City of Escondido has previously formed a maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act"), said maintenance district known and designated as the Escondido Landscape Maintenance Assessment District (the "Maintenance District"); and

WHEREAS, at this time the City Council desires to initiate proceedings to provide for the annual levy of assessments for the next ensuing fiscal year to provide for the annual costs of maintenance of improvements within Zones 1 through 37 of the Maintenance District and order the preparation and filing of an Assessment Engineer's Report for Zones 1 through 37.

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

1. That the above recitals are true.
2. That the public interest and convenience requires, and it is the intention of this legislative body, to initiate proceedings for the annual levy and collection of special assessments for the payment of annual maintenance and/or servicing costs within Zones 1 through 37 of the Maintenance District for fiscal year 2014-2015.

3. That the City Engineer is hereby directed and ordered to prepare and file, or cause to be prepared and filed, an Assessment Engineer's Report as required by the provisions of the Act, Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID, and the Implementation Act are referred to collectively as the "Assessment Law") generally containing the following:

- A. Plans and specifications describing the general nature, location and extent of the existing improvements to be maintained;
- B. An estimate of the cost of the maintenance and/or servicing of the existing improvements for Zones 1 through 37 of the Maintenance District;
- C. A diagram of the Maintenance District, showing: (i) the exterior boundaries of the Maintenance District and Zones 1 through 37 therein; and (ii) the lines and dimensions of each lot or parcel of land within Zones 1 through 37 of the Maintenance District which is identified by a distinctive number or letter; and
- D. An assessment of the estimated costs of the maintenance and/or servicing of the existing improvements, assessing the net amount upon all assessable lots and/or parcels within Zones 1 through 37 of the Maintenance District in proportion of the special benefits received.

Upon completion of the preparation of said Assessment Engineer's Report, the original shall be filed with the City Clerk, who shall then submit the same to this City Council for its immediate review and consideration.

4. That the above Assessment Engineer's Report shall include all costs and expenses of said maintenance and/or servicing of existing improvements relating to fiscal year 2014/2015.

5. That this Resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 2014-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, PRELIMINARILY APPROVING THE ASSESSMENT ENGINEER'S REPORT, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS IN ZONES 1 THROUGH 37 OF THE ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND SETTING THE TIME AND PLACE FOR PUBLIC HEARINGS THEREON

WHEREAS, the City Council of the City of Escondido has previously formed a maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act), and the Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID, and the Implementation Act are referred collectively as the "Assessment Law"). Such maintenance district is known and designated as the Escondido Landscape Maintenance Assessment District (the "Maintenance District"); and

WHEREAS, there has been established by the City 38 zones within the Maintenance District (each individually referenced as a "Zone"); and

WHEREAS, the City Council ordered the preparation of an Assessment Engineer's Report (the "Assessment Engineer's Report") to provide for the annual levy of assessments for Zones 1 through 37 of the Maintenance District for the next ensuing fiscal year to provide for the costs and expenses necessary to pay for the maintenance

and servicing of the improvements in Zones 1 through 37 of the Maintenance District;
and

WHEREAS, there has been presented to the City Council and is on file with the City Clerk the Assessment Engineer's Report for Zones 1 through 37 of the Maintenance District, attached hereto as Exhibit "A" and by this reference incorporated herein, as required by the Assessment Law, which Assessment Engineer's Report provides a full and detailed description of the improvements, boundaries of the Maintenance District and zones therein, and the proposed assessments on the assessable lots and parcels of land within Zones 1 through 37 of the Maintenance District; and

WHEREAS, this City Council has now carefully examined and reviewed the Assessment Engineer's Report as presented, and is satisfied with each and all of the items and documents as set forth therein pertaining to Zones 1 through 37, and is satisfied that the assessments for Zones 1 through 37, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements to be maintained, as set forth in the Assessment Engineer's Report; and

WHEREAS, the proposed annual assessments for Zones 1 through 37 for fiscal year 2014/2015 as set forth in the Assessment Engineer's Report do not exceed the maximum annual assessments as previously authorized to be levied by the previously approved formula for Zones 1 through 37 of the Maintenance District and, therefore, in accordance with the Assessment Law, the proposed levy of assessments for fiscal year 2014/2015 are not deemed to be "increased" over the maximum authorized annual assessments for such Zones; and

WHEREAS, the City Council desires to preliminarily approve such Assessment Engineer's Report pertaining to Zones 1 through 37 and intends to conduct the proceedings to authorize the annual levy and collection of the assessments within Zones 1 through 37 of the Maintenance District for fiscal year 2014/2015; and

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

1. The above recitals are true.
2. The public interest and convenience requires the levy and collection of assessments within the Maintenance District for fiscal year 2014/2015 to pay the annual costs and expenses for the maintenance and/or servicing of the improvements for Zones 1 through 37 of the above-referenced Maintenance District.
3. The existing improvements, which generally consist of landscape improvements located in the public rights-of-way and in dedicated landscape easements, are of special benefit to certain identified properties within the boundaries of Zones 1 through 37 of the Maintenance District.
4. The Assessment Engineer's Report as it pertains to Zones 1 through 37, as presented, is hereby approved on a preliminary basis, and is ordered to be filed in the office of the City Clerk as a permanent record and to remain open to public inspection. Reference is made to the Assessment Engineer's Report for (a) a full and detailed description of the existing improvements proposed to be maintained; (b) the boundaries of the Maintenance District and Zones 1 through 37 therein; and (c) the proposed assessments upon assessable lots and parcels of land within Zones 1 through 37 of the Maintenance District. There are no substantial changes proposed to

be made in the existing improvements. For further particulars, reference is made to the diagram of the Maintenance District as previously approved by this City Council, a copy of which is on file in the Office of the City Clerk of the City of Escondido and open for public inspection, and is designated by the name of the Maintenance District.

5. The public interest and convenience requires, and it is the intention of this City Council to order the annual levy and collection of the assessments for Zones 1 through 37 of the Maintenance District as set forth and described in the Assessment Engineer's Report, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expense of said maintenance and improvements as estimated in the Assessment Engineer's Report. All costs and expenses of the maintenance and incidental expenses have been apportioned and distributed to the benefiting parcels in Zones 1 through 37 in accordance with the special benefits received from the existing improvements. Assessments are proposed to be levied as follows:

A. Assessments proposed to be levied on parcels within Zones 1 through 37 of the Maintenance District are not proposed to be increased from those as previously authorized to be levied within such Zones.

B. The maximum assessments authorized to be levied in Zones 1, 4, 6, 7, 9, 10, 11, 13 through 30, and 32 through 36, have been adjusted for inflation by the increase in the Consumer Price Index – All Urban Consumers, San Diego Area, as published by the Bureau of Labor Statistics. Adjustment of the maximum authorized assessments by such formula has been previously approved. No increase in the assessments

beyond the maximum authorized assessments, as adjusted for inflation, is proposed for any of these Zones.

6. **NOTICE IS HEREBY GIVEN** that a public hearing will be held on May 7, 2014, at 4:30 p.m., or as soon thereafter as the matter may be heard, in the regular meeting place of this City Council, located at 201 North Broadway, Escondido, California 92025, which are the time, date, and place fixed by the City Council for the hearing of protests or objections in reference to the annual levy of assessments within Zones 1 through 37 of the Maintenance District, to the extent of the maintenance, by any interested person and any other matters contained in this Resolution. At such time the City Council will consider and finally determine whether to levy the proposed annual assessments.

The City Council shall consider all objections or protests, if any, to the annual assessments proposed to be levied on all properties located in Zones 1 through 37. Any person interested may file a written protest prior to the close of the public hearing referred to herein or, having filed such a protest, may file a written withdrawal of that protest prior to the close of such hearing, which shall occur upon the conclusion of public testimony. Any such written protest must state all grounds for objection. A written protest by a property owner must contain a description sufficient to identify the property owned by such person, e.g., assessor's parcel number.

Any interested person may mail a protest to the following address:

City Clerk
City of Escondido
201 North Broadway
Escondido, CA 92025

To be considered by the City Council, all protests must be received prior to the conclusion of the public hearing. **A postmark on an envelope returning a written protest which is postmarked prior to such date and time but not received until after the conclusion of the public hearing will not be considered.**

7. The City Clerk is authorized and directed to give notice of the public hearing for the annual levy and collection of the assessments within Zones 1 through 37 as required by law by causing a copy of this Resolution to be published one time in a newspaper of general circulation within the City of Escondido; said publication to be completed not less than ten (10) days prior to the date set for the public hearing.

8. For any and all information relating to these proceedings, including information relating to protest procedure, your attention is directed to the person designated below:

Frank Schmitz
Engineering Department
City of Escondido
201 North Broadway
Escondido, CA 92025
(760) 839-4039

9. This Resolution shall take effect immediately upon its adoption.

**DUE TO THE NUMBER OF PAGES OF EXHIBIT(S) A COMPLETE SET IS
AVAILABLE IN THE OFFICE OF THE CITY CLERK OR CITY ATTORNEY.
For Councilmembers, a set is available in the Council reading file.**

Assessment Engineer's Report Zones 1 through 37

Fiscal Year 2014/15

City of Escondido
201 North Broadway – Escondido California 92025
Landscape Maintenance Assessment District

PRELIMINARY REPORT

March 19, 2014

Report pursuant to the Landscaping and Lighting Act of 1972, Part 2 Division 15 of the Streets and Highways Code, Article XIII.D. of the California Constitution, and Proposition 218 Omnibus Implementation Act (Government Code Section 53750 et seq.). The Streets and Highways Code, Part 2, Division 15, Article 4, commencing with Section 22565, directs the preparation of the Assessment Engineer's Report for each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described herein.

SPECIAL DISTRICT FINANCING & ADMINISTRATION

437 West Grand Avenue
Escondido CA 92025
760-233-2630 Fax 233-2631

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 8

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Public Works Director/City Engineer
Frank P. Schmitz, Parks and Open Space Administrator

SUBJECT: Final Assessment Engineer's Report for Zone 38 of the City of Escondido Landscape Maintenance Assessment District for Fiscal Year 2014/2015

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2014-02 declaring the results of the assessment ballot tabulation for Zone 38 of the City of Escondido Landscape Maintenance Assessment District (LMD) (map attached to staff report), confirming the assessment, approving the Assessment Engineer's Report, and approving the annual levy and collection of assessments in Zone 38 of the LMD for FY 2014/2015.

FISCAL ANALYSIS:

The LMD reimburses all costs incurred by the City in Zone 38.

PREVIOUS ACTION:

On November 6, 2013, the City Council adopted Resolution 2013-134 approving the annexation of Tract 888 into the LMD as Zone 38. On December 11, 2013, the City Council adopted Resolution Numbers 2013-135 and 2013-136 initiating proceedings for the annual levy of assessments, approving the preliminary Assessment Engineer's Report, and setting a public hearing date of February 12, 2014, for Zone 38 of the LMD.

BACKGROUND:

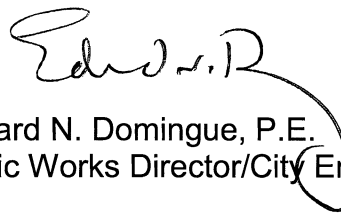
The LMD was established as a means to fund the ongoing maintenance of certain landscape improvements associated with the development of the specific properties within the City of Escondido. These landscape improvements have special benefit to those specific properties. The LMD is divided into various zones. Property owners within each zone are assessed for the benefit received within their zone for the maintenance of the landscape improvements.

The City Council has approved the preliminary Assessment Engineer's Report for Zone 38 of the LMD for FY 2014/2015 that details the budget and assessment for Zone 38.

Pursuant to Proposition 218, passed by the California voters on November 5, 1996, all new assessments and increases in assessments require a vote of the affected property owners. In FY 2014/2015, a new assessment was proposed for Zone 38. A ballot was mailed to the property owner in Zone 38 of the LMD giving the property owner the option of approving or rejecting the proposed new assessment. The completed ballot was submitted before the close of the public hearing on February 12, 2014. The ballot was tabulated on Thursday February 13, 2014.

The ballot submitted by the property owner in Zone 38 was in favor of the proposed new assessment. Therefore, the new assessment of \$995 per parcel in LMD Zone 38 for FY 2014/2015 has been approved. In addition, the property owner approved an annual adjustment for inflation of the maximum authorized assessment.

Respectfully submitted,

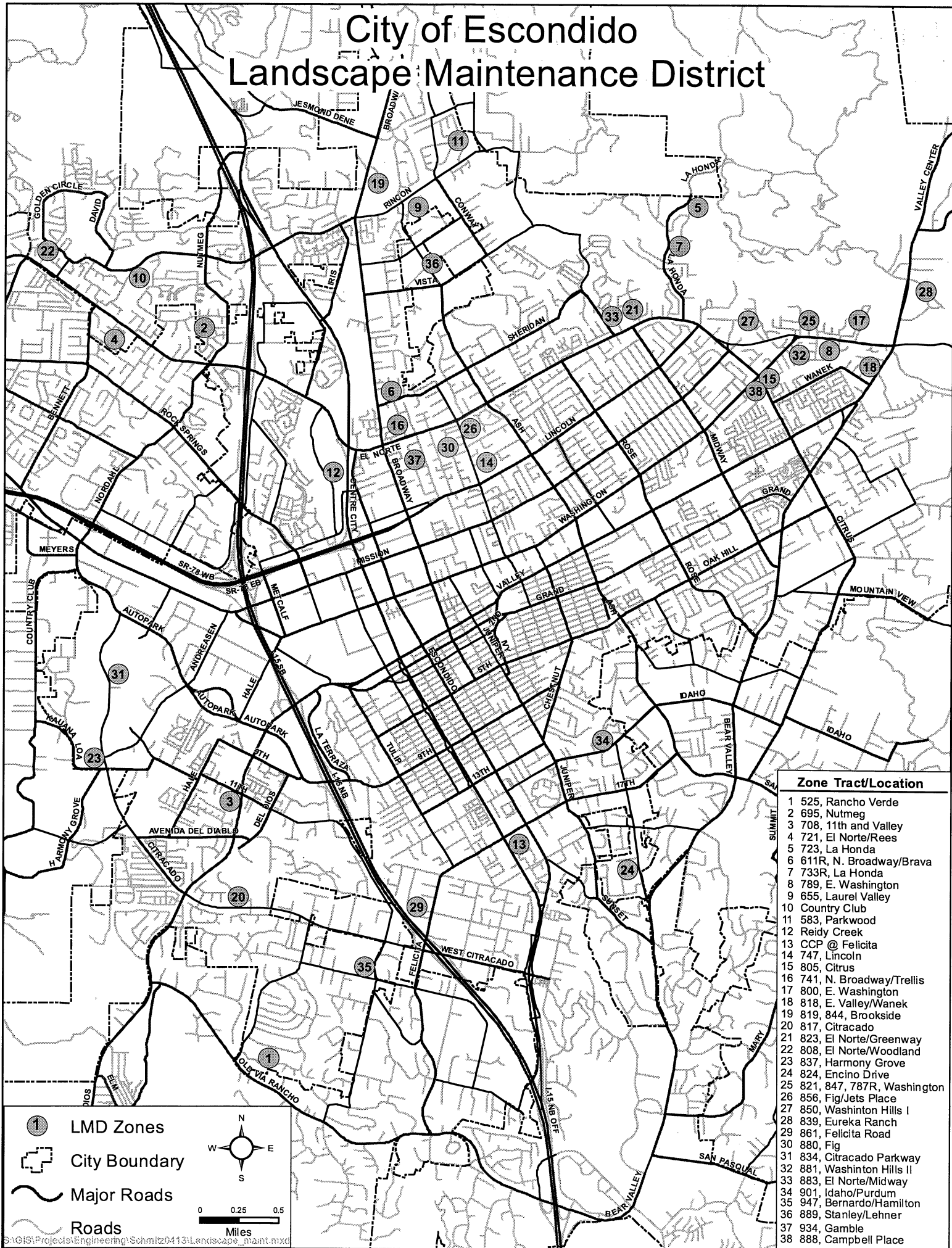


Edward N. Domingue, P.E.
Public Works Director/City Engineer



Frank P. Schmitz
Parks and Open Space Administrator

City of Escondido Landscape Maintenance District



RESOLUTION NO. 2014-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, DECLARING THE RESULTS OF THE ASSESSMENT BALLOT TABULATION, CONFIRMING THE ASSESSMENT, APPROVING THE ASSESSMENT ENGINEER'S REPORT, AND APPROVING THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR ZONE 38 OF THE ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2014/2015

WHEREAS, the City Council of the City of Escondido has previously formed a maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act"), Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act, Government Code Section 53750 and following, (the "Implementation Act") (the 1972 Act, Article XIID, and the Implementation Act are referred collectively as the "Assessment Law"). Such maintenance district is known and designated as the Escondido Landscape Maintenance Assessment District (the "Maintenance District"); and

WHEREAS, there has been established by the City 38 separate zones within the Maintenance District; and

WHEREAS, the City Council previously received and preliminarily approved a report of the Assessment Engineer (the "Assessment Engineer's Report"), a copy of which is attached hereto as Exhibit "A" and by this reference incorporated herein, for Zone 38 of the Maintenance District as required by the 1972 Act, and this City Council desires to continue with the proceedings for the annual levy and collection; and

WHEREAS, the City Council also previously initiated proceedings for a ballot protest procedure to establish the annual assessment for Zone 38 of the Maintenance District and to hold a public hearing in conformance with the Assessment Law for the purpose of considering the establishment of the annual assessment and authorizing the annual levy and collection of the assessment for Zone 38; and

WHEREAS, the City Council also (a) set the time and place for conducting a public hearing for the purpose of hearing protests to the establishment of the assessment proposed to be levied on land within the Zone 38; and (b) ordered that the record owners of each parcel proposed to be assessed have the right to submit an assessment ballot in favor of or in opposition to the establishment of the assessment proposed to be levied on such parcels; and

WHEREAS, notices of such hearing accompanied by assessment ballot materials were regularly mailed in the time, form, and manner required by the Assessment Law; and

WHEREAS, at the time and place fixed for such public hearing, the Assessment Engineer submitted the Assessment Engineer's Report as it pertains to Zone 38, which was prepared and contained all the matters and items called for pursuant to the provisions of the Assessment Law; and

WHEREAS, on February 12, 2014, a full hearing was given, and all assessment ballots submitted and received pursuant to the Assessment Law prior to the close of such public hearing have been tabulated by the City Clerk of the City, acting as the tabulation official appointed by the City, all in the manner provided by the Assessment Law; and

WHEREAS, the City Clerk has prepared and submitted to this legislative body a Certificate of Tabulation Official and Statement of Assessment Ballots Submitted (the "Certificate of the Tabulation Official"), a copy of which is attached as Exhibit "B" hereto and incorporated herein by this reference, which reflects the results of the tabulation of the assessment ballots; and

WHEREAS, at this time, based upon the Certificate of Tabulation Official, this City Council determines that the assessment ballots received by the City in favor of the proposed assessment and weighted as required by the Assessment Law exceed the assessment ballots received in opposition to the assessment and similarly weighted and, therefore, a majority protest pursuant to the Assessment Law does not exist; and

WHEREAS, this City Council carefully examined and reviewed the Assessment Engineer's Report as presented, and is satisfied with each and all of the items and documents as set forth therein pertaining to Zone 38 of the Maintenance District have been spread in accordance with the special benefits received from the improvements to be maintained, as set forth in the Assessment Engineer's Report; and

WHEREAS, the City Council desires to confirm and approve such final Assessment Engineer's Report and to authorize the annual levy and collection of the assessments for Zone 38 of the Maintenance District for Fiscal Year 2014/2015; and

WHEREAS, the City Council finds the Maintenance District as exempt from the California Environmental Quality Act (Public Resources Code Section 21000 and following) ("CEQA") pursuant to section 15302(d) of the State CEQA guidelines;

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

1. That the above recitals are all true.
2. The assessment ballots submitted pursuant to the Assessment Law in favor of the establishment of the assessment for Zone 38 and weighted as required by the Assessment Law exceed the assessment ballots submitted in opposition to the establishment of the assessment and similarly weighted and it is therefore determined that a majority protest pursuant to Assessment Law does not exist.
3. Based upon the Assessment Engineer's Report and the testimony and other evidence received at the public hearing, it is hereby determined that:
 - A. The Assessment Engineer's Report identifies all properties within the boundaries of the Zone 38 that receive a special benefit from the Improvements.
 - B. The proportionate special benefit derived by each parcel proposed to be assessed has been determined in relationship to the entirety of the cost of maintenance of the improvements.
 - C. No assessment is proposed to be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit to be conferred on such parcel from the improvements.
 - D. Only special benefits have been assessed.
4. The maximum annual assessments for Zone 38 contained in the Assessment Engineer's Report are hereby confirmed. The maximum annual

assessments may be increased in next Fiscal Year and each Fiscal Year thereafter without further compliance with the assessment ballot procedures required under the Assessment Law by the increase in the Consumer Price Index ("CPI") as more fully set forth in the Assessment Engineer's Report.

5. The City Clerk shall forthwith deliver to the City Engineer the assessment, together with the diagram for Zone 38 attached thereto and made a part thereof, as confirmed, with his certificate of such confirmation attached and the date thereof; and that such City Engineer shall then immediately record such diagram and assessment in his Office in a suitable book to be kept for that purpose and attach thereto his certificate of the date of such recording.

6. That the Assessment Engineer's Report, is hereby approved and is ordered to be filed in the office of the City Clerk as a permanent record and to remain open to public inspection. Reference is made to said Assessment Engineer's Report for a full and detailed description of:

- (a) The existing improvements to be maintained;
- (b) The maintenance of the improvements to be performed;
- (c) The estimates of costs of the maintenance of the improvements to be performed, including the cost of incidental expenses in connection therewith, and including that portion of the costs and expenses representing the special benefits to be conferred by such maintenance of the improvements on the parcels within Zone 38 of the Maintenance District;

(d) The diagram of the Maintenance District and the zones therein showing (i) the exterior boundaries of the Maintenance District; (ii) the boundaries and zones within the Maintenance District; and (iii) the lines and dimensions of each parcel of land within the Maintenance District; provided, however, such diagram may refer to the San Diego County Assessor's maps for detailed description of such lines and dimensions, in which case such maps shall govern for all details concerning such lines and dimensions; and

(e) The assessment of the total amount of the cost and expenses of the maintenance of the improvements upon Zone 38 in the Maintenance District in proportion to the estimated special benefits to be conferred on Zone 38, by such maintenance and the assessments upon assessable lots and parcels of land within Zone 38 of the Maintenance District.

7. That the public interest and convenience requires the Fiscal Year 2014/2015 annual levy and collection of the assessments for Zone 38 of the Maintenance District as set forth and described in the Assessment Engineer's Report and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expense of said maintenance and improvements as estimated in the Assessment Engineer's Report. All costs and expenses of the maintenance and incidental expenses have been apportioned and distributed to the benefiting parcels in Zone 38 of the Maintenance District in accordance with the special benefits received from the existing improvements.

8. The City Clerk is hereby ordered and directed to immediately file a certified copy of the diagram and assessment with the County Auditor. Said filing to be

made no later than the August 10, 2014.

9. After the filing of the diagram and assessment, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the assessment.

10. The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments.

11. The annual assessments as above authorized and confirmed and levied for these proceedings will provide revenue to finance the maintenance of authorized improvements for Zone 38 of the Maintenance District in the fiscal year commencing July 1, 2014, and ending June 30, 2015.

12. This Resolution shall take effect immediately upon its adoption.

**DUE TO THE NUMBER OF PAGES OF EXHIBIT(S) A COMPLETE SET IS
AVAILABLE IN THE OFFICE OF THE CITY CLERK OR CITY ATTORNEY.
For Councilmembers, a set is available in the Council reading file.**

Assessment Engineer's Report Zone 38

Fiscal Year 2014/15

City of Escondido
201 North Broadway – Escondido California 92025
Landscape Maintenance Assessment District

FINAL REPORT

March 19, 2014

Report pursuant to the Landscaping and Lighting Act of 1972, Part 2 Division 15 of the Streets and Highways Code, Article XIII.D. of the California Constitution, and Proposition 218 Omnibus Implementation Act (Government Code Section 53750 et seq.). The Streets and Highways Code, Part 2, Division 15, Article 4, commencing with Section 22565, directs the preparation of the Assessment Engineer's Report for each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described herein.

SPECIAL DISTRICT FINANCING & ADMINISTRATION

437 West Grand Avenue
Escondido CA 92025
760-233-2630 Fax 233-2631

STATEMENT OF TABULATION OF ASSESSMENT BALLOTS SUBMITTED

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

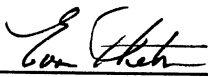
The undersigned, a duly authorized representative of the CITY OF ESCONDIDO, CALIFORNIA, DOES HEREBY CERTIFY that pursuant to the provisions of Article XIID of the Constitution of the State of California and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following), I did tabulate the assessment ballots timely submitted in the assessment ballot proceedings pertaining to the proposed levy of annual assessments for Fiscal Year 2014-2015 within the Escondido Landscape Maintenance Assessment District.

I FURTHER CERTIFY that this Statement of Tabulation of Assessment Ballots Submitted shows the assessment ballots timely and validly submitted in favor of the assessment and the assessment ballots timely and validly submitted in opposition to the assessment within the zone of the District where it is proposed that the annual assessments be levied for the first time. The assessment ballots were weighted according to the financial obligation of the affected properties for which the assessment ballots were submitted.

Zone	Weighted Assessment Ballots in Favor of Assessment	Weighted Assessment Ballots in Opposition to Assessment
38	6,965	0

This certification is executed this 13th day of February, 2014 in Escondido, California.

CITY OF ESCONDIDO

By: 
Eva R. Heter
Assistant City Clerk

CITY COUNCIL

For City Clerk's Use:

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APPROVED

☐

DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 9

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council
FROM: Christopher W. McKinney, Director of Utilities
SUBJECT: Notice of Completion for the Digester Cleaning 2013 Project

RECOMMENDATION:

The Utilities Department requests Council approval of Resolution 2014-31 and authorization to file a Notice of Completion for the Digester Cleaning 2013 Project.

FISCAL ANALYSIS:

Funds for this project were budgeted in the Capital Improvement Fund #807503. The project bid price was \$699,500; the final contract amount was \$556,847.40. Payment was based on actual tonnage removed. Final cost was agreed in contract change order number one (-\$142,652.60). The City of San Diego will reimburse 29% of the cost of this project pursuant to the 1972 agreement.

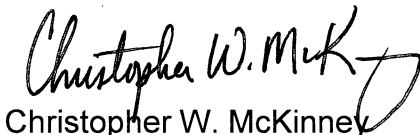
PREVIOUS ACTION:

On April 3, 2013, Council authorized bid award to Synagro – WWT Incorporated with Resolution 2013-39.

BACKGROUND:

Digester Cleaning is part of preventive maintenance at the Hale Avenue Resource Recovery Facility. This project cleaned the three primary digesters and one secondary digester along with ancillary piping. Cleaning will be required again in approximately six years. Improved trash and grit removal from incoming wastewater resulted in less debris finding its way into the digesters, which resulted in project cost savings.

Respectfully submitted,



Christopher W. McKinney
Director of Utilities

RESOLUTION NO. 2014-31

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE DIRECTOR OF UTILITIES
TO FILE A NOTICE OF COMPLETION FOR
THE DIGESTER CLEANING 2013

WHEREAS, the Escondido City Council authorized the award of the Digester Cleaning 2013 Project (the "Project") to Synagro-WWT Incorporated on April 3, 2013, in the amount of \$699,500; and

WHEREAS, the City of Escondido Staff and the Director of Utilities deems the Project final contract amount of \$556,847.40 and the filing of the Notice of Completion to be valid and recommends approval; and

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

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

1. That the above recitations are true.
2. That the City Council accepts the recommendation of the Director of Utilities.
3. That the City Council of the City of Escondido hereby approves the request to file a Notice of Completion for the Digester Cleaning 2013 Project.

CITY COUNCIL

For City Clerk's Use:

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APPROVED

☐

DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 10

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Kenneth C. Hugins, City Treasurer

SUBJECT: Treasurer's Investment Report for the Quarter Ended December 31, 2013

RECOMMENDATION:

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

PREVIOUS ACTION:

The Investment Report for the quarter ended September 30, 2013, was filed with the City Clerk's Office on November 25, 2013, and presented to the City Council on December 11, 2013.

BACKGROUND:

From October 1, 2013, to December 31, 2013, the City's investment portfolio increased from \$100.0 million to \$112.9 million. The adjusted average annual yield decreased from 1.215 % to 1.129%. An excess of cash receipt inflows over cash payment outflows for the quarter resulted in an increase of \$12.9 million in the book value of the investment portfolio. Major components of the net \$12.9 million increase are:

	<u>IN MILLIONS</u>	
Sales Tax Allocations	\$	5.9
County Property Tax Allocation		6.9
State Highway Users Tax		1.5
Sale of Real Property		6.9
Net decrease in operational cash account		4.0
County Water Authority Payments		(6.1)
CALPERS Contributions		(3.8)
Employee Health and Benefit Payments		(2.2)
Other		(.2)
Net Increase in Investment Portfolio	\$	12.9

Details of the City's investment portfolio are included in the attached reports that are listed below:

- Summary of Investment Allocation Graph as of December 31, 2013
- Summary of General Obligation Bond Proceeds Balance as of December 31, 2013
- Summary of Investment Portfolio Yield for the last 12 months
- Summary and Detailed Reports of Investment Portfolio – October 2013 through December 2013
- Schedule of Investments Matured and Sold – October 2013 through December 2013
- Schedule of Funds Managed by Outside Parties as of December 31, 2013

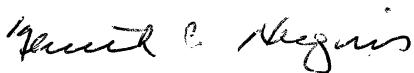
The remaining General Obligation bond proceeds are invested in a separate LAIF account as authorized by Council on August 9, 2006. This is a permitted investment pursuant to the bond's Official Statement and also meets the City's investment objectives of safety, liquidity, and risk.

There are adequate funds to meet the next six month's expected expenditures. The Bank of New York Mellon Trust's monthly statement is the source for the market valuation. At December 31, the current portfolio investments balance exceeded the City's \$40.8 million investment policy requirement by over \$7 million. As of December 31, 2013, the City is in compliance with all requirements of the City Investment Policy.

Investment transactions are executed in compliance with the City of Escondido's Investment Policy. Investment purchases have been made in accordance with the City's prioritized Investment Policy objectives of safety of principal, sufficiency of liquidity and maximization of yield. The City's investment portfolio has therefore historically been comprised of United States Treasury Notes, obligations issued by United States Government Agencies, Money Market funds and investments in the Local Agency Investment fund (LAIF) established by the State Treasurer. Over the past 5 years, a greater than 70% decline in the City's monthly investment portfolio yield has been realized, decreasing from 3.7% at December, 2008 to 1.1% at December, 2013. This decline is representative of the continuous decline in investment interest rates and the portfolio's maturing, higher yielding investments being replaced with newer, lower yielding investments.

The investment committee will continue to monitor the City's portfolio trends and will investigate the feasibility of other allowable investment options that are consistent with the City's investment strategy and objectives. Additional information on these options and recommendations will continue to be communicated to council by the investment committee.

Respectfully submitted,



Kenneth C. Hugins
City Treasurer

City of Escondido
General Obligation Bonds, Election of 2004, Series A
Public Safety Facilities Project
Calculation of Bond Proceeds Balance
As of December 31, 2013

Description	other Interest Earnings	(*) LAIF Interest Earnings	(*) LAIF Interest Withdrawals	Project Cost Reimbursement to the City	Balance
Par Value					\$ 84,350,000.00
Add:					
Original Issue Bond Premium					914,861.55
Less:					
Underwriter's Discount					(292,829.00)
Cost of Issuance Expense					(220,000.00)
Credit Enhancement					(275,000.00)
Net Bond Proceeds					84,477,032.55
Monthly Activities:					
August to September 2006	\$ 48.33	\$ -	\$ -	\$ (3,190,032.55)	81,287,000.00
September 2006 - Interest withdrawn	(48.33)	-	-		
October to December 2006		445,726.90		(3,300,000.00)	78,432,726.90
January to March 2007		1,033,671.72		(1,880,000.00)	77,586,398.62
April to June 2007		996,045.58		(200,000.00)	78,382,444.20
July to September 2007		1,022,452.03		(1,670,000.00)	77,734,896.23
October to December 2007		1,033,456.91		(1,980,000.00)	76,788,353.14
January to March 2008		970,394.61		(6,250,000.00)	71,508,747.75
April to June 2008		774,021.46		(8,300,000.00)	63,982,769.21
June 2008 - Interest Drawdown			(1,513,000.00)		62,469,769.21
July - September 2008		530,295.74		(14,000,000.00)	49,000,064.95
October to December 2008		386,163.16		(10,700,000.00)	38,686,228.11
January to March 2009		284,700.95		(7,500,000.00)	31,470,929.06
April to June 2009		169,983.58		(10,533,000.00)	21,107,912.64
July to September 2009		101,934.35		(7,300,000.00)	13,909,846.99
October to December 2009		42,769.87		(6,600,000.00)	7,352,616.86
January to March 2010		17,670.57		(1,074,000.00)	6,296,287.43
Feb 2010 - Interest Drawdown			(626,000.00)		5,670,287.43
April to June 2010		9,059.54			5,679,346.97
April 2010 - Interest Drawdown			(1,300,000.00)		4,379,346.97
June 2010 - Interest Drawdown			(1,825,000.00)		2,554,346.97
July to September 2010		6,114.18			2,560,461.15
August 2010 - Interest Drawdown			(1,300,000.00)		1,260,461.15
October 2010		2,484.95			1,262,946.10
November 2010 - Interest Drawdown			(850,000.00)		412,946.10
October to December 2010		951.61			413,897.71
January to March 2011		517.72			414,415.43
April to June 2011		491.83			414,907.26
July to September 2011		397.80			415,305.06
October to December 2011		398.52			415,703.58
January to March 2012		390.76			416,094.34
Subtotal		7,830,094.34	(7,414,000.00)	(84,477,032.55)	
June 2012- Transfer to Debt Service FD 320			(366,094.34)		50,000.00
April to June 2012 Interest		287.39			50,287.39
July to Sept. 2012 Interest		44.87			50,332.26
October to December 2012 Interest		40.83			50,373.09
January to March 2013 Interest		35.08			50,408.17
April to June 2013 Interest		30.61			50,438.78
July to September 2013 Interest		32.63			50,471.41
Ending Balance, 12/31/2013	\$ -	\$ 7,830,565.75	\$ (7,780,094.34)	\$ (84,477,032.55)	\$ 50,471.41

(*) LAIF Interest is paid quarterly in the month following quarter end.

CITY OF ESCONDIDO
SUMMARY OF INVESTMENT PORTFOLIO YIELDS
FOR THE LAST 12 MONTHS
As of December 31, 2013

Date	Book Value	Yield
Dec-13	\$ 112,921,842.43	1.0610%
Nov-13	\$ 102,670,253.77	1.0680%
Oct-13	\$ 103,207,187.39	1.0660%
Sep-13	\$ 100,003,564.90	1.1270%
Aug-13	\$ 103,105,165.15	1.1720%
Jul-13	\$ 123,383,159.85	1.0530%
Jun-13	\$ 127,425,499.74	1.0610%
May-13	\$ 120,726,896.91	1.1090%
Apr-13	\$ 113,786,953.14	1.1690%
Mar-13	\$ 109,331,669.61	1.2130%
Feb-13	\$ 114,348,687.11	1.2130%
Jan-13	\$ 121,555,392.40	1.2460%

Average Annual Investment Portfolio Yield 1.1298%

**City of Escondido
Summary of Investment Allocation
as of December 31, 2013**

Investment Type	Book Value	Market Value	Percent of Portfolio at Market
Federal Farm Credit Bank Notes	\$ 8,457,450.38	\$ 8,533,287.00	7.49%
Federal Home Loan Bank Notes	22,522,322.48	22,734,818.14	19.96%
Federal Home Loan Mortgage Corp. Notes (FreddieMac)	25,805,030.91	26,289,645.00	23.09%
Federal National Mortgage Assoc. Notes (FannieMae)	21,011,678.67	21,223,373.75	18.64%
US Treasury Notes	3,502,757.34	3,528,750.00	3.10%
Local Agency Investment Fund(LAIF): US Gov't Investment portion	11,765,398.66	11,765,398.66	10.33%
Local Agency Investment Fund (LAIF): Other investment portion	9,913,979.75	9,913,979.75	8.71%
Negotiable Certificates of Deposit	984,000.00	982,852.80	0.86%
Money Market	8,908,752.83	8,908,752.83	7.82%
Total Investment Portfolio - December 2013	\$ 112,871,371.02	\$ 113,880,857.93	100%

2004 Election General Obligation Bond Proceeds held separately in LAIF	\$ 50,471.41	\$ 50,471.41
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Reported Total Investments - December 2013	\$ 112,921,842.43	\$ 113,931,329.34
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Total Investment Portfolio - September 2013	\$ 99,953,126.12	\$ 101,090,249.62
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2004 Election General Obligation LAIF- September 2013	\$ 50,438.78	\$ 50,438.78
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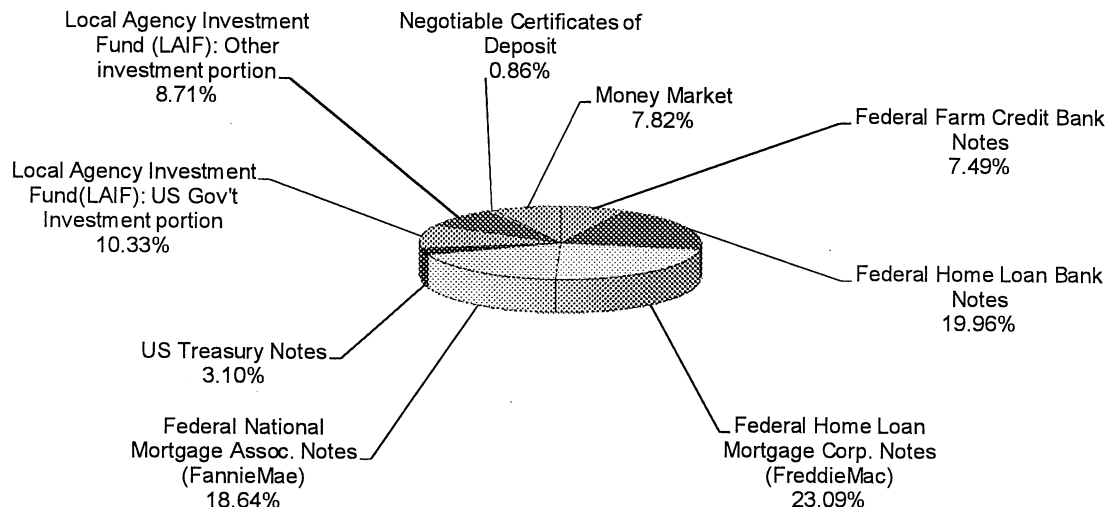
Reported Total Investments- September 2013	\$ 100,003,564.90	\$ 101,140,688.40
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Change from Prior Quarter	\$ 12,918,277.53	\$ 12,790,640.94
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Portfolio Effective Duration	1.600
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Portfolio Effective Duration - (Excluding LAIF and Money Market)	2.190
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**Summary of Investment Allocation as of December 31, 2013
(Excluding General Obligation Bond Proceeds)**



Tracker
City of Escondido
Portfolio Holdings
Investment Portfolio - by Asset Class, Summary
Report Format: By Totals
Group By: Asset Class
Average By: Face Amount / Shares
Portfolio / Report Group: All Portfolios
As of 10/31/2013

Description	Face Amount/Shares	Cost Value	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund	20,179,378.41	20,179,378.41	20,179,378.41	20,179,378.41	1	0.266
Federal Agency Coupon Securities	69,350,000.00	71,953,658.00	71,823,216.90	70,587,161.88	825	1.461
LAIF - Public Safety Facility Bonds	50,471.41	50,471.41	50,471.41	50,471.41	1	0.266
Money Market Account	7,905,986.76	7,905,986.76	7,905,986.76	7,905,986.76	1	0.200
Negotiable Certificate of Deposit	981,000.00	981,000.00	981,708.23	981,000.00	200	0.550
Treasury Coupon Securities	3,500,000.00	3,508,580.00	3,532,195.00	3,503,188.93	382	0.709
Total / Average	101,966,836.58	104,579,074.58	104,472,956.71	103,207,187.39	565	1.066


Kenneth C. Hugins, City Treasurer

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund								
LAIF LGIP	LGIP7282	LAIF	5/31/2011	20,179,378.41	20,179,378.41	20,179,378.41	1	0.266
Sub Total / Average				20,179,378.41	20,179,378.41	20,179,378.41	1	0.266
Federal Agency Coupon Securities								
FFCB 0.6/10/2014	313313XX1	Treasury	10/10/2013	2,000,000.00	1,999,020.00	1,998,026.67	222	0.162
FFCB 0.3/8/21/2014	3133EAM70	FFCB	3/28/2013	2,500,000.00	2,502,475.00	2,501,803.70	294	0.210
FFCB 2.4/3/15/2016	31331KEK2	FFCB	3/24/2011	1,000,000.00	1,040,080.00	1,003,007.66	866	2.265
FFCB 4.55/3/4/2015	31331SNP4	FFCB	6/18/2010	1,000,000.00	1,057,680.00	1,028,933.45	489	2.260
FFCB 4.75/9/30/2015	31331GCR8	FFCB	9/30/2010	1,000,000.00	1,083,960.00	1,059,311.64	699	1.520
FHLB 1.375/12/11/2015	313371NW2	FHLB	12/29/2010	1,000,000.00	1,021,093.70	980,473.40	771	2.360
FHLB 1.375/3/9/2018	313378A43	FHLB	3/28/2013	3,000,000.00	3,008,940.00	3,062,746.49	1590	0.883
FHLB 1.625/12/11/2015	313371VF0	FHLB	12/29/2010	1,000,000.00	1,024,850.00	985,526.69	771	2.355
FHLB 1.625/12/9/2016	313371PV2	FHLB	12/29/2011	1,500,000.00	1,544,715.00	1,520,990.59	1135	1.160
FHLB 1.625/9/28/2015	3133716Z4	FHLB	9/30/2010	1,000,000.00	1,024,200.00	1,001,536.15	697	1.541
FHLB 1.63/8/20/2015	313370NE4	FHLB	3/24/2011	1,000,000.00	1,024,430.00	994,498.96	658	1.950
FHLB 1.75/9/11/2015	313370JB5	FHLB	9/30/2010	1,000,000.00	1,026,093.70	1,004,015.27	680	1.525
FHLB 2.3/12/8/2016	313371ZU3	FHLB	12/29/2011	500,000.00	522,900.00	516,365.77	1134	1.210
FHLB 2.5/6/13/2014	3133XWE70	FHLB	6/7/2012	3,000,000.00	3,043,560.00	3,038,977.58	225	0.382
FHLB 3.125/3/11/2016	3133XXP43	FHLB	3/24/2011	3,000,000.00	3,186,720.00	3,055,483.53	862	2.291
FHLB 3.25/9/12/2014	3133XUMR1	FHLB	6/18/2010	1,000,000.00	1,026,580.00	1,009,804.78	316	2.060
FHLB 4/6/16/2015	3133XTYD2	FHLB	9/30/2010	1,000,000.00	1,060,020.00	1,039,303.49	593	1.485

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
FHLB 4.875 12/13/2013	3133XHW57	FHLB	3/24/2010	1,350,000.00	1,357,519.50	1,354,202.44	43	2.108
FHLMC 2.8/25/2016	3137EACW7	FHLMC	8/31/2011	3,000,000.00	3,115,440.00	3,065,660.54	1029	1.197
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	5,000,000.00	5,244,000.00	5,053,984.88	939	2.055
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	3,000,000.00	3,146,400.00	3,032,482.52	939	2.054
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	6/1/2011	2,500,000.00	2,622,000.00	2,536,587.24	939	1.900
FHLMC 3 7/28/2014	3137EACD9	FHLMC	6/18/2010	5,000,000.00	5,103,000.00	5,039,654.56	270	1.880
FHLMC 5 2/16/2017	3137EAAM1	FHLMC	2/16/2012	5,000,000.00	5,681,450.00	5,632,716.17	1204	1.048
FNMA 0.5 5/27/2015	3135GOKM4	FNMA	6/29/2012	3,000,000.00	3,010,170.00	3,000,466.17	573	0.490
FNMA 1.125 4/27/2017	3135G0JA2	FNMA	5/31/2012	2,000,000.00	2,017,220.00	2,010,052.66	1274	0.977
FNMA 1.25 1/30/2017	3135G0GY3	FNMA	1/24/2012	3,000,000.00	3,047,550.00	3,003,069.49	1187	1.217
FNMA 1.25 9/28/2016	3135G0CM3	FNMA	9/29/2011	5,000,000.00	5,089,950.00	4,993,680.80	1063	1.295
FNMA 1.375 11/15/2016	3135G0ES8	FNMA	12/29/2011	2,000,000.00	2,041,680.00	2,010,592.82	1111	1.195
FNMA 2.375 7/28/2015	31398AU34	FNMA	9/30/2010	1,000,000.00	1,035,700.00	1,014,970.43	635	1.480
FNMA 2.375 7/28/2015	31398AU34	FNMA	3/24/2011	2,000,000.00	2,071,400.00	2,014,058.03	635	1.951
FNMA 4.625 10/15/2014	31359MWJ8	FNMA	6/18/2010	1,000,000.00	1,042,420.00	1,024,177.31	349	1.972
Sub Total / Average				69,350,000.00	71,823,216.90	70,587,161.88	808	1.424
LAIF - Public Safety Facility Bonds								
LAIF LGIP	LGIP7018	LAIF	6/30/2011	50,471.41	50,471.41	50,471.41	1	0.266
Sub Total / Average				50,471.41	50,471.41	50,471.41	1	0.266
Money Market Account								
Bank of America MM	MM0555	Bank of America	5/31/2011	7,905,986.76	7,905,986.76	7,905,986.76	1	0.200
Sub Total / Average				7,905,986.76	7,905,986.76	7,905,986.76	1	0.200

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
Negotiable Certificate of Deposit								
Ally Bank 0.5 11/12/2013	02005QE66	Ally Bank	5/9/2012	245,000.00	245,000.00	245,000.00	12	0.500
Capital One Bank 0.6 10/30/2015	140420NCO	Capital One Bank	10/30/2013	246,000.00	246,708.23	246,000.00	729	0.600
Discover Bank 0.5 11/12/2013	254671AP5	Discover Bank	5/9/2012	245,000.00	245,000.00	245,000.00	12	0.500
Huntington Nat 0.6 12/16/2013	446438QU0	Huntington Nat	6/15/2012	245,000.00	245,000.00	245,000.00	46	0.600
Sub Total / Average				981,000.00	981,708.23	981,000.00	200	0.550
Treasury Coupon Securities								
T-Bond 0.25 8/31/2014	912828TL4	Treasury	3/28/2013	2,500,000.00	2,502,625.00	2,500,994.86	304	0.201
T-Note 2.125 5/31/2015	912828NF3	Treasury	6/18/2010	1,000,000.00	1,029,570.00	1,002,194.07	577	1.978
Sub Total / Average				3,500,000.00	3,532,195.00	3,503,188.93	382	0.709
Total / Average				101,966,836.58	104,472,956.71	103,207,187.39	565	1.066

Tracker
City of Escondido
Transactions Summary
Transaction Summary Report - by Action
Group By: Action
Portfolio / Report Group: All Portfolios
From 10/1/2013 To 12/31/2013

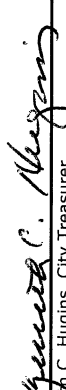
Description	CUSIP/Ticker	Settlement Date	Face Amount/Shares	Principal	Total
Matured					
FHLB 2 10/28/2013	3133XYDK8	10/28/2013	1,000,000.00	1,000,000.00	1,000,000.00
FNMA 5.38 10/2/2013	31364GBF5	10/2/2013	1,006,000.00	1,006,000.00	1,006,000.00
Ally Bank 0.5 11/12/2013	02005QE66	11/12/2013	245,000.00	245,000.00	245,000.00
Discover Bank 0.5 11/12/2013	254671AP5	11/12/2013	245,000.00	245,000.00	245,000.00
FHLB 4.875 12/13/2013	3133XHW57	12/13/2013	1,350,000.00	1,350,000.00	1,350,000.00
Huntington Nat 0.6 12/16/2013	446438QU0	12/16/2013	245,000.00	245,000.00	245,000.00
Total / Average			4,091,000.00	4,091,000.00	4,091,000.00

CITY OF ESCONDIDO
FUNDS MANAGED BY OUTSIDE PARTIES
December 31, 2013

Type of Funds / Institution	Market Value	Interest Rate	Type of Investment
<u>BOND FUNDS</u>			
BANK OF NEW YORK MELLON TRUST COMPANY, N.A. :			
1993 Vineyard Golf Course Certificates of Participation	\$ 697,873.06	0.187%	Money Market/ U.S. Agency Bond
2007 COP - Water Project (Certificates issued September 2007)	7,179,134.11	0.010%	Money Market
2004A Wastewater Bond (1996 Wastewater Refunding)	2,018,530.71	0.202%	Money Market/ U.S. Agency Bond
2004B Wastewater Bond - Brine Project	3,584,179.94	0.057%	Money Market/ U.S. Agency Bond
2006 Community Facility District (Eureka Ranch)	1,216,049.09	0.202%	Money Market/ U.S. Agency Bond
1986-1R/98 Auto Parkway Assessment District	335,043.71	0.201%	Money Market/ U.S. Agency Bond
1998-1 Rancho San Pasqual Assessment District	341,202.65	0.201%	Money Market/ U.S. Agency Bond
2012 JPFA Revenue Bonds (Water System Financing)	20,071,258.95	0.264%	LAIF/Money Market
2012 JPFA Revenue Bonds (Wastewater System Financing)	25,089,113.18	0.264%	LAIF/Money Market
2013 JPFA Reidy Creek Refunding	2,812.91	0.030%	Money Market
2013 CFD 2000-01 Hidden Trails Special Tax Refunding Bonds	16,413.23	0.030%	Money Market / Cash
TOTAL FUNDS MANAGED BY OUTSIDE PARTIES	\$ 60,551,611.54		

Tracker
City of Escondido
Portfolio Holdings
Investment Portfolio - by Asset Class, Summary
Report Format: By Totals
Group By: Asset Class
Average By: Face Amount / Shares
Portfolio / Report Group: All Portfolios
As of 11/30/2013

Description	Face Amount/Shares	Cost Value	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund	20,179,378.41	20,179,378.41	20,179,378.41	20,179,378.41	1	0.263
Federal Agency Coupon Securities	69,350,000.00	71,953,658.00	71,788,506.87	70,539,086.11	778	1.424
LAIF - Public Safety Facility Bonds	50,471.41	50,471.41	50,471.41	50,471.41	1	0.263
Money Market Account	7,907,341.17	7,907,341.17	7,907,341.17	7,907,341.17	1	0.200
Negotiable Certificate of Deposit	491,000.00	491,000.00	492,061.61	491,000.00	358	0.600
Treasury Coupon Securities	3,500,000.00	3,508,580.00	3,530,433.15	3,502,976.67	352	0.709
Total / Average	101,478,190.99	104,090,428.99	103,948,192.62	102,670,253.77	546	1.068


Kenneth C. Hugins, City Treasurer

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund								
LAIF LGIP	LGIP7282	LAIF	5/31/2011	20,179,378.41	20,179,378.41	20,179,378.41	1	0.263
Sub Total / Average				20,179,378.41	20,179,378.41	20,179,378.41	1	0.263
Federal Agency Coupon Securities								
FFCB 0 6/10/2014	313313XX1	FFCB	10/10/2013	2,000,000.00	1,999,040.00	1,998,293.33	192	0.162
FFCB 0 3 8/21/2014	3133EAM70	FFCB	3/28/2013	2,500,000.00	2,502,375.00	2,501,619.65	264	0.210
FFCB 2 4 3/15/2016	31331KEK2	FFCB	3/24/2011	1,000,000.00	1,040,200.00	1,002,903.47	836	2.265
FFCB 4 55 3/4/2015	31331SNP4	FFCB	6/18/2010	1,000,000.00	1,054,240.00	1,027,158.39	459	2.260
FFCB 4 75 9/30/2015	31331GCR8	FFCB	9/30/2010	1,000,000.00	1,080,660.00	1,056,766.08	669	1.520
FHLB 1 375 12/11/2015	313371NW2	FHLB	12/29/2010	1,000,000.00	1,020,880.00	981,233.19	741	2.360
FHLB 1 375 3/9/2018	313378A43	FHLB	3/28/2013	3,000,000.00	3,011,040.00	3,061,562.59	1560	0.883
FHLB 1 625 12/11/2015	313371VF0	FHLB	12/29/2010	1,000,000.00	1,024,490.00	986,089.86	741	2.355
FHLB 1 625 12/9/2016	313371PV2	FHLB	12/29/2011	1,500,000.00	1,545,345.00	1,520,435.77	1105	1.160
FHLB 1 625 9/28/2015	3133716Z4	FHLB	9/30/2010	1,000,000.00	1,023,580.00	1,001,470.03	667	1.541
FHLB 1 63 8/20/2015	313370NE4	FHLB	3/24/2011	1,000,000.00	1,023,720.00	994,749.76	628	1.950
FHLB 1 75 9/11/2015	313370IB5	FHLB	9/30/2010	1,000,000.00	1,025,350.00	1,003,838.13	650	1.525
FHLB 2 3 12/8/2016	313371ZU3	FHLB	12/29/2011	500,000.00	522,895.00	515,932.81	1104	1.210
FHLB 2 5 6/13/2014	3133XWE70	FHLB	6/7/2012	3,000,000.00	3,037,380.00	3,033,780.57	195	0.382
FHLB 3 125 3/11/2016	3133XEP43	FHLB	3/24/2011	3,000,000.00	3,181,830.00	3,053,552.55	832	2.291
FHLB 3 25 9/12/2014	3133XUMR1	FHLB	6/18/2010	1,000,000.00	1,023,890.00	1,008,873.95	286	2.060
FHLB 4 6/16/2015	3133XTYD2	FHLB	9/30/2010	1,000,000.00	1,057,260.00	1,037,315.12	563	1.485
FHLB 4 875 12/13/2013	3133XHW57	FHLB	3/24/2010	1,350,000.00	1,351,957.50	1,351,270.50	13	2.108

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
FHLMC 2 8/25/2016	3137EACW7	FHLMC	8/31/2011	3,000,000.00	3,116,718.75	3,063,746.24	999	1.197
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	3,000,000.00	3,146,718.75	3,031,444.74	909	2.054
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	5,000,000.00	5,244,531.25	5,052,260.12	909	2.055
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	6/1/2011	2,500,000.00	2,622,265.62	2,535,418.32	909	1.900
FHLMC 3 7/28/2014	3137EACD9	FHLMC	6/18/2010	5,000,000.00	5,091,350.00	5,035,248.50	240	1.880
FHLMC 5 2/16/2017	3137EAAAM1	FHLMC	2/16/2012	5,000,000.00	5,674,450.00	5,616,950.82	1174	1.048
FNMA 0.5 5/27/2015	3135G0KM4	FNMA	6/29/2012	3,000,000.00	3,010,740.00	3,000,441.76	543	0.490
FNMA 1.125 4/27/2017	3135G0JA2	FNMA	5/31/2012	2,000,000.00	2,022,040.00	2,009,815.94	1244	0.977
FNMA 1.25 1/30/2017	3135G0GY3	FNMA	1/24/2012	3,000,000.00	3,053,220.00	3,002,991.92	1157	1.217
FNMA 1.25 9/28/2016	3135G0CM3	FNMA	9/29/2011	5,000,000.00	5,094,200.00	4,993,859.14	1033	1.295
FNMA 1.375 11/15/2016	3135G0ES8	FNMA	12/29/2011	2,000,000.00	2,044,100.00	2,010,306.79	1081	1.195
FNMA 2.375 7/28/2015	31398AU34	FNMA	9/30/2010	1,000,000.00	1,034,480.00	1,014,263.17	605	1.480
FNMA 2.375 7/28/2015	31398AU34	FNMA	3/24/2011	2,000,000.00	2,068,960.00	2,013,393.87	605	1.951
FNMA 4.625 10/15/2014	31359MMWJ8	FNMA	6/18/2010	1,000,000.00	1,038,600.00	1,022,095.03	319	1.972
Sub Total / Average				69,350,000.00	71,788,506.87	70,539,086.11	778	1.424
LAIF - Public Safety Facility Bonds								
LAIF LGIP	LGIP7018	LAIF	6/30/2011	50,471.41	50,471.41	50,471.41	1	0.263
Sub Total / Average				50,471.41	50,471.41	50,471.41	1	0.263
Money Market Account								
Bank of America MM	MM0555	Bank of America	5/31/2011	7,907,341.17	7,907,341.17	7,907,341.17	1	0.200
Sub Total / Average				7,907,341.17	7,907,341.17	7,907,341.17	1	0.200
Negotiable Certificate of Deposit								
Capital One Bank 0.6 10/30/2015	140420NC0	Capital One Bank	10/30/2013	245,000.00	247,061.61	246,000.00	699	0.600
Huntington Nat 0.6 12/16/2013	446438QU0	Huntington Nat	6/15/2012	245,000.00	245,000.00	245,000.00	16	0.600
Sub Total / Average				491,000.00	492,061.61	491,000.00	358	0.600

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
Treasury Coupon Securities								
T-Bond 0.25 8/31/2014	912828TL4	Treasury	3/28/2013	2,500,000.00	2,501,953.14	2,500,896.68	274	0.201
T-Note 2.125 5/31/2015	912828NF3	Treasury	6/18/2010	1,000,000.00	1,028,480.00	1,002,079.99	547	1.978
Sub Total / Average				3,500,000.00	3,530,433.14	3,502,976.67	352	0.709
Total / Average				101,478,190.99	103,948,192.61	102,670,253.77	546	1.068

Tracker
City of Escondido
Portfolio Holdings
Investment Portfolio - by Asset Class, Summary
Report Format: By Totals
Group By: Asset Class
Average By: Face Amount / Shares
Portfolio / Report Group: All Portfolios
As of 12/31/2013

Description	Face Amount/Shares	Cost Value	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund	21,679,378.41	21,679,378.41	21,679,378.41	21,679,378.41	1	0.270
Federal Agency Coupon Securities	76,610,000.00	79,125,955.25	78,781,123.89	77,796,482.44	843	1.405
LAIF - Public Safety Facility Bonds	50,471.41	50,471.41	50,471.41	50,471.41	1	0.270
Money Market Account	8,908,752.83	8,908,752.83	8,908,752.83	8,908,752.83	1	0.200
Negotiable Certificate of Deposit	984,000.00	984,000.00	982,852.80	984,000.00	902	0.813
Treasury Coupon Securities	3,500,000.00	3,508,580.00	3,528,750.00	3,502,757.34	321	0.709
Total / Average	111,732,602.65	114,257,137.90	113,931,329.34	112,921,842.43	596	1.061


Kenneth C. Hugins, City Treasurer

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund								
LAIF LGIP	LGIP7282	LAIF	5/31/2011	21,679,378.41	21,679,378.41	21,679,378.41	1	0.270
Sub Total / Average				21,679,378.41	21,679,378.41	21,679,378.41	1	0.270
Federal Agency Coupon Securities								
FFCB 0 6/10/2014	313313XX1	FFCB	10/10/2013	2,000,000.00	1,999,300.00	1,998,568.89	161	0.162
FFCB 0.3 8/21/2014	31335AM70	FFCB	3/28/2013	2,500,000.00	2,502,275.00	2,501,429.46	233	0.210
FFCB 2.4 3/15/2016	31331KEK2	FFCB	3/24/2011	1,000,000.00	1,037,370.00	1,002,795.80	805	2.265
FFCB 4.55 3/4/2015	31331SNP4	FFCB	6/18/2010	1,000,000.00	1,050,360.00	1,025,324.16	428	2.260
FFCB 4.75 9/30/2015	31331GCR8	FFCB	9/30/2010	1,000,000.00	1,075,910.00	1,054,135.66	638	1.520
FFCB 5.125 11/15/2018	31331VEJ5	FFCB	12/26/2013	760,000.00	868,072.00	875,196.41	1780	1.856
FHLB 0.7 12/19/2016	3130A0HC71	FHLB	12/19/2013	1,455,000.00	1,449,998.44	1,455,000.00	1084	0.700
FHLB 1.375 12/11/2015	313371NW2	FHLB	12/29/2010	1,000,000.00	1,018,510.00	982,018.31	710	2.360
FHLB 1.375 3/9/2018	313378A43	FHLB	12/26/2013	2,000,000.00	1,982,840.00	1,988,577.35	1529	1.516
FHLB 1.375 3/9/2018	313378A43	FHLB	3/28/2013	3,000,000.00	2,974,260.00	3,060,339.23	1529	0.883
FHLB 1.625 12/11/2015	313371VF0	FHLB	12/29/2010	1,000,000.00	1,021,970.00	986,671.79	710	2.355
FHLB 1.625 12/9/2016	313371PV2	FHLB	12/29/2011	1,500,000.00	1,537,710.00	1,519,862.46	1074	1.160
FHLB 1.625 9/28/2015	3133716Z4	FHLB	9/30/2010	1,000,000.00	1,021,240.00	1,001,401.71	636	1.541
FHLB 1.63 8/20/2015	313370NE4	FHLB	3/24/2011	1,000,000.00	1,021,450.00	995,008.93	597	1.950
FHLB 1.75 12/14/2018	313376BR5	FHLB	12/26/2013	895,000.00	887,938.45	891,162.11	1809	1.841
FHLB 1.75 9/11/2015	313370JB5	FHLB	9/30/2010	1,000,000.00	1,022,960.00	1,003,655.08	619	1.525
FHLB 2.3 12/8/2016	313371ZU3	FHLB	12/29/2011	500,000.00	520,125.00	515,485.42	1073	1.210
FHLB 2.5 6/13/2014	3133XWE70	FHLB	6/7/2012	3,000,000.00	3,031,680.00	3,028,410.33	164	0.382
FHLB 3.125 3/11/2016	3133XXP43	FHLB	3/24/2011	3,000,000.00	3,169,440.00	3,051,557.20	801	2.291

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
FHLB 3.25 9/12/2014	3133XUMR1	FHLB	6/18/2010	1,000,000.00	1,021,406.25	1,007,912.09	255	2.060
FHLB 4.6/16/2015	3133XTYD2	FHLB	9/30/2010	1,000,000.00	1,053,290.00	1,035,260.47	532	1.485
FHLMC 1.7/28/2017	3137EADJ5	FHLMC	12/20/2013	1,500,000.00	1,490,520.00	1,496,846.58	1305	1.060
FHLMC 2.8/25/2016	3137EACW7	FHLMC	8/31/2011	3,000,000.00	3,102,330.00	3,061,768.13	968	1.197
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	6/1/2011	2,500,000.00	2,616,475.00	2,534,210.44	878	1.900
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	5,000,000.00	5,232,950.00	5,050,477.87	878	2.055
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	3,000,000.00	3,139,770.00	3,030,372.37	878	2.054
FHLMC 3.7/28/2014	3137EACD9	FHLMC	6/18/2010	5,000,000.00	5,080,000.00	5,030,695.57	209	1.880
FHLMC 5.2/16/2017	3137EAA11	FHLMC	2/16/2012	5,000,000.00	5,627,600.00	5,600,659.95	1143	1.048
FNMA 0.5 5/27/2015	3135GKM4	FNMA	6/29/2012	3,000,000.00	3,007,950.00	3,000,416.54	512	0.490
FNMA 0.875 5/21/2018	3135G0WJ8	FNMA	12/20/2013	1,500,000.00	1,450,965.00	1,458,733.35	1602	1.526
FNMA 1.06 5/29/2018	3136G0SG2	FNMA	12/20/2013	500,000.00	485,855.00	489,799.69	1610	1.540
FNMA 1.125 4/27/2017	3135G0JA2	FNMA	5/31/2012	2,000,000.00	2,007,780.00	2,009,571.33	1213	0.977
FNMA 1.25 1/30/2017	3135G0GY3	FNMA	1/24/2012	3,000,000.00	3,036,093.75	3,002,911.75	1126	1.217
FNMA 1.25 9/28/2016	3135G0CM3	FNMA	9/29/2011	5,000,000.00	5,071,400.00	4,994,043.42	1002	1.295
FNMA 1.375 11/15/2016	3135G0ES8	FNMA	12/29/2011	2,000,000.00	2,033,560.00	2,010,011.22	1050	1.195
FNMA 2.375 7/28/2015	31398AU34	FNMA	3/24/2011	2,000,000.00	2,063,220.00	2,012,707.57	574	1.951
FNMA 2.375 7/28/2015	31398AU34	FNMA	9/30/2010	1,000,000.00	1,031,610.00	1,013,532.33	574	1.480
FNMA 4.625 10/15/2014	31359MWJ8	FNMA	6/18/2010	1,000,000.00	1,034,940.00	1,019,951.47	288	1.972
Sub Total / Average				76,610,000.00	78,781,123.89	77,796,482.44	843	1.405
LAIF - Public Safety Facility Bonds								
LAIF LGIP	LGIP7018	LAIF	6/30/2011	50,471.41	50,471.41	50,471.41	1	0.270
Sub Total / Average				50,471.41	50,471.41	50,471.41	1	0.270

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
Money Market Account								
Bank of America MM	MM0555	Bank of America	5/31/2011	8,908,752.83	8,908,752.83	8,908,752.83	1	0.200
Sub Total / Average				8,908,752.83	8,908,752.83	8,908,752.83	1	0.200
Negotiable Certificate of Deposit								
Capital One Bank 0.6 10/30/2015	140420NCO	Capital One Bank	10/30/2013	246,000.00	246,539.75	246,000.00	668	0.600
Celtic Bank 1.25 12/20/2017	15118RL2	Celtic Bank	12/20/2013	246,000.00	245,201.31	246,000.00	1450	1.250
Gold Coast Bank 1.2 10/30/2017	38058KCS3	Gold Coast Bank	12/30/2013	246,000.00	245,124.04	246,000.00	1399	1.200
WEBBANK 0.2 3/31/2014	947547GR0	WEBBANK	12/31/2013	246,000.00	245,987.70	246,000.00	90	0.200
Sub Total / Average				984,000.00	982,852.80	984,000.00	902	0.813
Treasury Coupon Securities								
T-Bond 0.25 8/31/2014	912828TL4	Treasury	3/28/2013	2,500,000.00	2,502,150.00	2,500,795.23	243	0.201
T-Note 2.125 5/31/2015	912828NF3	Treasury	6/18/2010	1,000,000.00	1,026,600.00	1,001,962.11	516	1.978
Sub Total / Average				3,500,000.00	3,528,750.00	3,502,757.34	321	0.709
Total / Average				111,732,602.65	113,931,329.34	112,921,842.43	596	1.061

Tracker
City of Escondido
Transactions Summary
Transaction Summary Report - Matured Investments
Group By: Action
Portfolio / Report Group: All Portfolios
From 10/1/2013 To 12/31/2013

Description	CUSIP/Ticker	Settlement Date	Face Amount/Shares	Principal	Total
Matured					
FHLB 2 10/28/2013	3133XYDK8	10/28/2013	1,000,000.00	1,000,000.00	1,000,000.00
FNMA 5.38 10/2/2013	31364GBF5	10/2/2013	1,006,000.00	1,006,000.00	1,006,000.00
Ally Bank 0.5 11/12/2013	02005QE66	11/12/2013	245,000.00	245,000.00	245,000.00
Discover Bank 0.5 11/12/2013	254671AP5	11/12/2013	245,000.00	245,000.00	245,000.00
FHLB 4.875 12/13/2013	3133XHW57	12/13/2013	1,350,000.00	1,350,000.00	1,350,000.00
Huntington Nat 0.6 12/16/2013	446438QU0	12/16/2013	245,000.00	245,000.00	245,000.00
Total / Average			4,091,000.00	4,091,000.00	4,091,000.00

CITY OF ESCONDIDO
FUNDS MANAGED BY OUTSIDE PARTIES
December 31, 2013

Type of Funds / Institution	Market Value	Interest Rate	Type of Investment
<u>BOND FUNDS</u>			
BANK OF NEW YORK MELLON TRUST COMPANY, N.A. :			
1993 Vineyard Golf Course Certificates of Participation	\$ 697,873.06	0.187%	Money Market/ U.S. Agency Bond
2007 COP - Water Project (Certificates issued September 2007)	7,179,134.11	0.010%	Money Market
2004A Wastewater Bond (1996 Wastewater Refunding)	2,018,530.71	0.202%	Money Market/ U.S. Agency Bond
2004B Wastewater Bond - Brine Project	3,584,179.94	0.057%	Money Market/ U.S. Agency Bond
2006 Community Facility District (Eureka Ranch)	1,216,049.09	0.202%	Money Market/ U.S. Agency Bond
1986-1R/98 Auto Parkway Assessment District	335,043.71	0.201%	Money Market/ U.S. Agency Bond
1998-1 Rancho San Pasqual Assessment District	341,202.65	0.201%	Money Market/ U.S. Agency Bond
2012 JPFA Revenue Bonds (Water System Financing)	20,071,258.95	0.264%	LAIF/Money Market
2012 JPFA Revenue Bonds (Wastewater System Financing)	25,089,113.18	0.264%	LAIF/Money Market
2013 JPFA Reidy Creek Refunding	2,812.91	0.030%	Money Market
2013 CFD 2000-01 Hidden Trails Special Tax Refunding Bonds	16,413.23	0.030%	Money Market / Cash
TOTAL FUNDS MANAGED BY OUTSIDE PARTIES	\$ 60,551,611.54		

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 11
Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Jeffrey R. Epp, City Attorney

SUBJECT: Oversight Board Vacancy

RECOMMENDATION:

It is requested that Council approve the Mayoral appointments to the Oversight Board.

BACKGROUND:

Pursuant to Health and Safety Code Section 34179, which deals with the dissolution of redevelopment agencies, each successor agency must have an Oversight Board ("Board") composed of seven (7) members.

The Oversight Board consists of two (2) members appointed by the County Board of Supervisors. Supervisor Pam Slater-Price has agreed to consider individuals recommended for this position. The Board of Supervisors is to make County appointments on March 28, 2012. The Board also includes two (2) members appointed by the mayor for the city that formed the redevelopment agency (i.e. Mayor Abed) which includes a member representing former redevelopment agency employees. One member is to be appointed by the largest special district (by property tax share) with territory in the territorial jurisdiction of the former redevelopment agency. In the City's case, this is the Palomar Pomerado Health District. One member is appointed by the County Superintendent of Education or the County Board of Education. Finally, one member is appointed by the Chancellor of the California Community Colleges.

The Oversight Board for the former Escondido Redevelopment Agency has been serving since 2012. In March of 2012, the City Council approved the Mayor's appointment of Clay Phillips and Gil Rojas as the members appointed by the City forming the redevelopment agency. However, on December 30, 2013, Gil Rojas retired and resigned his position from the Oversight Board. The Mayor has appointed Sheryl Bennett to the vacant seat and Council ratification of this appointment is requested.

Oversight Board Vacancy
March 19, 2014
Page 2

Board members have personal immunity from suit for their actions taken within the scope of their responsibilities as Board members. A majority of the total membership of the Board (4 members) shall constitute a quorum for the transaction of business and a majority vote of the total Board.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jeffrey R. Epp', written over the text 'Respectfully submitted,'.

Jeffrey R. Epp
City Attorney

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 12

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Loretta McKinney, Director of Library and Community Services

SUBJECT: Consulting Agreement for Grape Day Park Master Plan and Grape Day Park Play Equipment Design

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2014-34 authorizing the Mayor and the City Clerk to execute the Consulting Agreement with RHA Landscape Architects Planners, Inc. in the amount of \$100,000 to complete the Grape Day Park Master Plan and the Grape Day Park Play Equipment Design and Construction project.

FISCAL ANALYSIS:

Council allocated \$100,000 for the Grape Day Park Master Plan and \$120,000 for the Grape Day Park Play Equipment Design and Construction from Park Development Funds.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the Council's Action Plan for Neighborhood Improvement, regarding the maintenance of recreational facilities, programs and parks goal.

PREVIOUS ACTION:

On June 19, 2013, Council approved the Five-Year Capital Improvement Program, in which \$100,000 was allocated for the Grape Day Park Master Plan and \$120,000 was allocated for the Grape Day Park Play Equipment from the Park Development Fees fund.

On November 14, 2012, Council approved the budget adjustment of \$415,275 from the Housing and Community Development, Housing Related Parks Program Grant, of which \$80,000 was allocated for the Grape Day Park Play Equipment design and construction and \$30,275 for the Grape Day Park Improvements.

BACKGROUND:

Staff has received proposals from twelve qualified consultants and recommends RHA Landscape Architects Planners, Inc. be selected to prepare the Grape Day Park Master Plan as well as to design and manage the construction of the Grape Day Park play equipment. RHA was deemed the most qualified consultant to develop this master plan. Staff recommends that Council approve the attached Resolution No. 2014-34 authorizing the Consulting Agreement for a not to exceed amount of \$100,000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Loretta McKinney", with a stylized flourish at the end.

Loretta McKinney
Director of Library and Community Services

RESOLUTION NO. 2014-34

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE MAYOR AND CITY
CLERK, TO EXECUTE, ON BEHALF OF THE
CITY, A CONSULTING AGREEMENT WITH
RHA LANDSCAPE ARCHITECTS PLANNERS,
INC. FOR THE GRAPE DAY PARK MASTER
PLAN AND GRAPE DAY PARK PLAY
EQUIPMENT DESIGN AND CONSTRUCTION

WHEREAS, on June 19, 2013, Council approved the Five-year Capital Improvement Program, in which \$100,000 was allocated for the Grape Day Park Master Plan and \$120,000 was allocated for the Grape Day Park Play Equipment from the Park Development Fees Fund; and

WHEREAS, staff received proposals from twelve qualified consultants and RHA Landscape Architects Planners, Inc. was deemed the most qualified consultant to develop the Grape Day Park Master Plan and to design and manage the construction of the Grape Day Park Play Equipment; and

WHEREAS, the Director of Library and Community Services recommends the execution of a Consulting Agreement ("Agreement") with RHA Landscape Architects Planners, Inc. to complete the Grape Day Park Master Plan and the Grape Day Park Play Equipment design and construction; and

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

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

1. That the above recitations are true.
2. That the City Council accepts the recommendation of the Director of Library and Community Services.
3. That the Mayor and City Clerk are authorized to execute, on behalf of the City, an Agreement with RHA Landscape Architects Planners, Inc. in the amount of \$100,000 for the Grape Day Park Master Plan and the Grape Day Park Play Equipment design and construction. A copy of the Agreement is attached as Exhibit "1" and is incorporated by this reference.



CITY OF ESCONDIDO
CONSULTING AGREEMENT FOR DESIGN PROFESSIONALS

(ONLY for licensed architects, landscape architects, professional engineers, and professional land surveyors who are performing design services for the City)

This Agreement is made this _____ day of _____, 20__.

Between: CITY OF ESCONDIDO
a Municipal Corporation
201 N. Broadway
Escondido, California 92025
Attn: Loretta McKinney
760-4871
("CITY")

And: RHA Landscape Architects Planners, Inc.
6216 Brockton Avenue, Suite #212
Riverside, California 92506
Attn: Doug Grove
951-781-1930
("CONSULTANT")

Witness that whereas:

- A. It has been determined to be in the CITY's best interest to retain the professional services of a consultant to prepare the Grape Day Park Master Plan, and the Grape Day Park Play Equipment design and construction; and
- B. The CONSULTANT is considered competent to perform the necessary professional services for CITY;

NOW, THEREFORE, it is mutually agreed by and between CITY and CONSULTANT as follows:

- 1. Services. The CONSULTANT will furnish all of the services as described in "Attachment A" which is attached and incorporated by this reference.
- 2. Compensation. The CITY will pay the CONSULTANT in accordance with the conditions specified in "Attachment A," in the sum of \$100,000. Any breach of this Agreement will relieve CITY from the obligation to pay CONSULTANT, if CONSULTANT has not corrected the breach after CITY provides notice and a reasonable time to correct it.
- 3. Scope of Compensation. The CONSULTANT will be compensated for performance of tasks specified in "Attachment A" only. No compensation will be provided for any other tasks without specific prior written consent from the CITY.

4. Duties. CONSULTANT will be responsible for the professional quality, technical accuracy, timely completion, and coordination of all reports and other services furnished by the CONSULTANT under this Agreement, except that the CONSULTANT will not be responsible for the accuracy of information supplied by the CITY.
5. Personnel. The performance of services under this Agreement by certain professionals is significant to the CITY. CONSULTANT will assign the persons listed on "Attachment B," which is attached and incorporated by this reference, to perform the Services described in Paragraph 1, and will not add or remove persons from the list without the prior written consent of the CITY. CONSULTANT will not subcontract any tasks under this Agreement without obtaining the advance written consent of the CITY.
6. Termination. Either CONSULTANT or the CITY may terminate this Agreement with thirty (30) days advance written notice.
7. City Property. All original documents, drawings, electronic media, and other material prepared by CONSULTANT under this Agreement immediately becomes the exclusive property of the CITY, and may not be used by CONSULTANT for any other purpose without prior written consent of the CITY.
8. Insurance.
 - a. The CONSULTANT shall secure and maintain at its own costs, for all operations, the following insurance coverage, unless reduced by the City Attorney:
 - (1) General liability insurance. Occurrence basis with minimum limits of \$1,000,000 each occurrence, \$2,000,000 General Aggregate, and \$1,000,000 Products/Completed Operations Aggregate; and
 - (2) Automobile liability insurance of \$1,000,000 combined single-limit per accident for bodily injury and property damage, unless waived as provided in 8(b) below; and
 - (3) Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship; and
 - (4) Errors and Omissions professional liability insurance with minimum coverage of \$1,000,000.
 - b. It is the parties' understanding that the use of a motor vehicle is not a primary subject of this Agreement. CONSULTANT acknowledges that operating a motor vehicle is outside the scope of this Agreement and occurs only at the convenience of the CONSULTANT. A waiver of automobile liability insurance is only effective if both sets of initials appear below, otherwise such insurance is required.

Acknowledged by CONSULTANT _____

Waiver appropriate by CITY _____

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

- (2) All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.
 - (3) Both the General Liability and the Automotive Liability policies must name the CITY specifically as an additional insured under the policy on a separate endorsement page. The endorsement must be ISO Form CG2010 11/85 edition or its equivalent for General Liability endorsements and CA 20-01 for Automobile Liability endorsements.
 - (4) The General Liability policy must include coverage for bodily injury and property damage arising from CONSULTANT's work including its ongoing operations and products-completed operations hazard.
 - (5) The General Liability policy must be primary and noncontributory and any insurance maintained by CITY is excess.
- d. In executing this Agreement, CONSULTANT agrees to have completed insurance documents on file with the CITY within fourteen (14) days after the date of execution. Failure to comply with insurance requirements under this Agreement will be a material breach of this Agreement, resulting in immediate termination at CITY's option.
9. Indemnification. CONSULTANT (which in this paragraph 9 includes its agents, employees and subcontractors, if any) agrees to indemnify, defend, and hold harmless the CITY from all claims, lawsuits, damages, judgments, loss, liability, or expenses, including attorneys' fees, for any of the following:
 - a. Any claim of liability arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of CONSULTANT in the performance of this Agreement, excepting only those claims resulting from the sole negligence, active negligence or intentional misconduct of CITY, its employees, officials, or agents, not including CONSULTANT;
 - b. Any personal injuries, property damage or death that CONSULTANT may sustain while using CITY-controlled property or equipment, while participating in any activity sponsored by the CITY, or from any dangerous condition of property; or
 - c. Any injury or death which results or increases by any action taken to medically treat CONSULTANT.
10. Anti-Assignment Clause. The CONSULTANT may not assign, delegate or transfer any interest or duty under this Agreement without advance written approval of the CITY, and any attempt to do so will immediately render this entire Agreement null and void.
11. Costs and Attorney's Fees. In the event that legal action is required to enforce the terms and conditions of this Agreement, the prevailing party will be entitled to reasonable attorneys' fees and costs.
12. Independent Contractor. CONSULTANT is an independent contractor and no agency or employment relationship, either express or implied, is created by the execution of this Agreement.
13. Merger Clause. This Agreement and its Attachments, if any, are the entire understanding of the parties, and there are no other terms or conditions, written or oral, controlling this matter. In the event of any conflict between the provisions of this Agreement and any of its Attachments, the provisions of this Agreement must prevail.

14. Anti-Waiver Clause. None of the provisions in this Agreement will be waived by CITY because of previous failure to insist upon strict performance, nor will any provision be waived by CITY because any other provision has been waived, in whole or in part.
15. Severability. The invalidity in whole or in part of any provision of this Agreement will not void or affect the validity of any other provisions of this Agreement.
16. Choice of Law. This Agreement is governed by the laws of the State of California. Venue for all actions arising from this Agreement must be exclusively in the state or federal courts located in San Diego County, California.
17. Multiple Copies of Agreement/Counterparts. Multiple copies and/or counterparts of this Agreement may be executed, including duplication by photocopy or by computerized scanning device. Each duplicate will be deemed an original with the same effect as if all the signatures were on the same instrument. However, the parties agree that the Agreement on file in the office of the Escondido City Clerk is the copy of the Agreement that shall take precedence should any differences exist among copies or counterparts of the document.
18. Provisions Cumulative. The foregoing provisions are cumulative and in addition to and not in limitation of any other rights or remedies available to the CITY.
19. Notices to Parties. Any statements, communications or notices to be provided pursuant to this Agreement must be sent to the attention of the persons indicated below. Each party agrees to promptly send notice of any changes of this information to the other party, at the address first above written.
20. Business License. The CONSULTANT is required to obtain a City of Escondido Business License prior to execution of this Agreement.
21. Compliance with Applicable Laws, Permits and Licenses. CONSULTANT shall keep itself informed of and comply with all applicable federal, state, and local laws, statutes, codes, ordinances, regulations, and rules in effect during the term of this Agreement. CONSULTANT shall obtain any and all licenses, permits, and authorizations necessary to perform services set forth in this Agreement. Neither CITY, nor any elected nor appointed boards, officers, officials, employees, or agents of CITY shall be liable, at law or in equity, as a result of any failure of CONSULTANT to comply with this section.
22. Immigration Reform and Control Act of 1986. CONSULTANT shall keep itself informed of and comply with the Immigration Reform and Control Act of 1986. CONSULTANT affirms that as an employer in the State of California, all new employees must produce proof of eligibility to work in the United States within the first three days of employment and that only employees legally eligible to work in the United States will be employed on this public project. CONSULTANT agrees to comply with such provisions before commencing and continuously throughout the performance of this Agreement.

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

CITY OF ESCONDIDO

Date: _____

Signature

Loretta McKinney, Director of Library and Community
Services

Department or Division Head Name & Title

Date: _____

[CONSULTANT COMPANY NAME]

Signature

Name & Title (please print)

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

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: _____

Sam Abed
Mayor

Date: _____

Diane Halverson
City Clerk

Date: _____

(Contractor signature)

Title

(The above signature must be notarized)

APPROVED AS TO FORM:

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

By: _____

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

GRAPE DAY PARKCity of Escondido - *City of Choice*

SCOPE OF SERVICES**A. PROJECT MEETINGS AND COORDINATION**

We will coordinate and attend a project kick-off meeting within one (1) week of receiving the Notice-to-Proceed from the city. The purpose of the meeting will be to establish clear lines of communications, review and redefine the proposed project scope and schedule and establish general design guidelines, discuss project parameters and constraints and obtain background data.

We will attend status meetings as necessary during the course of the project to keep the city staff abreast of the project development. We will establish review milestones in the project schedule and submit deliverable products in a timely manner for adequate City review and revision. We have included the following meetings:

- Three (3) Community Workshops
- Four (4) Public Hearings (*Community Services Commission, Historic Preservation Commission, Planning Commission, City Council*)
- Bi-weekly Staff Updates (phone conferences)

We highly recommend forming a **Grape Day Park Master Plan Task Force** that is made up of key community members, city staff and a representative from the Community Services Commission, Historic Preservation Commission, Planning Commission and possibly a city council person.

B. SITE INVENTORY AND ANALYSIS

We will perform all necessary data collection that will include research, gathering and reviewing existing City and County records appropriate for the project. This information will include but not be limited to:

- Previous Conceptual Planning drawings and documents
- Topographic Survey (provided by city via the GIS system)
- Previous site improvement plans
- Existing utility record drawings
- City record drawings
- Water and sewer maps

We will conduct a site visit with City staff and elected and appointed officials. We will complete all field reconnaissance necessary to verify existing improvements and site conditions and locate and identify undocumented surface improvements. All of this information will be compiled on a Site Analysis Plan and presented to city staff for review and comments.

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C. THE PROJECT

We understand that the development of the Master Plan will include amenities that help foster an active, well-used space and shall evaluate opportunities for expansion north of Woodward Avenue in order to accommodate access from areas north of Washington Avenue. The design will encourage both formal and informal use by balancing the amount of programmed space with more flexible, un-programmed space and provide seating areas that are coordinated with shade, landscaping, lighting and views to focal points.

The Master Plan's landscape design shall balance water conservation and overall maintenance obligations, and materials that are fade/graffiti resistant. We understand the need to create an appealing space that supports outdoor recreation. The Plan will also include architecture, colors and materials, fencing, lighting, signage, furniture, and a landscape palette that will take into consideration amenities and current planning efforts in adjoining areas.

Based on the previous input gathered from the public and city officials and staff, we understand the park improvements could include but not be limited to the following:

- a. Children's "agricultural theme" play area with various play equipment and incorporates an existing eucalyptus tree stump, shade structure(s), and adult fitness equipment;
- b. Improving linkages with adjacent offsite public facilities and gathering places including Maple Street Plaza, Bike Master Plan, Escondido Creekwalk trail, Children's Museum;
- c. Integration of Jim Stone Municipal Pool facility to the Park;
- d. Relocation of the Women's Club building (a Local Register structure) from 240 South Broadway to the horseshoe pit area along Heritage Walk in Grape Day Park, and alternatives for relocating the displaced horseshoe pits;
- e. Parking design and access of Woodward lots, along Broadway and Woodward Ave;
- f. Fitness loop around the Park with appropriate exercise stations and equipment;
- g. Off-leash dog walk area with fencing and canine equipment;
- h. Great Lawn grading and landscaping (adjacent to California Center for the Arts) to improve drainage, park usage, and functionality;
- i. Bandstand / Stage facility / Ranger Station / storage and restrooms;
- j. Space to check out games, game storage and a permanent place to play games
- k. Public art opportunities;
- l. Signing / way-finding program that provides direction, information and facilitates access;
- m. Municipal Code changes to accommodate Master Plan elements;
- n. Park boundaries including options for extending „fingers“ of open space north to Washington Avenue – taking into account annual maintenance, special maintenance and lifetime cost analysis;
- o. Landscape/tree planting and maintenance plan (including focal points for planting colorful flowing plants);
- p. Monumental entrances (focus on experience of entering Park, including parking lots);
- q. Potable water and electricity upgrades to facilitate events;
- r. Possible addition at a later date of interactive water feature

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D. MASTER PLAN PROCESS

This phase will begin the actual planning of the site. Through our many years of experience in master planning parks, we have developed a very thorough and comprehensive workshop process that involves City staff and all members of the community. We have formulated the following strategies for dealing with the potential conflicts and methods to resolve them.

Strategies for Building Consensus

- Persuasion
- Negotiations
- Build support with various groups and/or influential members of the community
- Develop a solid plan for addressing all concerns for the park site and park users based on information gathered **before** the first public meeting
- Provide clear, credible data about the project
- Produce high quality public information materials about the project
- Meet with groups and/or individuals "one-on-one" to hear their concerns and help them to understand the projects goals
- Opponents are motivated by the status quo and are resistant to change
- Recognize the seriousness of the concerns; don't down play them
- Demonstrate how the project will lead to an improved quality of life
- Appeal to sense of community and fair play
- When land use controversies appear to be grounded on ideological conflict focus the groups on mutual interests and not on non-mutual values or ethics
- When opposition is related to governing agency, council, staff, etc. show the participants how much they and their ideas are respected
- Refer to individuals by name
- Ask citizens to give their opinions and record and respond to each of their concerns
- Be at your nicest and most courteous - small courtesies and favors create internal and external pressure to reciprocate

We will also reach out to the community residents by creating a web site specifically for this project. It will contain all of the pertinent information about the planning process including but not limited to project calendar, workshop notices, site analysis plans conceptual plans, site photos, meeting notes and a comment page.

We will also create a Facebook page for the park to further reach out to the community residents and encourage participation in the planning process.

GRAPE DAY PARK

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City Staff Meeting #1

The first step in the process will be to meet with City staff and finalize the design parameters for the site. From this discussion a list of proposed facilities and amenities will be compiled. RHA will then research and collect photographic examples of these items that clearly demonstrate their character for use at the public meetings. These will be presented on photo boards and in PowerPoint format.

Site Walking Tour (Community Workshop #1)

The goal of Site Walking Tour will be to let the community members get a "first hand" look at the conditions of the site. The Site Analysis Plan will be presented and the relationships of current and expected uses and the opportunities and constraints of the general site will be discussed.

A walking tour of the site will then be conducted by the design team. Key locations will be identified prior to the workshop and a site map will be given to all participants. Notebooks will also be provided so that participants can record their thoughts during the course of the site walk. The notebooks will be collected at the end of the walk and used in the development of the Master Plan along with the input received at the next series of meetings.

Focus Group Workshops (*optional service – additional fee*)

We will work with city staff to determine what Focus Groups will need to be formed to ensure we obtain the input needed for the Master Plan. We will schedule these workshops to take place on the same day but at separate times. The purpose of these workshops will be to get more directed input from residents that might get overshadowed in the larger community based workshops later in the process. We will utilize our laptop computer, projector and screen along with Google Earth to create an ***Interactive Workshop Environment***. This will allow us to view the site from unlimited angles and viewpoints so that all areas can be explored during the workshop. We will also have templates of various site improvement features that can be overlaid on the aerial photo of the site to clearly demonstrate and explore all possible options.

Community Workshop #2

This workshop will provide an opportunity for all interested community residents to give their input on the design of the park. We will utilize mounted site plans as well as the Google Earth projections to view the site during the course of the workshop. As the participants give their suggestions, the items will be listed on large sheets of paper. It has been our experience that it is very important to list **all** of the comments so that everyone feels their ideas are "being heard". These comments will then be compiled with the comments received at the previous meetings to begin development of the Concept Plans for the park site.

Conceptual Design and City Staff Meeting #2

The input gathered will be used to generate two (2) alternative design concepts along with preliminary cost estimates.

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An important part of the site design will be planning for potential educational uses that are could occur in the park. These were also vital factors in the design of the *Reyes Adobe Historical Site, Jensen-Alvarado Historic Ranch and Museum* and *Founders' Park* projects prepared by RHA. It will be important to create spaces where groups of children and the public can be gathered to learn about the history of the city and the region and the daily activities of the time period. The flow patterns of the groups as they move through the site will be studied carefully so there are no conflicts that would detract from the educational experience. A focus on creating "hands-on" experiences will also be important. Children and other visitors learn much longer lasting knowledge when they can actually experience the activity themselves.

Beyond the use for educational related activities will be the use of the site as a community gathering space for special events. The site will be designed to accommodate groups that will allow the city and local historical groups to plan for weekend or evening activities that can help foster an awareness of the history of the city and the region. Display areas will also need to be designed for historic items owned by the city or Historical Society or that might be donated.

Interpretive signage will be very important for "telling the story" of the city and the region. We will develop designs for pedestals and monuments that the historical facts and stories can be displayed on.

Another area that may be explored is the Native American heritage of the city and the surrounding region. It is part of the fabric upon which the region was built and it is extremely important to document and educate the community. This important heritage can be demonstrated at various locations throughout the park by means of demonstration areas, kiosks and signage.

"Green" design will also be an important part of the project development. Sustainable techniques and materials will be used throughout the site design to demonstrate to the park visitors the principals of sustainable design. We will strive to implement the following sustainable design concepts into the design of the Grape Day Park site:

- Use solar panels where appropriate
- Plant deciduous trees in courtyards to allow winter sunshine
- Use Deciduous trees adjacent to the south and west building faces to reduce energy needs in the summer
- Harvest rain water with cisterns to help reduce the use of potable water. This was done quite often in the historical period of this area.
- Use site specific weather and ET adjusting irrigation controllers
- Design low volume irrigation systems for shrub and groundcover areas
- Use of native trees, shrubs and groundcover and other water wise plant materials to the extent that they are historically accurate.
- Specify the use of locally sourced building and plant materials
- Specify products made from recycled materials
- Specify renewable wood products certified by the Forest Stewardship Council

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- Design lighting systems which minimize night light pollution
- Provide bicycle parking
- Create useable areas which detain storm water on site
- Reduce pollution by treating storm water through the use of on-site bioswales
- Specify decomposed granite, porous concrete and/or permeable pavers for all hardscape areas
- Specify organic mulch in shrub and groundcover areas to retain water and suppress weeds
- Specify the use of organic fertilizers and compost
- Design universal accessibility to site features
- Provide recycling bins for park users

Based on the research, city staff and community input, we will prepare two (2) Concept Plan options to be reviewed and discussed with city staff. We will also prepare "image boards" with photos, sketches and renderings of various site elements.

Detailed cost estimates will also be prepared for each concept. Based on input from staff, we will make revisions to the plans prior to presenting them to the residents at the Community Workshop #3. We will also prepare an Opinion of Probable Construction Cost that can be segmented into phases that fit into the city's CIP budget.

Community Workshop #3

The goal of this workshop will be to present the two (2) alternative design concepts for the park and receive input from the residents on what they prefer in each concept. We will again utilize Google Earth as needed along with the "image boards" to help everyone understand what the various facilities and amenities will look like. These have proven to be invaluable in conveying the concepts illustrated on the plans.

City Staff Meeting #3

Upon completion of the community workshop, the design team will review the plans and comments received with City staff and discuss the preparation of the final Master Plan for the site. The comments from this meeting will be used to prepare the version of the plan that will be presented to the community at the City Council meeting. The final Master Plan will be fully developed, detailed, rendered and mounted on a presentation board. The plan will be colored and labeled and be accompanied by color image boards showing the amenities chosen for the park. Because the plans and boards are all prepared on the computer, full color prints as well as 11 x 17 color prints will be provided of both the plan and the image boards. We will also convert the drawings and image boards to a format that can be utilized in PowerPoint for use in the City Council meeting.

We will also finalize the cost estimate for the site. The accuracy of the cost estimates will be very important in order to prepare phasing plans, if necessary, for the implementation of the new park design. We will divide the park improvements into logical sections for implementation over a number of years that fit into the projected City budget.

GRAPE DAY PARK

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The Master Plan text accompanying the illustrative site design shall be a document that includes the following information to assist the City in the long-term build-out of Grape Day Park:

- a. Introduction
- b. Master Plan Vision, Goals and Objectives
- c. Existing Conditions
- d. Constraints analysis (biology, cultural, geotechnical, preliminary drainage analysis, etc.)
- e. Community participation / partners
- f. Examples of architecture, colors and materials, fencing, lighting, signage, furniture, and a landscape palette for Grape Day Park coordinated with the Escondido Creek Trail and Maple Street Plaza in order to establish a comprehensive, unified design theme.
- g. Implementation strategy/phasing plan
- h. Identification of permitting/regulatory requirements and deadlines
- i. Preliminary Cost estimates

The draft Master Plan text and concept site plan will be then be presented to the Community Services Commission, Planning Commission, Historic Preservation Commission and City Council for consideration and adoption.

Phase I: Design and Construction Plans for Expanded Playground

Phase I of the Grape Day Park Master Plan will be the preparation of design and construction plans of an agricultural-themed playground area for children ages 5-12 to supplement the Vinehenge interactive art facility.

Included in the design will be the integration of a 15' eucalyptus stump adjacent to the Vinehenge facility. The project shall also include an adult fitness zone, shade structure(s) and either benches or picnic tables. We understand that funds totaling \$218,500 for the expanded playground that includes design, construction and installation. The goal we will accomplish is to maximize play value with new *and unique* equipment that enhances Grape Day Park as a desirable family destination.

All plans will be developed using AutoCAD 2010 or later. The title block will include signature blocks, City logo, numbered pages and signature blocks for City staff approval and signature.

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1. DESIGN DEVELOPMENT PLAN

We will prepare a Design Development Plan for the proposed playground improvements. Photographic examples of the improvements will be provided. After approval of the plan we will proceed with the Construction Documents outlined below.

2. DEMOLITION PLANS

We will prepare a Demolition Plan that will identify all existing items within the proposed improvement areas and whether they are to be protected-in-place or removed.

3. SITE CONSTRUCTION PLANS & DETAILS

We will prepare site construction plans that will locate by dimensioning all exterior site elements. The plans will also identify all paving and construction materials. Details will be provided to demonstrate proper construction and installation of all the site elements. Precise grades for all concrete work will also be provided on the plans.

4. IRRIGATION PLANS & DETAILS

We will prepare irrigation plans to modify the existing irrigation around the playground expansion area. The existing irrigation system will be evaluated for coverage and recommendations will be made for renovation and/or replacement. Details will be provided to demonstrate proper installation of all irrigation equipment.

5. PLANTING PLANS & DETAILS

We will prepare detailed plans for all planting areas on the site affected by the proposed construction improvements. These plans will locate and identify all items of plant material to be used. Details will be provided to demonstrate proper installation of the plants.

6. OPINION OF PROBABLE CONSTRUCTION COSTS

We will prepare a detailed opinion of probable construction cost at the conceptual plan stage and at 100% submittal of the construction documents. The estimate will be a very detailed line item document identifying all of the specific amenities proposed for construction.

7. PLAN SUBMITTAL AND REVISIONS

We will submit all plans for review by the city. Revisions will be made as necessary after city review.

8. MEETINGS

We have budgeted for three (3) meetings with City staff during the course of this work.

Park Master Plan and Playground Construction Documents

ID	Task Name	Duration	Start	Finish	Feb '14	Mar '14	Apr '14	May '14	Jun '14	Jul '14	Aug '14	Sep '14	Oct '14	Nov '14	Dec '14	Jan '15
1	PROJECT START-UP & RESEARCH	38 days	Mon 3/31/14	Tue 5/20/14												
2	Kickoff Meeting with City staff	0 days	Mon 3/31/14	Mon 3/31/14			3/31									
3	Set up project Web site & Facebook page	2 wks	Mon 3/31/14	Fri 4/11/14			3/31 4/11									
4	Site Research	3 wks	Mon 3/31/14	Fri 4/18/14			3/31 4/18									
5	Topographic Survey utilizing City GIS staff	2 wks	Mon 3/31/14	Fri 4/11/14			3/31 4/11									
6	Site visit with City staff, officials, and Grape Day Task Force	0 days	Wed 4/16/14	Wed 4/16/14			4/16									
7	Prepare Site Anaylsis/Opportunities & Constraints Plan	3 wks	Thu 4/17/14	Tue 5/6/14			4/17 5/6									
8	Coordination with permitting agencies	2 wks	Wed 5/7/14	Tue 5/20/14			5/7 5/20									
9	MASTER PLAN DEVELOPMENT	169 days	Tue 5/20/14	Mon 1/12/15				5/20								1/12
10	Meeting with City staff and Task Force	0 days	Tue 5/20/14	Tue 5/20/14			5/20									
11	Focus Group Workshops (optional service)	2 wks	Wed 5/21/14	Tue 6/3/14			5/21 6/3									
12	Community Workshop #1 (site walk)	0 days	Sat 6/7/14	Sat 6/7/14			6/7									
13	Meeting with City staff and Task Force to discuss input	0 days	Wed 6/11/14	Wed 6/11/14			6/11									
14	Develop Preliminary Master Plan alternatives	3 wks	Thu 6/12/14	Wed 7/2/14			6/12 7/2									
15	Meeting with City staff and Task Force to discuss plans	0 days	Wed 7/2/14	Wed 7/2/14			7/2									
16	Finalize Preliminary plans for presentation to community	8 days	Thu 7/3/14	Mon 7/14/14			7/14									
17	Community Workshop #2	0 days	Wed 7/16/14	Wed 7/16/14			7/16									
18	Meeting with City staff and Task Force to discuss input	0 days	Mon 7/21/14	Mon 7/21/14			7/21									
19	Develop Draft Master Plan	3 wks	Tue 7/22/14	Mon 8/11/14			7/22 8/11									
20	Meeting with City staff and Task Force to discuss plan	0 days	Mon 8/11/14	Mon 8/11/14			8/11									
21	Finalize Draft Plan for presentation to community	9 days	Tue 8/12/14	Fri 8/22/14			8/12 8/22									
22	Community Workshop #3	0 days	Wed 8/27/14	Wed 8/27/14			8/27									
23	Meeting with City staff and Task Force to discuss input	0 days	Mon 9/1/14	Mon 9/1/14			9/1									
24	Finalize Draft Master Plan for presentation to Commissions & Council	15 days	Tue 9/2/14	Mon 9/22/14			9/2 9/22									
25	Present DMP to City Appearance Committee	0 days	Mon 9/29/14	Mon 9/29/14			9/29									
26	Present DMP to Community Services Commission	0 days	Thu 10/23/14	Thu 10/23/14			10/23									
27	Present Draft Master Plan to Historical Preservation Committee	0 days	Tue 11/4/14	Tue 11/4/14			11/4									
28	Present Draft Master Plan to Planning Commission	0 days	Tue 11/25/14	Tue 11/25/14			11/25									
29	Present Draft Master Plan to City Council	0 days	Tue 12/23/14	Tue 12/23/14			12/23									
30	Prepare Final Master Plan Documents	15 days	Tue 12/23/14	Mon 1/12/15												
31																
32	DESIGN & CONSTRUCTION PLANS FOR EXPANDED PLAYGROUND	99 days	Mon 4/14/14	Wed 8/27/14												
33	Prepare Concept Plan	2 wks	Mon 4/14/14	Fri 4/25/14			4/14 4/25									
34	Meeting with City staff and Task Force to discuss plan	0 days	Fri 4/25/14	Fri 4/25/14			4/25									
35	Prepare Design Development Plan	2 wks	Mon 4/28/14	Thu 5/8/14			4/28 5/8									
36	Meeting with City staff to review plan	0 days	Thu 5/8/14	Thu 5/8/14			5/8									
37	Prepare 75% Construction Drawings & Cost Estimate	4.8 wks	Fri 5/9/14	Wed 6/11/14			5/9 6/11									
38	Meeting with City staff to review plans	0 days	Wed 6/11/14	Wed 6/11/14			6/11									
39	Prepare 100% Construction Drawings, Spec.'s & Estimate	2 wks	Thu 6/12/14	Wed 6/25/14			6/12 6/25									
40	Submit Plans for 1st Plan Check	0 days	Wed 6/25/14	Wed 6/25/14			6/25									
41	City Review of Plans	3 wks	Thu 6/26/14	Wed 7/16/14			6/26 7/16									
42	Revise Drawings per Plan Check Comments	2 wks	Thu 7/17/14	Wed 7/30/14			7/17 7/30									
43	Submit Plans for Final Plan Check & Approval	0 days	Wed 7/30/14	Wed 7/30/14			7/30									
44	City Review & Approval	2 wks	Thu 7/31/14	Wed 8/13/14			7/31 8/13									
45	Prepare Bid Schedule & Documents	2 wks	Thu 8/14/14	Wed 8/27/14			8/14 8/27									

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 13

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Loretta McKinney, Director of Library and Community Services
Karen Youel, Management Analyst

SUBJECT: Authorization to Apply for Escondido Charitable Foundation Grant

RECOMMENDATION:

It is requested that Council authorize a grant application to the Escondido Charitable Foundation for a \$30,000 Science, Technology, Engineering, and Mathematics (STEM) Grant for capital costs related to implementing an expanded STEM curriculum at the On-Track After School program.

FISCAL ANALYSIS:

This action will have no impact on the General Fund budget. Escondido Charitable Foundation has no match requirement.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the Council's Action Plan regarding Community Outreach.

PREVIOUS ACTION:

None.

BACKGROUND:

The Escondido Charitable Foundation (ECF) is an affiliate of The San Diego Foundation, San Diego's leading resource for information about charitable giving and community needs. In its eighth cycle of grant making, the ECF focuses specifically on Science, Technology, Engineering and Mathematics (STEM) in Escondido. They have invited proposals that provide STEM education for the general population of Escondido (from early childhood to seniors), giving consideration to projects that inspire innovation in, increase individuals understanding of, and incorporate experiential learning activities. Projects should be practical, achievable within a 12-month time frame, and have prospects for long-term sustainability. Funding may be used to expand existing programs, replicate programs tested in other communities, or to launch totally new efforts. Individual grant awards will be between \$15,000 and \$35,000. Projects must be completed between October 1, 2014 and October 31, 2015.

Authorization to Apply for Escondido Charitable Foundation Grant

March 19, 2014

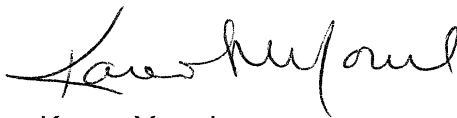
Page 2

Staff proposes a single grant application for this cycle, to expand STEM activities to all seven On Track After School Program sites as well as the summer camp program. The On Track Program offers activities such as sports and games, dedicated homework time, arts and crafts, and special events. In a safe, supervised environment, children are led through these activities by professionally trained staff that encourages the development of positive self-esteem and social growth. Five of the locations are funded through a grant from the California Department of Education (ASES); two locations, North Broadway and Reidy Creek Elementary Schools, and the summer camp program are not funded. This has resulted in unequal resources for programming at these sites. The City will apply for funding to implement long-term equity between the seven program sites by investing funds to purchase 10-12 new iPad minis and to introduce an 8 week Mad Science class at the two non-ASES after school program sites and the summer camp. With a focus on inquiry-based learning and experimentation, the excitement generated by activities can stimulate additional interest, as children teach what they have learned and share science projects related to the class topics. Grant funding will provide the capital funds to initiate richer programming at all sites.

Respectfully submitted,



Loretta McKinney
Director of Library and Community Services



Karen Youel
Management Analyst

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 14

Date: **March 19, 2014**

TO: Honorable Mayor and Members of the City Council

FROM: Craig Carter, Chief of Police

SUBJECT: FY 2013 Operation Stonegarden Grant

RECOMMENDATION:

It is requested that Council authorize the Police Department to accept FY 2013 Operation Stonegarden Grant funds in the amount of \$50,000 from the California Emergency Management Agency (CALEMA) through San Diego County, authorize the Police Chief to submit grant documents on behalf of the City, and approve budget adjustments needed for overtime expenses related to enforcement in support of Department of Homeland Security goals.

FISCAL ANALYSIS:

This action will have no impact on the General Fund Budget. Grant funds will be used to pay overtime expenses.

PREVIOUS ACTION:

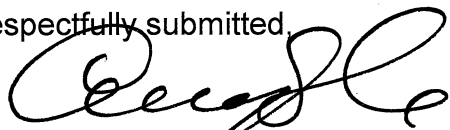
On March 5, 2013, Council accepted a FY 2012 Operation Stonegarden Grant in the amount of \$74,148 to pay overtime expenses.

BACKGROUND:

The Escondido Police Department has received a \$50,000 FY 2013 Operation Stonegarden Grant from the California Emergency Management Agency. Consistent with grant guidelines, funds will be used to support U.S. Department of Homeland Security Bureau of Customs and Border Protection efforts in the region to improve border security. The Department proposes to use grant funds to pay overtime expenses for multi-disciplinary crime suppression operations. This grant will provide operational funding to enforce local and State laws within our jurisdiction to target human trafficking, narcotics trafficking, criminal alien gang activity, and weapons trafficking. Grant funds will not be used to enforce immigration laws on behalf of Customs and Border Protection/Border Patrol.

Your action today to accept grant funds and authorize staff to submit grant documents will support crime prevention and suppression in the City of Escondido.

Respectfully submitted,



Craig Carter
Chief of Police



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: March 10, 2014
Department: Police
Division: Administration
Project/Budget Manager: Lisa Rodelo 4905
Name Extension
Council Date (if applicable): March 19, 2014
(attach copy of staff report)

For Finance Use Only

Log # _____
Fiscal Year _____
____ Budget Balances
____ General Fund Accts
____ Revenue
____ Interfund Transfers
____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Revenue	4128-451-New Project Number	50,000	
Police Grants	451-New Project Number	50,000	

Explanation of Request:

A budget adjustment is needed to spend grant funds for FY 2013 Operation Stonegarden overtime.

APPROVALS

Department Head

3-10-14

Date

City Manager

Date

Finance

3/11/14

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.: 15

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Craig Carter, Chief of Police

SUBJECT: FY 2008 California Office of Traffic Safety "Avoid DUI Campaign" Grant Modification

RECOMMENDATION:

It is requested that Council authorize the Police Department to accept additional grant funds in the amount of \$10,000 from the San Diego Sheriff's Department for the "Avoid DUI Campaign" Grant Program, authorize the Police Chief to submit grant documents on behalf of the City, and approve budget adjustments needed for overtime expenses related to DUI enforcement operations.

FISCAL ANALYSIS:

This action will have no impact on the General Fund Budget. Grant funds will be used to pay overtime expenses.

PREVIOUS ACTION:

City Council accepted a \$31,525 California Office of Traffic Safety "Avoid the 14" Grant from the San Diego Sheriff's Department on October 22, 2008. Additional funds were accepted in the amount of \$10,000 on November 14, 2012.

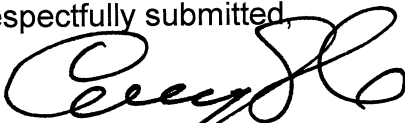
BACKGROUND:

The San Diego County Sheriff's Department received additional funds for the FY 2008 California Office of Traffic Safety "Avoid DUI Campaign" Grant. As a result, they have allocated \$10,000 to the Escondido Police Department under the current grant.

San Diego County "Avoid DUI Campaign" is a partnership of local law enforcement agencies participating in grant activities countywide. Activities include DUI/DL checkpoints, multi-agency DUI task force operations, court sting operations, saturation patrols, and warrant service sweeps targeting multiple DUI offenders who violate probation terms or fail to appear in court.

Your action today to accept additional grant funds and authorize staff to submit grant documents, will allow the Police Department to receive overtime reimbursement for continued participation in countywide DUI enforcement operations with allied agencies.

Respectfully submitted,



Craig Carter
Chief of Police



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: March 10, 2014
Department: Police
Division: Administration
Project/Budget Manager: Lisa Rodelo 4905
Name Extension
Council Date (if applicable): March 19, 2014
(attach copy of staff report)

For Finance Use Only

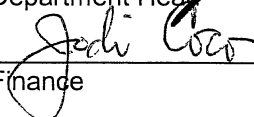
Log # _____
Fiscal Year _____
____ Budget Balances
____ General Fund Accts
____ Revenue
____ Interfund Transfers
____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Revenue	4128-451-OTSAVD	\$10,000	
Police Grants	451-OTSAVD	\$10,000	

Explanation of Request:

A budget adjustment is needed to spend additional grant funds for DUI education and enforcement for previously established "Avoid the 14" Grant.

APPROVALS

 3-10-14 Date
Department Head
 3/11/14 Date
Finance
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.: 16

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Craig Carter, Chief of Police

SUBJECT: FY 2014 Collaborative Agency Resources for Escondido (CARE) Youth Project Grant

RECOMMENDATION:

It is requested that Council authorize the Escondido Police Department to accept additional funds in the amount of \$7,788 for the FY 2014 CARE Youth Project Grant from the Escondido Union School District; authorize the Chief of Police and Police Department staff to execute contract documents on behalf of the City; and approve budget adjustments needed to spend grant funds.

FISCAL ANALYSIS:

This action will have no impact on the General Fund Budget. Grant funds will be used to pay reserve officer salary, officer overtime, overhead, and program supply costs.

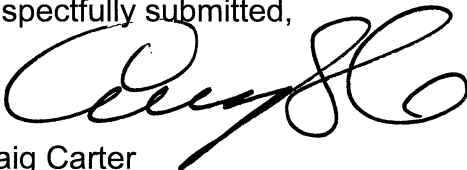
PREVIOUS ACTION:

On July 24, 2013, Council approved CARE Youth Project Grant funding in the amount of \$31,600 for reserve officer salary, overhead, and program supply costs.

BACKGROUND:

The Escondido Police Department has been allocated additional funds under the FY 2014 CARE Youth Project Grant funds from the Escondido Union School District (EUSD). This funding was provided by the Safe Schools/Healthy Students (SS/HS) Initiative, a federal program designed to prevent violence and substance abuse among our nation's youth, schools, and communities. Funds cover program supplies, salary and overhead expenses for a part-time EPD Reserve Officer, and police officer overtime for officers assigned to work with EUSD to prevent gang violence in elementary and middle schools.

Respectfully submitted,



Craig Carter
Chief of Police



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: March 10, 2014
Department: Police
Division: Administration
Project/Budget Manager: Lisa Rodelo 4905
Name Extension
Council Date (if applicable): March 19, 2014
(attach copy of staff report)

For Finance Use Only

Log # _____
Fiscal Year _____
____ Budget Balances
____ General Fund Accts
____ Revenue
____ Interfund Transfers
____ Fund Balance

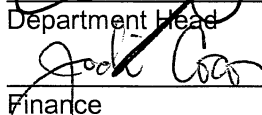
Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Revenue	4128-451-CARE14	7,788	
Police Grants	451-CARE14	7,788	

Explanation of Request:

A budget adjustment is needed to spend additional funds received from FY 2014 CARE Youth Project Grant for officer salary, overtime, overhead, and program supply costs.

APPROVALS



Department Head


Finance
3-10-14
Date
3/11/14
Date

City Manager
Date

City Clerk
Date

Distribution (after approval):

Original: Finance

RESOLUTION NO. 2014-24 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO REJECTING THE DETERMINATIONS OF THE DIRECTOR OF COMMUNITY DEVELOPMENT AND THE PLANNING COMMISSION AND APPROVING A 99 CENTS ONLY STORE WITHIN THE CENTRE CITY URBAN DISTRICT OF THE DOWNTOWN SPECIFIC PLAN.

CASE NO: ADM 13-0168

WHEREAS, the City of Escondido's General Plan and Downtown Specific Plan have been adopted in accordance with all applicable laws and regulations and provide a guide for the use of private and public lands within the community's boundaries; and

WHEREAS, Chapter 33 of the Escondido Municipal Code is a codification of the Escondido Zoning Code and provides for the appeal of decisions of the Planning Commission to the City Council; and

WHEREAS, the Planning Commission did, on January 14, 2014, consider and recommend upholding a Land Use Determination made by the Director of Community Development to not allow a 99 Cents Only Store to be permitted within the Center City Urban District of the Downtown Specific Plan, in a location addressed as 355-445 North Escondido Blvd. (APN 229-332-32), more particularly shown in Exhibit "B," attached to this Resolution and incorporated by this reference; and

WHEREAS, the City Council did, on February 12, 2014, hold a public hearing and considered the appeal of the Planning Commission's decision, the staff report, the recommendations of the Planning Commission and appropriate agencies, and public testimony presented at the public hearing; and

WHEREAS, the City Council has reviewed and considered the environmental

review in compliance with Public Resources Code Section 21065, and has determined that the Land Use Determination is not subject to CEQA review; and

WHEREAS, the City Council made a determination at this time to allow the nationally recognized discount chain of 99 Cents Only Stores to open a retail location within the Center City Urban District of the Downtown Specific Plan.

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

1. That the above recitations are true.
2. That on January 27, 2014, the applicant, MCS Civic Center Plaza, LLC, through its attorney, requested the City Council of the City of Escondido to hold a hearing to reconsider the Planning Commission's determination that a 99 Cents Only Store is prohibited pursuant to the City's Downtown Specific Plan.
3. That the application was assessed in conformance with the California Environmental Quality Act and that the land use determination is not a Project, pursuant to Public Resources Code Section 21065, and therefore is not subject to CEQA Review.
4. That a notice of the City Council's hearing was published and mailed as required by the Escondido Zoning Code and applicable State law.
5. That a staff report discussing the issues in the matter was presented to the City Council on February 12, 2014.
6. That a noticed public hearing was held by the City Council on February 12, 2014 and that all persons desiring to speak did so.
7. That the City Council has reviewed and considered the environmental review prepared for the project, the staff reports, and has heard and considered testimony given at the public hearing.

8. That the Findings of Fact, attached as Exhibit "A" and herein incorporated, were made by the City Council.

9. That, upon consideration of the Findings of Fact (Exhibit "A"), applicable law, all material in the staff report and submitted by the applicant, all testimony presented at the hearing, and all other oral and written evidence of this project, the City Council hereby determines that a 99 Cents Only Store is an appropriate use at the proposed location in the Civic Center Plaza commercial center, addressed as 355-445 North Escondido Blvd. (APN 229-332-32) within the Centre City Urban District of the Downtown Specific Plan.

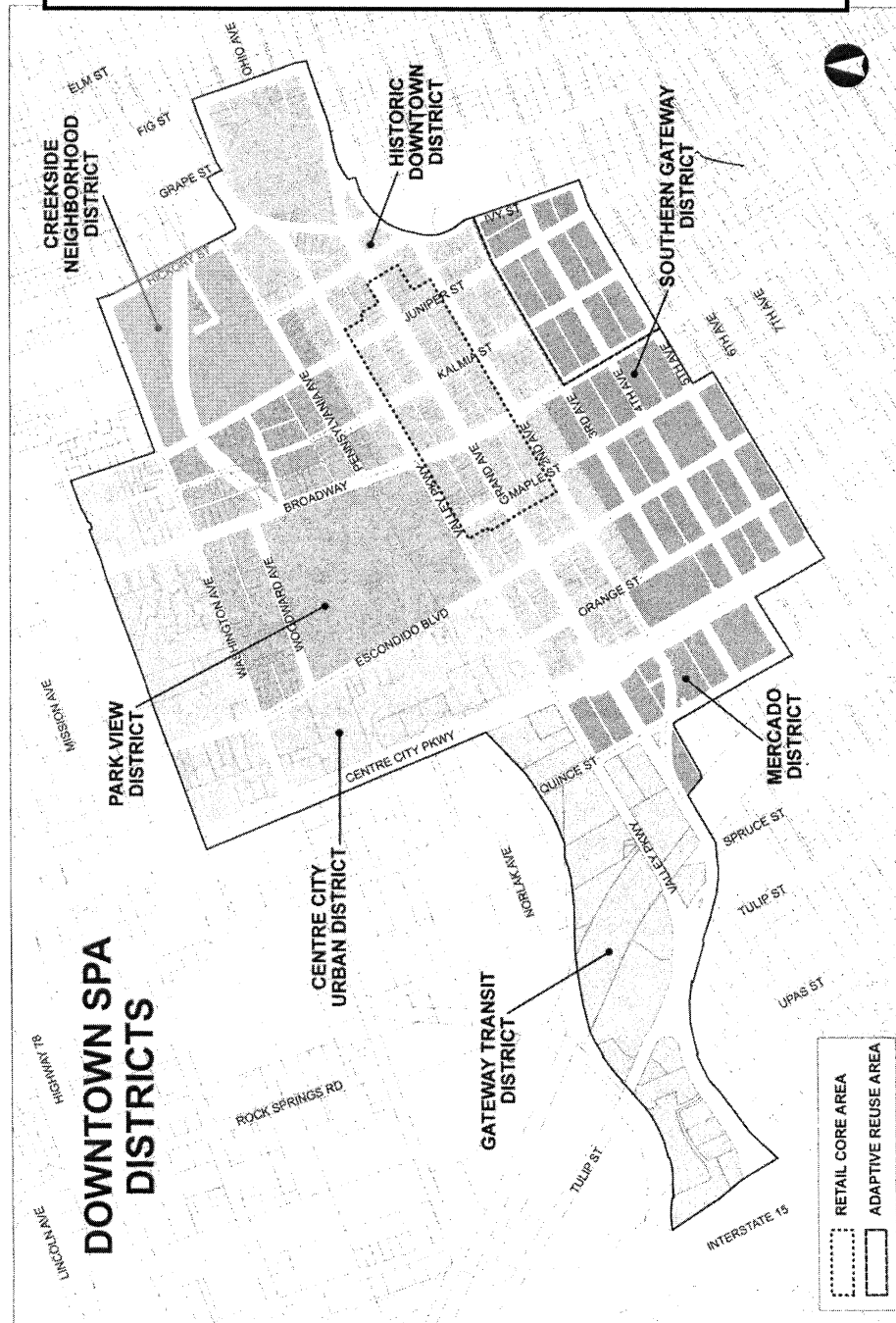
10. NOTICE IS FURTHER GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution, and any such protest must be in a manner that complies with California Government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

EXHIBIT "A"
FINDINGS OF FACT
ADM 13-0168 – Appeal

1. The existing 17,000 SF tenant space in the Civic Center Plaza commercial center within the Centre City Urban District of the Downtown Specific Plan is an appropriate location for a nationally recognized 99 Cents Only Store.

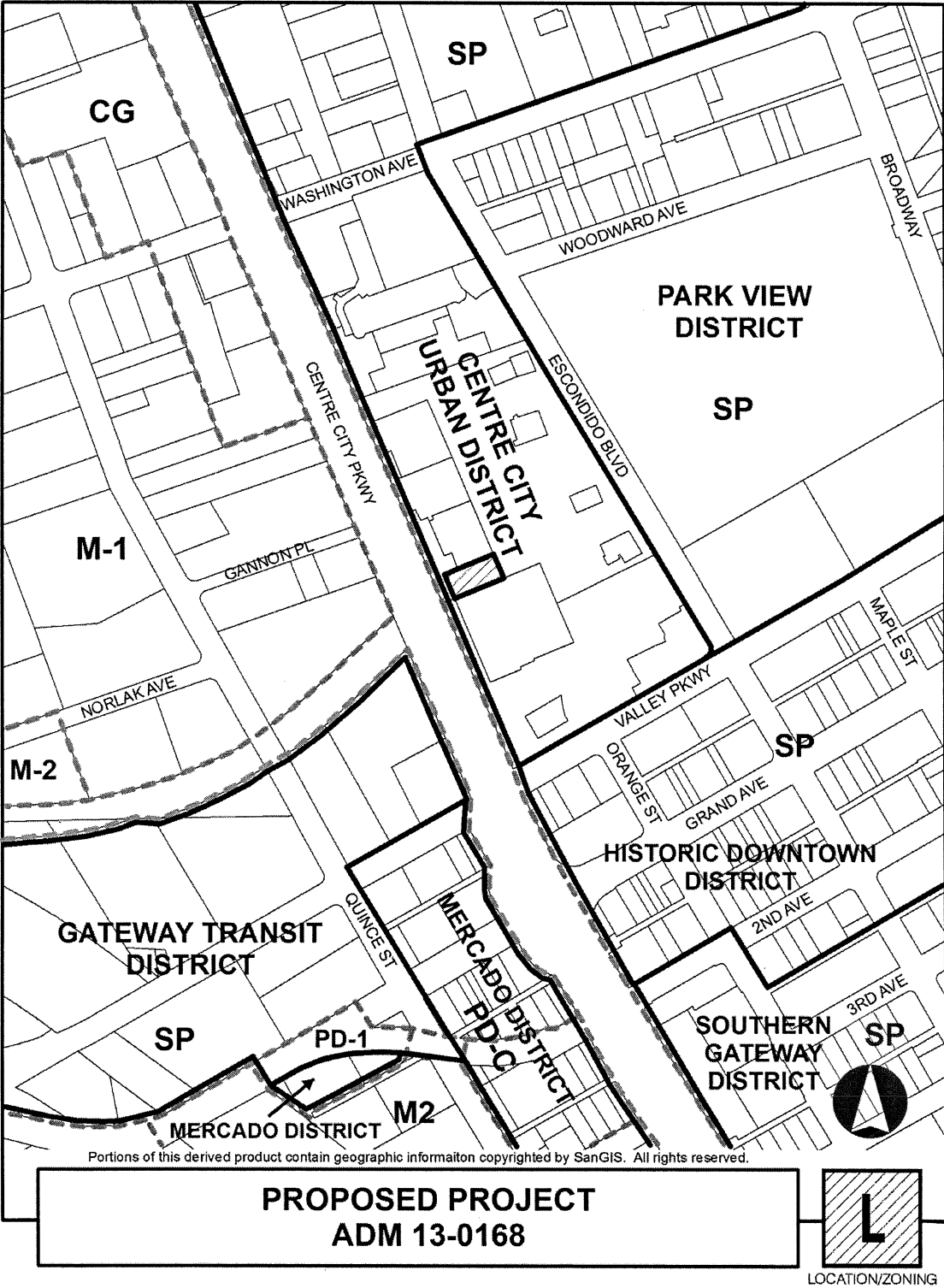
EXHIBIT "B"
LOCATION MAP

DOWNTOWN SPECIFIC PLAN AREA
ADM 13-0168-Appeal
EXHIBIT "B"



PROPOSED PROJECT
ADM 13-0168

EXHIBIT "B"
LOCATION MAP
ADM 13-0168 – Appeal



ORDINANCE NO. 2014-09

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING ESCONDIDO MUNICIPAL SECTION
2-21 TO ADD PROVISIONS RELATED TO THE
CONDUCT OF CITY COUNCIL MEETINGS

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

SECTION 1. Escondido Municipal Code Section 2-21 is hereby amended to read
as follows:

Article 2. City Council

Section 2-21. Time, location of meetings

- (a) The regular meeting time for the Escondido City Council will be on the first four Wednesdays of each month, commencing with closed session items at 3:30 p.m. and a regular public meeting at 4:30 p.m. Such meetings may be canceled from time to time depending on the number of agenda items, availability of council members or related circumstances. Unless publicly noticed otherwise, all meetings shall take place at Escondido City Hall, 201 North Broadway, Escondido, California.
- (b) The Escondido City Council may adopt rules of decorum and procedure from time to time by means of City Council Resolution. Rules adopted to expedite the transaction of the business of the council in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the council or invalidate any action taken at a meeting that is otherwise held in conformity with law.
- (c) Any person using vulgar, profane, loud or boisterous language at any meeting or otherwise interrupting the proceedings of the council, or who refuses to carry out orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the council meeting, or who interrupts proceedings, shall upon conviction be deemed guilty of a misdemeanor.
- (d) The chief of police, or such member of the police department as designated, shall be sergeant-at-arms of the city council, and shall attend meetings at the request of the presiding officer, city manager, or city council, and shall carry out all orders given by the presiding officer or council for the purpose of maintaining order and decorum at the council meetings.

SECTION 2. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 3. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the City of Escondido.

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 19

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Public Works Director/City Engineer
Danielle Lopez, Neighborhood Services Manager

SUBJECT: Reaffirm Community Development Priorities of the FY 2010-2015 Consolidated Plan for Community Development Block Grant (CDBG) and Approve Allocation Process for FY 2014-2015 CDBG-Funded Activities

RECOMMENDATION:

It is requested that Council conduct a public hearing to review and reaffirm the community development priorities adopted in the 2010-2015 Five-Year Consolidated Plan for CDBG and approve an allocation process for FY 2014-2015 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.

FISCAL ANALYSIS:

It is anticipated that the City of Escondido will receive approximately \$1.3 million in CDBG entitlement funds from the U.S. Department of Housing and Urban Development (HUD) for FY 2014-2015. Specific recommendations for allocations of CDBG funds will be brought to Council on April 9, 2014 for adoption in the FY 2014-2015 One-Year Action Plan. CDBG activities and related administrative costs will be funded solely by grant funds and will not impact the General Fund.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

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

PREVIOUS ACTION:

On March 24, 2010, Council approved the FY 2010-2015 Five-Year Consolidated Plan for CDBG funds, which includes six community development priorities as outlined in this report.

BACKGROUND:

Based on community needs assessments and public participation, six community development priorities were identified and adopted as part of the FY 2010-2015 Five-Year Consolidated Plan for CDBG. Each year, prior to adoption of the One-Year Action Plan for CDBG, Council is asked to review and reaffirm the community development priorities and may choose to adopt changes at that time. A second public hearing, to approve the FY 2014-2015 One-Year Action Plan for CDBG, allocating the FY 2014-2015 funds, is scheduled for April 9, 2014.

Past Performance of the City of Escondido CDBG Program

A comprehensive review of FY 2012-2013 CDBG funded activities is included in the Consolidated Annual Performance and Evaluation Report (CAPER), which was submitted to HUD in September 2013 and available on the Neighborhood Services Division Web page at: www.escondido.org/neighborhood-services.aspx. HUD's overall assessment of the program rated the City of Escondido's performance as 'Good'.

HUD Regulations for CDBG

CDBG regulations place limitations on the amount of funding grantees may use for administration and public services. No more than 15 percent of a grantee's annual CDBG allocation may be used for public service activities and no more than 20 percent of a grantee's annual CDBG allocation may be used for program administration. There is no cap on the percentage of a grantee's annual CDBG allocation that may be used for capital and other special activities in low and moderate income neighborhoods.

CDBG-funded activities must meet at least one of three national objectives set forth by HUD:

1) Benefit low and moderate income persons; 2) aid in the elimination of slum and blight; or 3) meet a particular urgent community need because existing conditions pose a serious threat and no other source of funds is available. Historically, all CDBG funded activities in the City of Escondido have focused on the first national objective of benefitting low and moderate income persons.

Escondido's Community Development Priorities

The community development priorities approved in the FY 2010-2015 Five-Year Consolidated Plan for CDBG are:

1. Youth: Increase quality-of-life opportunities for low and moderate income students and their families by improving their social and physical environment with specific focus in the Mission Park Area.

2. Economic Development: Provide economic development opportunities for low and moderate income residents with specific focus in the Mission Park Area.
3. Transportation for Seniors: Explore and develop coordinated, low-cost, flexible transportation alternatives for seniors.
4. Neighborhood Revitalization: Identify and improve low income neighborhood areas appropriate for revitalization through direct citizen involvement.
5. Homelessness: Support comprehensive, integrated service systems to transition local homeless families and individuals to permanent or residential housing and self-sufficiency.
6. ADA Improvements: Continue to utilize CDBG and general fund resources, as they become available, to address the public facility needs identified in the City's ADA Transition Plan.

CDBG Funded Activities in Escondido

Significant progress continues to be made towards addressing the community development priorities of the FY 2010-2015 Five-Year Consolidated Plan. Additional efforts are still required to improve the quality of life for Escondido's low and moderate income residents. Such activities are currently underway for FY 2013-2014, the fourth year of the Consolidated Plan period, and are listed in Attachment A. Priorities of the Consolidated Plan and their corresponding activities also address current Council Action Plan priorities, specifically Community Outreach, Economic Development, Image and Appearance and Workforce Development.

For FY 2014-2015, the final year of the Five-Year Consolidated Plan, it is recommended that City Council reaffirm the community development priorities. The City's and the community's efforts in addressing these priorities, to date, support the continuation of services directed toward targeted low and moderate income neighborhoods. City sponsored activities continue to build upon previous successes in neighborhoods such as Los Arboles, West Side Involved Neighbors, South Tulip, and Park Place in the Mission Park Area.

In the alternative, Council may direct that the community development priorities of the Consolidated Plan be amended to include new or additional priorities.

Allocation Process for FY 2014-2015 CDBG-Funded Activities

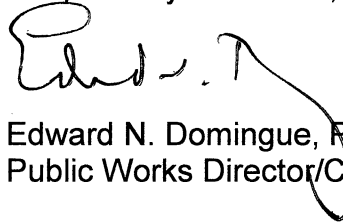
In keeping with HUD regulation, the City of Escondido has used the allowable 15 percent public service allocation to provide services in targeted low and moderate income neighborhoods to address the Five-Year Consolidated Plan priorities. The City conducts two public hearings in accordance with its Consolidated Plan policy, and utilizes a streamlined allocation process for CDBG. Many public service activities are funded on a continual basis, if services are provided satisfactorily. Application

Reaffirm Community Development Priorities and Recommend Allocation Process for CDBG
March 19, 2014
Page 4

materials are posted on the City's website and proposals are accepted on a year-round basis for CDBG funding.

To date, the City of Escondido has not received any proposals from outside agencies for FY 2014-2015.

Respectfully submitted,



Edward N. Domingue, P.E.
Public Works Director/City Engineer



Danielle Lopez
Neighborhood Services Manager

Attachment A

City of Escondido FY 2013-2014 CDBG Activities and Projects

Administration - 20% cap	
CDBG Administration	\$282,815
Fair Housing	\$13,773
Total	\$296,588
Public Service - 15% cap	
Learn to Swim	\$24,225
Exceptional Promise Scholarship	\$21,375
Workforce Assistance Computer Lab	\$14,060
Senior Transportation	\$23,655
Senior Nutrition	\$45,125
Senior CARE	\$5,700
Bilingual Computer Training	\$8,265
Meals on Wheels	\$11,875
Food 4 Kids Backpack Program	\$10,715
Winter Shelter	\$31,635
Total	\$196,630
Uncapped Capital Improvement & Other Neighborhood Revitalization Activities - (No max.)	
Grants to Blocks	\$150,000
Project NEAT	\$50,000
Code Enforcement	\$60,000
Grape Street Improvements	\$272,070
Graffiti Removal	\$95,000
Escondido Creek Lighting	\$200,000
Total	\$827,070

CITY COUNCIL

For City Clerk's Use:

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APPROVED

☐

DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 20

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Joyce Masterson, Director of Economic Development and Community Relations

SUBJECT: Memorandum of Understanding between the City of Escondido and the cities of Carlsbad, Oceanside, San Marcos and Vista

RECOMMENDATION:

City Council authorize the Mayor to execute a Memorandum of Understanding (MOU) for Business Retention and Attraction Cooperation between the City of Escondido and the cities of Carlsbad, Oceanside, San Marcos and Vista

FISCAL ANALYSIS:

The MOU does not represent a financial arrangement among the five cities.

PREVIOUS ACTION:

None

BACKGROUND:

The cities of Carlsbad, Escondido, Oceanside, San Marcos and Vista along the SR 78 corridor wish to enter a new era of regional collaboration to promote and support local economic development. The five cities recognize that collaborating and acting as a region first, and individual communities second, is one of the best incentives that can be offered to businesses to keep them within the corridor. A copy of the MOU is attached (See Attachment 1) and has been reviewed and approved by the City Managers and City Attorneys of each of the 5 cities.

Respectfully submitted,



Joyce Masterson
Director of Economic Development and Community Relations

The Five Cities
 (*Brand to be inserted here when finalized)
Economic Development Collaborative

**Business Retention and Business Attraction Cooperation
 Memorandum of Understanding**

Thinking regionally along the SR78 corridor

With the global economic environment as ambiguous and uncertain as ever, proactive regionalism is a powerful economic development tool in business retention and attraction. Acting as a region first and individual communities second is one of the best incentives that can be offered to businesses to keep them within the corridor. Cooperation among the Five Cities—working together—will convey to businesses that the SR78 corridor is the best place to do business in San Diego County.

1. Introduction

The Cities of Carlsbad, Oceanside, Vista, San Marcos, and Escondido (Five Cities) along SR78 corridor in North San Diego County, California, wish to enter a new era of regional collaboration to promote and support local economic development. These Cities recognize that collaborating on economic development activities will showcase the SR78 corridor's positive attributes and offer significant benefits to the Five Cities and their residents. Furthermore, the Cities also acknowledge that intraregional competition may be counterproductive to regional economic development. While individual Cities want to encourage businesses to locate within their boundaries, they prefer not to do so at the expense of their neighbors.

2. Principles and Protocols

Each City should attempt to conform its economic development efforts to the following principles and protocols:

- The regional economy will be stronger if Cities work together. Collaborative efforts should focus on retaining and expanding existing businesses, attracting of new businesses, and the showcasing the region's business-conducive environment. These efforts should emphasize attracting new business along the SR78 corridor to enhance the regional economy, rather than encouraging companies to move from one community to another.
- By thinking and acting regionally, Cities will (1) eliminate duplicative efforts, (2) achieve greater economies of scale, (3) better leverage resources, and (4) create a business environment which is more attractive for private investment.
- Cities shall be committed to locating prospects along the SR78 corridor. In the

event that a City cannot meet the needs of a particular prospect, that City should communicate with the other Cities in an effort to meet the company's needs elsewhere along the corridor.

- Transactions are to be driven by the business's needs. If a company chooses to relocate from one community to another, every effort will be made to contact the affected City to inform them of the potential move. When one City cannot accommodate business relocation or a prospect, that City will share information, as allowed by the client, with other Cities in the region to maximize the prospect for regional business development.
- All Cities will avoid soliciting another partner City's businesses, schools or prospects. For the purposes of this item, the term "solicit" shall not be construed to prevent a City or its authorized agent from engaging in typical real estate business practices regarding commercial real estate that a City owns, manages or otherwise controls. A City or its authorized agent may list available commercial space in normal real estate brokerage marketing devices and may discuss or negotiate with any business or commercial operation that inquires into the availability of said City owner, managed or controlled commercial real estate.
- Cities should be committed to sharing with each other as much information as is necessary and prudent on any activity undertaken by or in the name of this regional cooperation. The guiding principle shall be that "more information is better than less."
- "Selling against" another City in the region or direct solicitation of intrastate relocations is strongly discouraged.

3. Confidentiality of Prospects

Cities within the region shall honor the confidentiality of individual businesses/prospects to the extent permitted by law. Whenever possible, specific information on particular transactions should be shared. In those instances where businesses/prospects are dealing with individual cities, information will only be shared with the affected City's economic development representatives.

In instances where a prospect wishes to remain completely confidential with an individual city, the remaining Cities shall honor that confidentiality and should not attempt to intervene in the relationship. The prospect will remain confidential until the prospect chooses to announce.

4. Financial Commitment; Nature of MOU

This MOU encompasses guidelines for the conduct of the Five Cities, not obligatory standards to be followed. As such, it is not a contract and the failure to implement a guideline or to follow a guideline will not represent a contractual breach nor create any liability to a City or a third party based on this MOU.

This MOU does not represent a financial arrangement among the Five Cities.

5. Term of the MOU

For a period of five years, each City will endeavor to reasonably pursue the guidelines contained in this MOU, unless a City notifies the other Cities of its intention to withdraw from the MOU, which notification shall take effect immediately.

6. Regional Economic Development Strategy

it is acknowledged that to fully implement an effective economic development effort for the region, an economic development strategy is necessary. That strategy will take the ongoing involvement and investment of each of the Five Cities. Although this document does not address the specifics of that Economic Development Strategy, all parties agree to work together to create, support, and maintain the strategy. The Economic Development Strategy will be created by and updated by the Cities each fiscal year so as to continue our mutual economic development efforts in an uninterrupted manner.

7. Conclusion

Therefore, it is recommended that the Five Cities promote this agreement with existing and prospective local businesses. Pervasive knowledge of this agreement amongst the business community within and outside the region is an essential step towards achieving the objectives of this economic development collaborative.

Date: _____

We hereby agree

City of Carlsbad

City of Escondido

City of Oceanside

City of Vista

City of San Marcos

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 21

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Sheryl Bennett, Director of Administrative Services
Joan Ryan, Assistant Finance Director

SUBJECT: Financial Report for the Quarter Ended December 31, 2013

RECOMMENDATION:

It is requested that Council receive and file the second quarter financial report and approve the following amendments to the Fiscal Year 2013/14 operating budget:

- 1) Approve an increase to the Building Maintenance operating budget of \$500,000 to cover unanticipated expenses during current year. Funding for this increase will come from one time funds of \$301,175 received from fiber optic companies for fiber optic installations within the City limits. The remaining funding of \$198,825 will come from the Recycling Division that has available budget due to some program delays during the current year due to staffing.
- 2) Approve an increase to the Public Works/Streets operating budget of \$152,000 to cover unanticipated expenses during the year. Funding of \$99,100 will come from the Warehouse Fund that has available budget due to salary savings from some unfilled positions. The remaining funds of \$52,900 came from developer deposits for public street improvements that have been completed during the year.
- 3) Approve an increase to the Engineering operating budget of \$10,000 to cover staff time associated with review and inspection of a fiber optic project proposed by Verizon Communications. Funding for this review has been received from Verizon.
- 4) Approve an increase to the Fire Department operating budget of \$219,375 to cover costs for strike team incidents, grant funded training, and a cost allocation study to receive Medi-Cal supplemental revenue. Funding for these increases will come from fire mutual aid, grant funding and increased revenue for paramedic transports
- 5) Approve a transfer to the General Liability operating budget of \$500,000 from the General Liability fund balance to adjust for litigation and settlement costs.

FISCAL ANALYSIS:

The proposed amendments to Fiscal Year 2013/14 operating budget will have no effect on General Fund Reserves as all the adjustments have identified funding sources for their proposed budget increases.

PREVIOUS ACTION:

On October 2, 2013, the City Council received and approved the Fiscal Year 2012/13 fourth quarter financial report. Council also approved a transfer of funds in the current year in the amount of \$7,937 to cover the Reidy Creek Golf Course operating loss in Fiscal Year 2012/13. In addition, City Council approved a transfer of funds in the current year of \$651,000 to fund specific projects in the Building Maintenance Fund. The source of funding for these transfers was the General Fund Reserve.

On October 23, 2013, the City Council approved a budget adjustment to account for the sale of the Harmony Grove property. The proceeds from this sale repaid the advance owed to the Wastewater Fund in the amount of \$3.78 million and a transfer of \$1 million each to the Fleet Services Fund and the Public Facilities Fund. These Funds were the original sources of funding for this project. The gain from the sale of this property is \$437,293 and is classified as one-time revenue to the General Fund.

In late Fall 2013, the City Council approved budget adjustments appropriating \$345,460 to cover increased Public Safety contract costs.

BACKGROUND:

Quarterly financial reports present written financial updates to Council concerning certain funds of the City based on the most recent financial information available. These quarterly financial reports include budgetary information for certain funds, along with the actual resources received to date, in addition to the use of these resources in fulfilling each fund's financial plan. The reports provide year to date information for the General Fund, Recreation Fund, Water and Wastewater Funds, the Reidy Creek Fund, and the Successor Agency Fund. The quarterly financial report is for internal use only.

Respectfully submitted,



Sheryl Bennett
Director of Administrative Services



Joan Ryan
Assistant Finance Director



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: 3/19/13 _____

Department: Finance _____

Division: _____

Project/Budget Manager: Joan Ryan _____ 4338
Name Extension

Council Date (if applicable): 3/19/13 _____
(attach copy of staff report)

For Finance Use Only

Log # _____

Fiscal Year _____

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

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Settlements	5153-691	500,000	
Fund Balance	3050-691		500,000
Professional Services	5131-650-450	500,000	
Engineering Misc Projects	4226-001	301,175	
Professional Services	5131-001-407		198,825
Transfer In	4999-650	500,000	
Transfer Out	5999-001	500,000	
Operating Supplies	5101-001-403	152,000	
Engineering Misc Projects	4226-001	52,900	
Transfer In	4999-001	99,100	
Transfer Out	5999-652	99,100	
Regular Full-time	5001-001-402	10,000	
Engineering Misc Projects	4226-001	10,000	
Overtime	5020-001-600	171,095	
Fire Mutual Aid Reimb.	4256-001	166,190	
Reimb. from Outside Agencies	4370-001	4,905	
Professional Services	5131-001-600	48,280	

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease

Explanation of Request:

Mid year budget adjustment requested with 2nd quarter financial report ended December 31, 2013

APPROVALS

Department Head

Date

City Manager

Date

Finance

Date

City Clerk

Date

Distribution (after approval):

Original: Finance

Quarterly Financial Status Report

Second Quarter Ending December 31, 2013



Prepared by the Finance Department

This report summarizes the City's overall financial position for the period of July 1, 2013 through December 31, 2013. While the focus of this report is the General Fund, the financial status of the Recreation Fund, the Water and Wastewater Funds, the Reidy Creek Municipal Golf Course, and the Successor Agency Funds are included. This report is for internal use only. The figures presented here are unaudited and have not been prepared in accordance with Generally Accepted Accounting principles (GAAP).

The revenue projections and budget include adjustments for encumbrances, carryovers, and any other supplemental appropriations approved by the City Council as of December 31, 2013.

General Fund

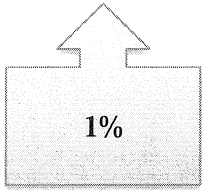
At the end of the second quarter, General Fund revenues are at 27.1% of the amended budget, while expenditures are at 46.7%. Based on past history of revenue receipts and payment of expenditures, it appears that General Fund revenues are projected to be up about \$.2 million over amended revenue and expenditures are on track to meet budget in the current fiscal year.

On December 19, 2013, the City sold the Harmony Grove property for \$6.5 million. The proceeds from this sale went to repay the advance owed to the Wastewater Fund in the amount of \$3.78 million and a transfer of \$1 million to the Fleet Services Fund and \$1 million to the Public Facilities Fund. These repayments were made to these Funds as they were the original source of funding for this project. The gain from the sale of this property is \$437,293 and is classified as one-time revenue to the General Fund.

The next few pages of the report provide detail of General Fund revenue and expenditures from operations.

GENERAL FUND NET INCOME/(LOSS)				
	Original Budget	Amended Budget	Actuals	Actual/ Amended Budget
Revenues	\$80,705,915	\$80,778,870	\$21,899,472	27.1%
Transfers In	2,126,800	2,126,800	2,126,800	100.0%
Total Sources of Funds	82,832,715	82,905,670	24,026,272	29.0%
Expenditures	81,891,615	82,640,410	38,580,675	46.7%
Transfers Out/Advance Payments	941,100	1,390,037	1,280,037	92.1%
Total Uses of Funds	82,832,715	84,030,447	39,860,712	47.4%
Net Income (Loss) from Operations	-	(1,124,777)	(15,834,440)	
One-Time Revenue - Sale of property		437,295	437,293	
Net Income (Loss)	-	(687,482)	(15,397,147)	

General Fund Revenues



TOTAL REVENUES (\$21.9 million): General Fund total revenue is up 1% compared to the prior fiscal year at this time or about \$.2 million. The largest gains were in other taxes and charges for services. Below is a more detailed analysis of this change in revenue.

Sales Tax: As of December 31, 2013, sales tax revenue was \$237,993 lower than the previous year's receipts. The primary reason for this decrease was a lower fourth quarter cleanup payment of \$379,197 that the City received in September of this year compared to the prior year fourth quarter clean up payment of \$921,396. Each quarter, the State Board of Equalization (SBOE) sends the City three monthly sales tax advance payments that are based on prior year activity adjusted by either a positive or negative growth factor. After the sales tax quarter is closed, the SBOE sends the City a cleanup payment to adjust to the actual sales tax received in that quarter. So in fourth quarter fiscal year 2011/12 sales tax was up 13% whereas fourth quarter fiscal year 2012/13 sales tax was only up 2.1% which resulted in a larger cleanup payment in the prior year as the SBOE had not anticipated all this growth.

Actual sales tax receipts through December 31, 2013 are lower than projected tax receipts by about \$472,000. This is because sales tax was projected to grow by 8% in the current fiscal year, however; first quarter sales tax has only grown by about 6% compared to the previous year like quarter. In addition, the October advance received from the SBOE in December for the second quarter fiscal year is projecting growth of only 4%. However, the good news is the outcome from the City's second quarter sales tax was received from the SBOE on March 14th and the City's sales tax grew at 12%.

Property Taxes: Property tax revenues are down about 1.8% or \$76,000 compared to the prior year. This decrease was mainly the result of decreases in secured property tax receipts. Actual property tax revenue compared to projected tax revenues are down about \$171,000 or 4% in the current year. This decrease is believed to be payment timing issues as the actual property taxes billed by the County are up about 2% compared to the prior year. In addition, the County of San Diego Assessor's Office reported assessed value growth for Escondido in the 2013/14 assessment year of 2.7%. Based on this information, property tax growth of 2 to 3% should be achieved this year.

Other Taxes: All other taxes include franchise fees, transient occupancy tax, property transfer tax, transfer station fee and business licenses. In total these revenues are up about 12% or \$331,000 compared to the prior year. The largest gain was due to franchise fees that were up due to increased gas usage at the Palomar Energy power plant.

Intergovernmental revenues: Intergovernmental revenues include vehicle license fees collected in prior years, the Rincon fire services agreement, senior nutrition grants, P.O.S.T. reimbursement, and state mandated cost reimbursements. Revenues in this category have increased over the prior year by about \$2,500. This increase is mainly due to an increase in the amount of grant revenue received. The increase is offset by a decrease in vehicle license fees due to additional one-time revenue received in the last fiscal year for excess fees collected by the State in prior years.

Permits & Fees: Permits and fees total \$.6 million and are up \$38,500 compared to the prior year. This increase is largely due to an increase in the number of building permits issued.

General Fund Revenues (continued)

Fines & Forfeitures: Fines and forfeitures are collected by the City for red light photo citations, vehicle code fines, parking ticket fines, other court fines, library fines, code enforcement citations and impound fees. These revenues are down about 13.6% or \$88,600 compared to prior year due to decreases in collections from red light photo citations (program ended), impound fees, and vehicle code fines.

Charges for Services: Charges for Services include paramedic fees, false alarm fees, fingerprinting revenue, abandoned vehicle fees, alarm registration, library fees, senior center fees, planning fees, building plan check fees, engineering fees, fire prevention inspection fees, fire mutual aid and passport processing fees. Revenues collected this year have increased compared to the prior year by about \$320,000 or 10.3%. This increase is due to an increase in fees collected for special police services. In addition, planning charges have increased. Paramedic revenue is also up about \$80,000 due to increased paramedic transports.

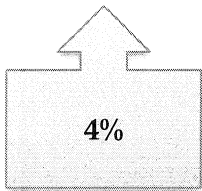
Income from Investment and Property: Income from investments and property is down about \$27,000 compared to last year at this time. This decrease is due to the City's declining portfolio investment yield and decreased cash balance. The City's annual portfolio yield has declined from 1.4904% in the prior year to 1.1298% in the current year.

GENERAL FUND REVENUE COMPARISON				
	Original Budget	Jul 2012 to Dec 2012 Actuals	Jul 2013 to Dec 2013 Actuals	Prior Year to Current Year Change
REVENUES				
Sales Tax and In Lieu Sales Tax	\$34,841,500	\$8,241,467	\$8,003,474	(\$237,993)
Property Tax and In Lieu VLF	21,014,000	4,191,784	4,115,435	(76,349)
Other Taxes	10,058,415	2,853,823	3,184,820	330,997
Permits and Licenses	934,000	552,439	590,960	38,521
Fines and Forfeitures	1,416,500	652,786	564,115	(88,671)
Intergovernmental	2,527,500	884,297	886,819	2,522
Charges for Services	6,178,500	3,111,550	3,431,000	319,450
Income from Property and Investments	3,394,000	983,387	956,826	(26,561)
Other Revenue	341,500	212,982	166,023	(46,959)
TOTAL REVENUES	80,705,915	21,684,515	21,899,472	214,957

GENERAL FUND						
REVENUE COMPARISON - BUDGET TO ACTUAL						
	FY 2013-14 Original Budget	FY 2013-14 Amended Budget	Jul 2013 to Dec 2013 Actuals	Projected Revenue	Variance Over (Under)	%
TAXES						
Sales Tax and In Lieu Sales Tax	\$34,841,500	\$34,841,500	\$8,003,474	\$8,475,865	(\$472,391)	-5.6
Property Tax and In Lieu of VLF	21,014,000	21,014,000	4,115,435	4,285,944	(170,509)	-4.0
Franchise Tax	5,625,000	5,625,000	1,460,848	1,197,984	262,864	21.9
Business License Tax	1,622,000	1,622,000	733,177	717,476	15,701	2.2
Transient Occupancy Tax	1,205,000	1,205,000	547,842	514,505	33,337	6.5
Transfer Station Fee	685,000	685,000	278,521	215,727	62,794	29.1
Property Transfer Tax	386,000	386,000	164,432	122,132	42,300	34.6
RPTTF Residual Payment	535,415	535,415				
TOTAL TAXES	65,913,915	65,913,915	15,303,729	15,529,633	(225,904)	-1.5
INTERGOVERNMENTAL						
Vehicle License Fees			62,583		62,583	0.0
Rincon Fire Agreement	1,900,000	1,900,000	642,553	627,805	14,748	2.3
Grants	627,500	627,500	181,683	213,810	(32,127)	-15.0
TOTAL INTERGOVERNMENTAL	2,527,500	2,527,500	886,819	841,615	45,204	5.4
PERMITS AND LICENSES	934,000	934,000	590,960	613,452	(22,492)	-3.7
FINES AND FORFEITURES	1,416,500	1,416,500	564,115	621,400	(57,285)	-9.2
CHARGES FOR SERVICES						
Planning Charges	232,000	232,000	224,040	90,071	133,969	148.7
Building Plan Check	173,000	173,000	111,570	79,760	31,810	39.9
Engineering Fees	308,000	308,000	161,916	165,729	(3,813)	-2.3
Police Services	380,500	380,500	265,819	121,003	144,816	119.7
Paramedic	3,700,000	3,700,000	2,028,338	1,877,037	151,301	8.1
Other Services	514,000	514,000	459,670	291,756	167,914	57.6
Community Services	95,000	95,000	32,426	42,039	(9,613)	-22.9
Recycling Fees	776,000	776,000	147,221	153,548	(6,327)	-4.1
TOTAL CHARGES FOR SERVICES	6,178,500	6,178,500	3,431,000	2,820,943	610,057	21.6
INCOME FROM INT & PROPERTY	3,394,000	3,440,120	956,826	1,149,014	(192,188)	-16.7
OTHER REVENUE	341,500	367,335	166,023	165,703	320	0.2
TOTAL GENERAL FUND REVENUE	\$80,705,915	\$80,777,870	\$21,899,472	\$21,741,760	\$157,712	0.7

GENERAL FUND				
REVENUE COMPARISON - PRIOR YEAR TO CURRENT YEAR				
	Jul 2012 to Dec 2012 Actuals	Jul 2013 to Dec 2013 Actuals	Prior Year to Current Year Change	%
TAXES				
Sales Tax and In Lieu Sales Tax	\$8,241,467	\$8,003,474	(\$237,993)	-2.9
Property Tax and In Lieu of VLF	4,191,784	4,115,435	(76,349)	-1.8
Franchise Tax	1,263,113	1,460,848	197,735	15.7
Business License Tax	698,294	733,177	34,883	5.0
Transient Occupancy Tax	530,500	547,842	17,342	3.3
Transfer Station Fee	227,144	278,521	51,377	22.6
Property Transfer Tax	134,772	164,432	29,660	22.0
TOTAL TAXES	15,287,074	15,303,729	16,655	0.1
INTERGOVERNMENTAL				
Vehicle License Fees	75,619	62,583	(13,036)	-17.2
Rincon Fire Agreement	633,112	642,553	9,441	1.5
Grants	175,566	181,683	6,117	3.5
TOTAL INTERGOVERNMENTAL	884,297	886,819	2,522	0.3
PERMITS AND LICENSES	552,439	590,960	38,521	7.0
FINES AND FORFEITURES	652,786	564,115	(88,671)	-13.6
CHARGES FOR SERVICES				
Planning Charges	93,213	224,040	130,827	140.4
Building Plan Check	81,389	111,570	30,181	37.1
Engineering Fees	243,040	161,916	(81,124)	-33.4
Police Services	123,702	265,819	142,117	114.9
Paramedic	1,948,551	2,028,338	79,787	4.1
Other Services	438,002	459,670	21,668	4.9
Community Services	44,342	32,426	(11,916)	-26.9
Recycling	139,311	147,221	7,910	5.7
TOTAL CHARGES FOR SERVICES	3,111,550	3,431,000	319,450	10.3
INCOME FROM INT & PROPERTY	983,387	956,826	(26,561)	-2.7
OTHER REVENUE	212,982	166,023	(46,959)	-22.0
TOTAL GENERAL FUND REVENUE	\$21,684,515	\$21,899,472	\$214,957	1.0

General Fund Expenditures



TOTAL EXPENDITURES (\$38.6 million): General Fund operating costs and departmental operating expenditures are on target for the second quarter of the year. The amount expended to date is approximately 46.7% of the total amount budgeted for in fiscal year 2013-14. Total expenditures are up 4.2% compared to the prior fiscal year or about \$1.6 million.

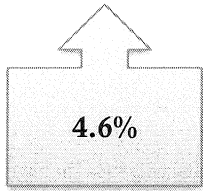
GENERAL FUND EXPENDITURE COMPARISON

	FY2013-14 Adopted Budget	FY2013-14 Amended Budget	Jul 2012 to Dec 2012 Actuals	Jul 2013 to Dec 2013 Actuals	Prior Year to Current Year Change
EXPENDITURES					
Employee Services	\$70,637,125	\$71,245,525	\$31,736,360	\$33,105,796	\$1,369,436
Maintenance & Operations	12,848,080	12,965,450	5,507,282	6,251,978	744,696
Internal Service Charges	10,236,030	10,236,030	5,015,958	5,118,539	102,581
Capital Outlay	7,035	30,060	17,858	24,764	6,906
Allocations In/(Out)	(11,836,655)	(11,836,655)	(5,251,931)	(5,920,402)	(668,471)
TOTAL EXPENDITURES	81,891,615	82,640,410	37,025,527	38,580,675	1,555,148

GENERAL FUND				
EXPENDITURE STATUS BY DEPARTMENT - BUDGET TO ACTUAL				
	FY 2013-14 Adopted Budget	FY 2013-14 Amended Budget	Jul 2013 to Dec 2013 Actuals	% Exp
GENERAL GOVERNMENT				
City Council	\$302,215	\$302,215	\$166,904	55.2
City Manager / Video Services	1,023,835	1,163,835	577,570	49.6
City Attorney	178,710	318,710	188,945	59.3
City Clerk	478,595	639,620	261,404	40.9
City Treasurer	287,270	287,270	139,637	48.6
Finance	1,208,225	1,208,225	379,726	31.4
Human Resources / Risk Management	536,130	536,130	229,157	42.7
Information Systems	1,043,885	1,043,885	462,869	44.3
TOTAL GENERAL GOVERNMENT	5,058,865	5,499,890	2,406,212	43.8
COMMUNITY SERVICES				
Library	3,525,625	3,525,625	1,669,230	47.3
Older Adult Services/Nutrition Center	873,975	899,810	384,297	42.7
TOTAL COMMUNITY SERVICES	4,399,600	4,425,435	2,053,527	46.4
COMMUNITY DEVELOPMENT				
Planning	1,369,000	1,381,000	627,156	45.4
Code Enforcement	1,024,675	1,024,675	426,234	41.6
Building	767,980	767,980	339,646	44.2
TOTAL COMMUNITY DEVELOPMENT	3,161,655	3,173,655	1,393,036	43.9
PUBLIC WORKS				
Engineering	1,938,635	2,001,110	690,872	34.5
Streets	5,381,095	5,381,095	2,697,535	50.1
Parks and Maintenance	2,373,940	2,373,940	1,145,400	48.2
Recycling & Waste Reduction	636,625	636,625	147,733	23.2
TOTAL PUBLIC WORKS	10,330,295	10,392,770	4,681,540	45.0
PUBLIC SAFETY				
Police	35,307,675	35,544,755	16,550,660	46.6
Fire / Emergency Management	20,312,690	20,421,070	10,025,969	49.1
TOTAL PUBLIC SAFETY	55,620,365	55,965,825	26,576,629	47.5
OTHER EXPENDITURES				
Non-Departmental	1,457,805	1,309,805	155,135	11.8
Community Relations	91,170	101,170	34,000	33.6
California Center for the Arts	1,771,860	1,771,860	1,280,596	72.3
TOTAL OTHER EXPENDITURES	3,320,835	3,182,835	1,469,731	46.2
TOTAL GENERAL FUND EXPENDITURES	\$81,891,615	\$82,640,410	\$38,580,675	46.7%

GENERAL FUND				
EXPENDITURE STATUS BY DEPARTMENT - PRIOR YEAR TO CURRENT YEAR				
	Jul 2012 to Dec 2012 Actuals	Jul 2013 to Dec 2013 Actuals	Prior Year to Current Year Change	%
GENERAL GOVERNMENT				
City Council	\$135,916	\$166,904	\$30,988	22.8
City Manager / Video Services	462,826	577,570	114,744	24.8
City Attorney	65,936	188,945	123,009	186.6
City Clerk	200,047	261,404	61,357	30.7
City Treasurer	145,262	139,637	(5,625)	-3.9
Finance	432,671	379,726	(52,945)	-12.2
Human Resources / Risk Management	176,577	229,157	52,580	29.8
Information Systems	452,672	462,869	10,197	2.3
TOTAL GENERAL GOVERNMENT	2,071,907	2,406,212	334,305	16.1
COMMUNITY SERVICES				
Library	1,582,584	1,669,230	86,646	5.5
Older Adult Services/Nutrition Center	346,955	384,297	37,342	10.8
TOTAL COMMUNITY SERVICES	1,929,539	2,053,527	123,988	6.4
COMMUNITY DEVELOPMENT				
Planning	605,372	627,156	21,784	3.6
Code Enforcement	422,474	426,234	3,760	0.9
Building	373,483	339,646	(33,837)	-9.1
TOTAL COMMUNITY DEVELOPMENT	1,401,329	1,393,036	(8,293)	-0.6
PUBLIC WORKS				
Engineering	951,069	690,872	(260,197)	-27.4
Streets	2,613,066	2,697,535	84,469	3.2
Parks and Maintenance	1,015,196	1,145,400	130,204	12.8
Recycling & Waste Reduction	167,667	147,733	(19,934)	-11.9
TOTAL PUBLIC WORKS	4,746,998	4,681,540	(65,458)	-1.4
PUBLIC SAFETY				
Police	16,395,950	16,550,660	154,710	0.9
Fire / Emergency Management	9,019,369	10,025,969	1,006,600	11.2
TOTAL PUBLIC SAFETY	25,415,319	26,576,629	1,161,310	4.6
OTHER EXPENDITURES				
Non-Departmental	238,111	155,135	(82,976)	-34.8
Community Relations	52,000	34,000	(18,000)	-34.6
California Center for the Arts	1,170,324	1,280,596	110,272	9.4
TOTAL OTHER EXPENDITURES	1,460,435	1,469,731	9,296	0.6
TOTAL GENERAL FUND EXPENDITURES	\$37,025,527	\$38,580,675	\$1,555,148	4.2%

Recreation Fund



OPERATING REVENUES (\$2,081,718): Overall Recreation operating revenues are up about \$90,800 in comparison to last year. Key reasons for this outcome are discussed below:

Facility Use Rentals (\$74,613): Facility Use Rentals includes monies collected for swimming pool rentals, park/picnic rentals, community service building rentals, Amphitheatre use, tournaments hosted by outside agencies, concession rentals and ball field light use. Revenues are up 17.2% or about \$11,000 compared to the prior year. These increases are due to Recreation staff evaluating and making appropriate changes to existing programs as they relate to facility usage. Recreation classes have been revamped bringing in new instructors with different courses and scheduling them at the Mathes and Park Avenue Community centers to capitalize on facility availability. In addition to the repairs made to the soccer fields, Recreation and Public Works staff continues to work together on improving and maintaining the condition of the softball fields, all of which has produced an increase in use by the soccer and softball leagues and tournament activities.

Program Revenue (\$739,032): Program Revenue includes monies collected for various Recreation programs such as Hockey, Soccer, Softball, Learn to Swim, Tiny Tots, Enrichment Classes, Summer Day Camp and Skate Park use. Revenues are up slightly by about \$600 compared to the prior year. These increases are a direct result of the concerted efforts by the Recreation staff to increase participation in the “Learn to Swim” and the Kit Carson Skate Park programs; rearrange the East Valley Community Center’s gym availability to accommodate the additional gym rentals; and enhance the quality and management of the Summer Day Camp Program.

Golf Course Rent (\$88,206): Golf Course Rent collected from the Vineyard Golf Course is up slightly compared to last fiscal year. The Vineyard Golf Course is owned by the City of Escondido and the City of San Diego and rent from the golf course is shared equally between the City and San Diego. The golf course is managed by a private golf course management company that pays this rent to the City.

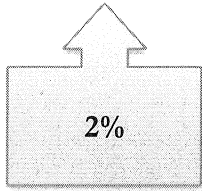
Other Rent (\$266,314): Other Rent collected during the year is up about \$77,000 compared to last year due to renting out the entire East Valley Community Center, which was only partially rented last year. The Recreation Fund receives rental income from the East Valley Community Center rental spaces and cellular antenna site rentals.

On Track State Grant (\$551,011): On Track State grant revenue collected during the year is about the same as last year. The City receives these grant monies to offer free after-school day care to all students currently enrolled in certain schools in the City.

Interest and Principal on Loans (\$362,542): Interest and Principal on Loans collected during the year is about the same when you net the two together. The loan for the Vineyard Golf Course is nearing its completion and will be paid off in FY 2015, so more principal is being paid off than interest received. The interest and principal loan payments paid to the City from the golf course management company are used to make the debt service payments on the bonds that built the golf course.

Transfers In (\$126,047): The transfer in this year is a combination of General Fund money and the return of the remaining funds from the East Valley Community Computer Lab project that came in about \$4,200 under budget.

Recreation Fund (continued)



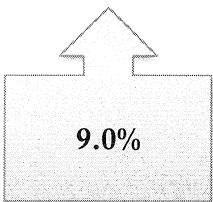
OPERATING EXPENDITURES (\$1,856,711): Operating expenditures are about the same in comparison to the prior year when you disregard the tenant relocation costs that were incurred this year. There was \$36,600 in relocation costs charged to the recreation fund to move the existing tenants at the East Valley Community Center when the Heritage Digital Academy took over their lease. You will also notice a large decrease in the allocations out this year. This was a result of the reorganization of the department when the Director of Community Services retired last year.

RECREATION FUND					
	FY 2013/14 Adopted Budget	Jul 2012 to Dec 2012 Actuals	Jul 2013 to Dec 2013 Actuals	Prior Year to Current Year Change	%
OPERATING REVENUES					
Facility Use Rentals	\$299,100	\$63,639	\$74,613	\$10,974	17.2
Program Revenue	1,844,560	738,415	739,032	617	0.1
Golf Course Rent	230,000	81,766	88,206	6,440	7.9
Other Rent	499,580	188,920	266,314	77,394	41.0
On Track-State Grant	845,740	555,398	551,011	(4,387)	-0.8
Principal on Loans	670,000	293,472	326,501	33,029	11.3
Interest on Loans	56,700	69,320	36,041	(33,279)	-48.0
Other Revenue	60,000	-	-	-	-
TOTAL OPERATING REVENUE	4,505,680	1,990,930	2,081,718	90,788	4.6
TRANSFER IN	126,047	-	126,047	(126,047)	-
OPERATING EXPENDITURES					
Employee Services	2,730,965	1,275,225	1,232,210	(43,015)	-3.4
Maintenance and Operations	619,215	315,761	309,652	(6,109)	-1.9
Tennant Relocation Costs	36,600	-	36,600	36,600	
Internal Service Charges	572,240	292,940	286,120	(6,820)	-2.3
Allocations	(13,955)	(64,310)	(7,871)	56,439	-87.8
TOTAL OPERATING EXPENDITURES	3,945,065	1,819,616	1,856,711	37,095	2.0
TRANSFER OUT	719,000	677,860	719,000	41,140	6.1
NET INCOME (LOSS)	(32,338)	(\$506,546)	(367,946)	\$138,600	-27.4

Water Enterprise Fund

WATER FUND NET INCOME

Income generated by the Water Fund will be used primarily to increase the capital and operating reserves to levels established by City Council policy following reserve levels recommended by the most recent rate study. Reserve levels will be important as large projects such as the Lake Wohlford Dam and the replacement of several water reservoirs are undertaken.



OPERATING REVENUES

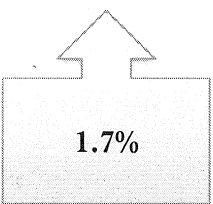
Overall water operating revenues through December 31, 2013 are up about \$2.4 million over the previous year at this time. Key elements of this increase are the following:

Water Consumption Charges (\$21.9 million) – The 9.5% increase in water consumption revenues was due to a water rate increase which was implemented in March 2013. Water consumption decreased approximately 1% from 4.6 million kilo-gallons in FY 2012-13 to 4.5 million kilo-gallons in FY 2013-14.

Water Service Charges (\$6.3 million) – Water service charges are paid by customers for the cost to deliver water to their home or place of business based on the size and type of water meter. Water service charges increased by 9.8% also primarily due to the rate increase in March 2013.

Vista Irrigation District Filtration Fees (\$712 thousand) – The City and Vista Irrigation District (VID) own and operate the Water Treatment Plant. The City owns and operates the plant and has rights to 80% of the capacity. VID has rights to the remaining 20% of capacity. VID is billed for its share of costs for operating and maintaining the plant based on usage. VID Filtration Fees decreased by 2.1% compared to prior year fees at this time. This decrease was due to the timing of billings to and receipts from VID.

Other Non-operating Revenues (\$513 thousand) – The large decrease in other non-operating revenues (61%) is largely because included in the prior year revenues was a \$1.25 million insurance recovery for costs incurred for tank repair and soil remediation for a catastrophic chemical tank failure that occurred in March 2012.



OPERATING EXPENSES (\$22.7 million)

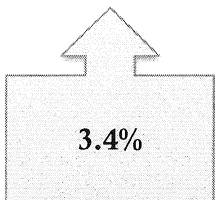
Overall operating expenses are fairly consistent to last year at this time. Purchased water, which is the Utility's largest expense, increased 3.2% (\$385 thousand) compared to last year at this time. The actual quantity (acre feet) of water purchased decreased by approximately 3.5%; however, the cost to purchase water from San Diego County Water Authority increased about 6%. Purchased water costs approximately 25% more than local water. City Water usage (\$1.02 million) increased 15.1% from prior year, due mainly to continuing drought conditions which necessitated more water for irrigation of and use by various parks, medians, City Hall, and fire stations.

WATER ENTERPRISE FUND					
	FY 2013-14 Amended Budget	July 2012 to Dec 2012 Actuals	July 2013 to Dec 2013 Actuals	Prior Year to Current Year Change	%
OPERATING REVENUES					
Water Consumption Charges	\$38,000,000	\$20,037,184	\$21,944,591	1,907,407	9.5
Water Service Charges	12,500,000	5,743,647	6,304,828	561,181	9.8
Vista Irrigation Filtration & Other Fees	2,575,000	727,286	712,338	(14,948)	-2.1
Other Charges for Services	150,000	646,794	626,805	(19,989)	-3.1
TOTAL OPERATING REVENUE	53,225,000	27,154,911	29,588,562	2,433,651	9.0
OPERATING EXPENSES					
Staffing	7,999,235	3,632,457	3,662,925	30,468	0.8
Purchased Water	25,500,000	11,925,961	12,310,612	384,651	3.2
Chemicals & Operating Supplies	4,423,535	1,230,846	1,176,150	(54,696)	-4.4
Repairs and Maintenance	1,154,765	519,101	535,232	16,131	3.1
City Water	1,500,000	886,817	1,020,686	133,869	15.1
Professional Services	1,399,435	982,703	599,159	(383,544)	-39.0
Utilities	818,590	270,284	334,259	63,975	23.7
Other Operating Expenses	1,171,480	535,840	456,283	(79,557)	-14.8
Allocations	5,136,905	2,404,636	2,669,570	264,934	11.0
TOTAL OPERATING EXPENSES	49,103,945	22,388,645	22,764,876	376,231	1.7
NONOPERATING REVENUES (EXPENSES)					
Lake Fees and Concessions	880,000	342,083	347,462	5,379	1.6
Investment Income	123,400	(238,319)	(126,225)	112,094	-47.0
Federal Grants	500,000				
Other Revenues	30,000	1,308,171	512,692	(795,479)	-60.8
Interest and Fiscal Charges	(2,824,455)	(521,572)	(507,965)	13,607	-2.6
TOTAL NONOPERATING REVENUES (EXPENSES)	(1,291,055)	890,363	225,964	(664,399)	-74.6
CAPITAL CONTRIBUTIONS					
Connection Fees	375,000	162,670	192,920	30,250	18.6
TOTAL CAPITAL CONTRIBUTIONS	375,000	162,670	192,920	30,250	18.6
INCOME (LOSS)	\$ 3,205,000	\$ 5,819,299	\$ 7,242,570	\$ 1,423,271	24.5%

Wastewater Enterprise Fund

WASTEWATER FUND NET INCOME

Similar to the Water Fund, income generated by the Wastewater Fund will be used to increase the capital and operating reserves to levels established by City Council policy following reserve levels recommended by the most recent rate study. Reserve levels will be important as wastewater capacity issues are addressed that will require bond financing.



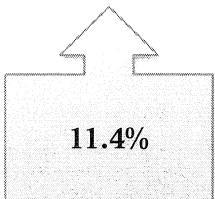
OPERATING REVENUE

Overall wastewater operating revenues through December 31, 2013 are up about \$457 thousand from the previous year at this time. Key elements of this increase are the following:

Sewer Service Charges (\$11.5 million) – Sewer service charges had a small increase of 1.9%, but were overall consistent with prior year revenues.

Treatment Charges – San Diego (\$336 thousand) – The City operates the wastewater treatment facility for the benefit of the City and the Rancho Bernardo area of the City of San Diego. The City of San Diego is billed quarterly for these treatment charges. Treatment charges are consistent with the previous year.

Recyclable Water Sales (\$1.9 million) – The City's largest user of recycled water is Palomar Energy Center. Other users are agriculture customers, City Parks and City Golf Courses. Revenues from all users are up \$204 thousand for the first six months (12.2%). Increase was partially to the addition of 4 new recycled water connections, increasing from 18 to 22 connections. Additionally, continued drought conditions have necessitated additional water use for irrigation.



OPERATING EXPENSES

Wastewater operating expenses are up about \$955 thousand over the previous year at this time. This increase came mainly from increased staffing costs, utilities, supply and repair costs plus added professional services fees paid for the sewer master plan upgrade. Overall net income was up 5.8% for the six months ended December 31, 2013.

WASTEWATER ENTERPRISE FUND					
	FY 2013-14 Amended Budget	Jul 2012 to Dec 2012 Actuals	Jul 2013 to Dec 2013 Actuals	Prior Year to Current Year Change	%
OPERATING REVENUES					
Sewer Service Charges	\$24,000,000	\$11,302,485	\$11,512,235	\$209,750	1.9
Treatment Charges - San Diego	1,887,000	344,540	335,804	(8,736)	-2.5
Recyclable Water Sales	3,000,000	1,672,043	1,875,672	203,629	12.2
Other Charges for Service	85,000	110,962	163,748	52,786	47.6
TOTAL OPERATING REVENUES	28,972,000	13,430,030	13,887,459	457,429	3.4
OPERATING EXPENSES					
Staffing	8,735,925	3,332,330	3,688,716	356,386	10.7
Chemicals & Operating Supplies	2,042,155	509,055	572,848	63,793	12.5
Repairs and maintenance	1,420,415	743,692	866,792	123,100	16.6
Professional Services	4,314,500	1,602,870	1,828,466	225,596	14.1
Utilities	2,250,825	817,698	1,089,921	272,223	33.3
Allocations	1,662,170	964,294	858,011	(106,283)	-11.0
Other Operating Expenses	1,066,825	422,630	443,296	20,666	4.9
TOTAL OPERATING EXPENSES	21,492,815	8,392,569	9,348,050	955,481	11.4
NONOPERATING REVENUES (EXPENSES)					
Investment Income	335,100	(787,642)	(357,418)	430,224	-54.6
Other Revenues	382,500	64,868	1,491	(63,377)	-97.7
Interest and Fiscal Charges	(3,116,065)	(457,558)	(469,777)	(12,219)	2.7
TOTAL NONOPERATING REVENUES (EXPENSES)	(2,398,465)	(1,180,332)	(825,704)	354,628	-30.0
CAPITAL CONTRIBUTIONS					
Connection fees	350,000	28,078	396,917	368,839	1,313.6
TOTAL CAPITAL CONTRIBUTIONS	350,000	28,078	396,917	368,839	1,313.6
TRANSFERS OUT	3,325,000	(25,000)	(125,000)		
INCOME (LOSS)	\$8,755,720	\$3,860,207	\$3,985,622	\$225,415	5.8%

Reidy Creek Fund

2.6%

OPERATING REVENUES (\$288,425): Overall revenues are down about 2.6% in comparison to the prior year. Even though there was about a 5% increase in green fees collected for the first half of the year there was a decrease in cart rentals, golf merchandise sales, and food and beverage rent. There was also a large decrease in other revenue which was due to breakage on some expired offers that were recognized in the prior year, such as Groupon offers that were not claimed.

1.4%

OPERATING EXPENDITURES (\$313,678): Overall expenditures were up about 1.4% in comparison to last year. With a warmer winter, more maintenance supplies were needed which increased the amount of water, fertilizers and chemicals needed through the first half of the year. There were also some changes in staff over the past year that resulted in large savings in golf operations and administration.

REIDY CREEK GOLF COURSE FUND					
	FY 2013-14 Adopted Budget	Jul 2012 to Dec 2012 Actuals	Jul 2013 to Dec 2013 Actuals	Prior Year to Current Year Change	%
REVENUES					
Green Fees	\$385,560	\$178,690	\$187,465	\$8,775	4.9
Cart Rentals	184,415	83,282	77,101	(6,181)	-7.4
Golf Merchandise Sales	42,755	18,738	16,187	(2,551)	-13.6
Food and Beverage Rent	18,435	3,591	3,061	(530)	-14.8
Other Golf Revenue	1,995	11,687	4,611	(7,076)	-60.5
TOTAL REVENUES	633,160	295,988	288,425	(7,563)	-2.6
EXPENDITURES					
Management Fee	70,610	35,431	35,158	(273)	-0.8
Golf Course Operations	162,130	83,935	70,237	(13,698)	-16.3
Golf Course Maintenance	299,480	137,883	162,031	24,148	17.5
Administrative & General	65,285	37,038	31,894	(5,144)	-13.9
Golf Course Merchandise	25,650	10,559	9,573	(986)	-9.3
Golf Cart Lease	4,715	2,389	2,447	58	2.4
Insurance	4,800	2,024	2,338	314	15.5
TOTAL EXPENDITURES	632,670	309,259	313,678	4,419	1.4
NET INCOME (LOSS)	\$490	(\$13,271)	(\$25,253)	(\$11,982)	90.3

Redevelopment Successor Agency Fund

The Redevelopment Successor Agency Fund was established to account for the dissolution of the redevelopment agency. Fund activity includes distributions received from the County of San Diego Auditor & Controller's Redevelopment Property Tax Trust Fund (RPTTF) used to retire eligible enforceable obligations during the dissolution of the redevelopment agency and also accounts for the administrative costs incurred during the dissolution. The schedules below summarize the Successor Agency's cash inflows and outflows from July 1, 2013 to December 31, 2013 as well as the projected cash balance at June 30, 2014.

REDEVELOPMENT SUCCESSOR AGENCY FUND CASH INFLOWS & OUTFLOWS AS OF DECEMBER 31, 2013	
	July 2013 to Dec 2013
BEGINNING CASH BALANCE 7/1/2013	\$9,467,710
CASH INFLOWS	
Income from Investments and Property	28,037
Transfer from Cash with Fiscal Agent	347,681
TOTAL CASH INFLOWS	375,718
CASH OUTFLOWS	
Debt Service Payments	6,630,973
CalHFA Loan Repayment	2,388,658
Administrative Fees	133,828
Rental Property Expense	9,323
TOTAL CASH OUTFLOWS	9,162,782
NET CASH (OUTFLOWS) INFLOWS	(8,787,064)
ENDING CASH BALANCE 12/31/2013	\$680,646

REDEVELOPMENT SUCCESSOR AGENCY FUND PROJECTED CASH BALANCE AS OF JUNE 30, 2014	
	Jan 2014 to June 2014
BEGINNING CASH BALANCE 1/1/2014	\$680,646
CASH INFLOWS	
Payments from Redevelopment Property Tax Trust Fund	1,611,445
Income from Investments and Property	10,000
TOTAL CASH INFLOWS	1,621,445
CASH OUTFLOWS	
Debt Service Payments	826,382
Loan Repayment to Traffic Impact Fund	50,000
Administrative Fees	148,828
Rental Property Expense	11,000
Pass Through Agreement Payments	575,235
TOTAL CASH OUTFLOWS	1,611,445
NET PROJECTED CASH (OUTFLOWS) INFLOWS	10,000
PROJECTED CASH BALANCE 6/30/14	\$690,646

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 22

Date: March 19, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Jennifer K. McCain, Assistant City Attorney

SUBJECT: City Council Workshop: Charter City Proposal

The City Council adopted a Work Program on November 6, 2013, which includes the goal of resubmitting a charter city proposal to the electorate. The strategy listed in the Work Program for this goal is to hold public hearings on a revised charter city proposal for possible inclusion in the 2014 election ballot. On January 15, 2014, the City Council directed staff to proceed with a workshop and to schedule two public hearings regarding a charter city proposal. This staff report provides general background information regarding charter cities, a brief summary of the City's previous charter city proposal, recent legal developments which affect the content and adoption requirements for a charter ballot measure and a draft charter city proposal for public review and discussion.

BACKGROUND:

In California, there are two kinds of cities: charter cities and general law cities. See Cal. Gov't Code §§ 34100-34102. General law cities derive their corporate powers from general laws enacted by the legislature. See generally *Irwin v. City of Manhattan Beach* (1966) 65 Cal. 2d 13. Charter cities, on the other hand, derive their corporate powers directly from the constitution, subject to limitations of their respective charters and enactments of the legislature on matters of statewide concern. See *Johnson v. Bradley* (1992) 4 Cal. 4th 389, 394. The City of Escondido is a general law city and was incorporated in 1888. Of the 482 cities in the state, approximately 121 are charter cities. In North County, Carlsbad (adopted 2008), Oceanside (adopted 2010), Del Mar (adopted 1960), Vista (adopted 2007) and San Marcos (adopted 1994) are charter cities.

Charters can be drafted to be very broad or narrowly tailored to address a few specific local needs. For instance, the City of San Diego's charter is 121 pages and addresses many issues, including, corporate powers, nominations and elections, legislative power, the mayor, executive and administrative service, board of education, finance, civil service, retirement of employees, transfer of police and fire department employees into the retirement system, fireman's relief and pension fund, labor on public work, city police court, and the strong mayor form of governance. By contrast, Vista, Carlsbad, Oceanside, and other north San Diego County cities have adopted shorter, simplified charter documents which address specific issues including public works contracts, prevailing wage, public financing, and retirement benefits.

The authority provided in the state constitution to organize as a charter city is extended only to an existing city. An advantage of the charter form of government stems from the potential breadth of local authority which may be exercised. Since the powers of a charter city are not restricted to only those outlined in the general state municipal law, a city can adopt a charter and customize its organization and elective offices to provide for unique local conditions and needs.

A charter is a written document, approved by the electorate, which operates as a “constitution” for the adopting city. The provisions of Cal. Const. Art. XI, § 3(a) authorize the adoption of a city charter and provide that such a charter has the force and effect of state law. Charter cities have the power to make and enforce all ordinances and regulations with respect to municipal affairs, including those relating to the creation and regulation of a police force and sub-government within the city, the conduct of city elections, and the dealings with municipal officers and employees. Cal. Const. Art. XI, § 5(b). Charters act as instruments of limitation on the broad power of charter cities over matters of municipal affairs. *City of Glendale v. Trondsen* (1957) 48 Cal. 2d 93, 98. A charter can only be adopted and/or changed by a majority vote of the city residents.

The provision of Cal. Const. Art. XI, § 5(a), the “home rule” provision, affirmatively grants charter cities supremacy over “municipal affairs.” However, the California Constitution does not define the term “municipal affair.” The “home rule” provision of the California Constitution authorizes a charter city to exercise plenary authority over municipal affairs, free from any constraint imposed by the general law and subject only to constitutional limitations. See Cal. Const. Art. XI, § 5(a); *Ex Parte Braun* (1903) 141 Cal. 204, 209; *Bishop v. City of San Jose* (1969) 1 Cal. 3d 56, 61; *Comm. of Seven Thousand v. Super. Ct. (City of Irvine)* (1988) 45 Cal. 3d 491. The primary advantage of a charter is that it allows greater authority for a city’s governance than that provided by state law. A city charter is subject only to conflicting provisions in the state or federal constitutions and preemptive state law on matters of statewide concern.

Whether a given activity is a municipal affair over which a city has sovereignty or a statewide concern, over which the legislature has authority, is a legal determination for the courts to resolve. Thus, the determination of whether a given activity is a municipal affair or statewide concern is done on a case-by-case basis. The court’s determination will depend on the particular facts and circumstances of each case. See *In Re Hubbard* (1964) 62 Cal. 2d 119, 128. The concept of “municipal affairs” is a fluid one that changes over time as local issues become statewide concerns. See *Issac v. City of Los Angeles* (1998) 66 Cal. App. 4th 586.

Municipal Affairs

There are some areas that the courts have consistently classified as municipal affairs as set forth below:

- Municipal Election Matters. See *Mackey v. Thiel* (1968) 262 Cal. App. 2d 362.
- Procedures for Initiative, Referendum and Recall. See *Lawing v. Faull* (1964) 227 Cal. App. 2d 23, 29.
- Procedures for Adopting Ordinances. See *Brougher v. Board of Public Works* (1928) 205 Cal. 426.

- Compensation of City Officers and Employees. Cal. Const. Art. XI, § 5(b); See *Sonoma County Organization of Public Employees v. County of Sonoma* (1979) 23 Cal. 3d 296; but see *San Leandro Police Officers Association v. City of San Leandro* (1976) 55 Cal. App. 3d 553 (labor relations is not a municipal affair; Charter cities are subject to the Meyers-Milias Brown Act. Cal. Gov't Code § 3500).
- Processes Associated with City Contracts. See *First Street Plaza Partners v. City of Los Angeles* (1998) 65 Cal. App. 4th 650; but see *Domar Electric, Inc. v. City of Los Angeles* (1995) 41 Cal. App. 4th 810 (state law establishing employment policy may preempt local regulation of bidding criteria).
- Financing Public Improvements. See *City of Santa Monica v. Grubb* (1996) 245 Cal. App. 2d 718.
- Making Charitable Gifts of Public Funds for Public Purposes. See Cal Const art. XVI, § 6; *Tevis v. City and County of San Francisco* (1954) 43 Cal. 2d 190.
- Term Limits for Council Members. See *Cawdrey v. City of Redondo Beach* (1996) 15 Cal. App. 4th 1212; but see Cal. Gov't Code § 36502(b) (regulating term limits).
- Land Use and Zoning Decisions (with a few exceptions). See *Brougher v. Bd. of Pub. Works* (1928) 205 Cal. 426.

Matters of Statewide Concern

Alternatively, the following have consistently been classified by the courts as matters of statewide concern over which a charter city may not have local control:

- School Systems. *Whisman v. San Francisco Unified Sch. Dist.* (1978) 86 Cal. App. 3d 782, 789.
- Traffic and Vehicle Regulation. Cal. Veh. Code § 21.
- Licensing of Members of a Trade or Profession. *City and County of San Francisco v. Boss* (1948) 83 Cal. App. 2d 445.
- Tort Claims Against a Governmental Entity. *Helbach v. City of Long Beach* (1942) 50 Cal. App. 2d 242, 247.
- Open and Public Meetings. Ralph M. Brown Act. Cal. Gov't Code §§ 54951, 54953(a).
- Exercise of the Power of Eminent Domain. *Wilson v. Beville* (1957) 47 Cal. 2d 852, 856.

Process Used to Adopt a Charter

An election to decide on the adoption of a charter may be called by initiative or the City Council. See Cal. Const. Art. XI, § 3. On its own motion, the City Council may propose a charter and submit it to the voters for adoption. See Cal. Gov't Code § 34458. With this option, the City Council can allow the charter to be voted on at an established statewide general election. See Cal. Gov't Code § 34458.¹

¹ SB 311, effective January 1, 2014, limits a city charter proposal [as opposed to a voter initiated charter] to statewide general elections only.

A majority of voters must vote in favor of the proposed charter for it to be ratified. The charter will not go into effect until it has been filed and accepted by the Secretary of State. See Cal. Gov't Code § 34459. After a charter is approved by a majority vote of the voters, the mayor and city clerk shall certify that the charter was submitted to the voters of the city and that it was approved by a majority vote. See Cal. Gov't Code § 34460. One copy of the approved charter shall be filed with the County Recorder's Office and one shall be kept in the city's archive. See Cal. Gov't Code § 34460. A third copy of the charter must be submitted to the Secretary of State with (1) copies of all publications and notices in connection with the calling of the election; (2) certified copies of any arguments for or against the charter proposal which were mailed to the voters; (3) a certified abstract of the vote at the election on the charter. See Cal. Gov't Code § 34460.

Charters are effective when filed with the Secretary of State; the charter must also be published in the official state statutes. Amendments, revisions, and repeal of a charter are generally handled in the same manner as adoption of a charter. An amendment or repeal to a charter may be proposed by the governing body or by initiative; the governing body's consent is not needed in the case of an initiative. *Birkenfeld v. City of Berkeley* (1976) 17 Cal. 3d 129, 143.

Public Hearing Requirements, Election Dates and Costs

The state legislature has more recently adopted laws addressing notice, public hearings and the type of election permissible for a charter city proposal.

AB 1344, effective January 1, 2012, sets forth the public hearing process for a charter proposal and the timelines for submission of ballot language for a charter election. AB 1344 changed the timeframes to submit ballot language to the voters by a charter commission from 88 days before the election to 95 days before an established statewide general election. A city charter proposal by a city must be submitted 88 days before the election. See Cal. Gov't Code § 34458; Cal. Elec. Code § 1415. In addition, state law mandates that the ballot language contain an enumeration of new city powers as a result of the adoption of the charter, including, but not limited to, whether the city council will, pursuant to an adopted charter, have the power to raise its own compensation and the compensation of other city officials without voter approval. See Cal. Gov't Code § 34458.5. SB 311, effective January 1, 2014, repeals a city's ability to submit a charter proposal to the electorate at a special election, statewide primary election, or regularly scheduled municipal election. With a few limited exceptions, charter proposals initiated by a city can only be submitted to the electorate during a general statewide election. See Cal. Elec. Code § 1415.

Cal. Gov't Code section 34458 requires that prior to approving the submission to the voters of a proposal to adopt a charter, the governing body shall hold at least two public hearings on the matter of the proposed charter and the content of the proposed charter. Notice of the public hearings shall be given by publication in a newspaper designated by the governing body and circulated throughout the city and by posting the notice in three public places within the jurisdiction at least 21 calendar days prior to the date of each public hearing. The second hearing shall be held at least 30 days after the first public hearing. At least one of the public hearings shall be held outside of normal business hours to facilitate public participation. The governing body shall not conduct a vote on whether to approve the submission to the voters of the proposal to adopt a charter until 21 days after the second

public hearing. Based on these specific statutory requirements and direction received from the City Council on January 15, 2014, the City Clerk has scheduled public hearings for April 9, 2014 and May 21, 2014. The matter will be presented to the City Council on June 18, 2014 for consideration and approval of the ballot language. If approved, the City Clerk will then submit the measure to the Registrar of Voters.

Further, the City Clerk estimates a cost of \$20,000 to place a charter proposal on the November 2014 ballot. Staff estimates an additional cost of \$4,000 for informational mailers to be inserted in the City water bills. The information will also be placed on the City's website.

2012 City Charter Ballot Measure

The City Council previously proposed a charter to the voters in 2012. Key provisions of the 2012 proposal included (a) district elections for Councilmembers, (b) establishing the City Treasurer's duties and compensation by ordinance, (c) exempting the City from state statutes regarding public contracts (unless required by state or federal grants), (d) prohibiting the deduction of political contributions from wages of city employees, (e) adhering to state law for Councilmember salaries, (f) promotion of fair and open competition for City construction projects, and (g) including the eligibility requirement of being a United States citizen for elective office.

State Prevailing Wage Requirements: Municipal Affair or Statewide Concern?

The Vista Case

Escondido holds a considerable advantage in being able to review the experience of other cities adopting the more limited charters, especially in the area of prevailing wages. By way of background, California law has included State prevailing wage requirements since 1931, when the Legislature adopted the Public Wage Rate Act. The current requirements are set forth in Labor Code § 1720 *et seq.* State law requires that all workers employed on a public works project of more than \$1,000 must be paid the general prevailing rate of per diem wages for the work performed. Labor Code § 1771. This requirement does not apply to work done by a public agency's own forces. *Id.* The prevailing wage rates for various job classifications in each locality are set by the State Department of Industrial Relations generally based on wage rates paid in the locality and the nearest market area to a majority or the largest number of workers in a given classification. Labor Code § 1773.9.

The prevailing wage law is designed to ensure that private contractors who enter into collective bargaining agreements can compete for public works contracts. However, the law is not applicable to private agreements. Historically, charter cities were not bound by state law prevailing wage requirements so long as the project is a municipal affair, and not one funded by state or federal grants. *Vial v. City of San Diego* (1981) 122 Cal. App. 3d 346, 348. However, the League of California Cities notes a growing trend on the part of the courts and the Legislature to expand the applicability of prevailing wages to charter cities under an analysis arguing that the payment of prevailing wages is a matter of statewide concern. And, in 2004, the California Supreme Court described the issue of whether a charter city may exempt itself from compliance with the prevailing

wage law as an “open” and “important” question. See *City of Long Beach v. Dept. of Indust. Relations* (2004) 34 Cal. 4th 942.

More recently, the California Supreme Court has provided charter cities with more certainty than years past by its decision involving a legal challenge to the City of Vista’s charter status which allowed the City to exempt itself from state prevailing wage laws. In the lower courts, the City of Vista successfully defended its ordinance exempting municipal contracts from prevailing wage laws based on the City’s charter status. See *State Building and Construction Trades Council of California, AFL CIO v. City of Vista* (2009) 173 Cal. App. 4th 567 rev. granted. In 2012, the California Supreme Court agreed with the lower courts thereby affirming that prevailing wages could be included in a charter and that the construction of city-operated facility for the benefit of a city’s inhabitants with city funds is a municipal affair. See *State Building and Construction Trades Council of California, AFL-CIO v City of Vista* (2012) 54 Cal.4th 547.

SB 7

Notwithstanding the California Supreme Court’s decision, Governor Brown signed legislation enacted by the California Legislature on October 13, 2013, bearing directly on the prevailing wage issue. SB 7 prohibits a charter city from receiving or using state funding or financial assistance for a construction project if the city has a charter provision or ordinance that authorizes a contractor to not comply with prevailing wage provisions of any public works contract. The bill prohibits a charter city from receiving or using state funding or financial assistance for a construction project if the city has awarded, within the prior 2 years, a public works contract without requiring the contractor to comply with prevailing wage provisions. The bill authorizes charter cities to receive or use state funding or financial assistance if the city has a local prevailing wage ordinance, applicable to all of its public works contracts, that includes requirements that are equal to or greater than the state’s prevailing wage requirements. The bill excludes contracts for projects of \$25,000 or less for construction work, or projects of \$15,000 or less for alteration, demolition, repair or maintenance work. The bill requests the Director of Industrial Relations to maintain a list of charter cities that receive and use state funding or financial assistance for their construction projects.

As demonstrated by SB 7, the ability of the State Legislature to influence which laws become matters of statewide concern and which cities may receive state funding will likely remain a limitation on the authority and control of a charter city. Litigation over the legality of SB 7 has been initiated and may affect the validity of a charter proposal which exempts the City from prevailing wage laws.

City Treasurer

The previous 2012 charter ballot measure included provisions to ensure that the duties, responsibilities and compensation of the City Treasurer will be set by Ordinance of the City Council.

By way of background, the government of a general law city is vested in governing officers and employees, which include a City Treasurer. Cal. Gov’t Code § 36501(c). The City Treasurer may be elected or appointed. The City Council may submit to the voters whether the City Treasurer should be appointed. See Cal. Gov’t Code §§ 36503, 36508-36510. A City Treasurer must be an elector of

the city at the time of assuming the office. The candidate for City Treasurer must be a registered voter of the city at the time nomination papers are issued to the candidate. Cal. Gov't Code § 36502(a).

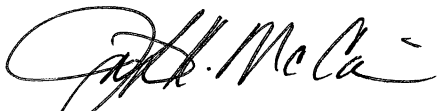
In Escondido the City Treasurer is governed by specific municipal regulations in addition to the applicable State laws. Proposition N, passed in 1986, was codified under Chapter 2, Article 4b of the Escondido Municipal Code (attached) and reflects the current municipal regulations of that office. The City Treasurer is elected at large with a term of four years. When a vacancy occurs within the first three years of the term, an election must be held to fill the vacancy between 30 days and 75 days from the occurrence. When a vacancy occurs in the last year of the City Treasurer's term, the Deputy Treasurer serves for the remainder of that term. The City Treasurer's salary must be at least 50% of the highest paid appointed department head, with the same benefits as the department head. The City Treasurer can also choose a lower salary.

The language proposed in the 2012 charter ballot measure preserved the right of the electorate to elect a City Treasurer with independent oversight of the City's finances. However, it also allowed the City Council to efficiently determine the duties, responsibilities, and compensation requirements of the City Treasurer position by ordinance. Further, it aligned the appointment process for a vacancy to be the same for all elected officials.

Draft City Charter Proposal

Based on the January 15, 2014 City Council meeting and in light of the recent redistricting process, a draft charter is attached for public comment and City Council consideration. The draft proposal mirrors the 2012 proposed charter with three exceptions. Reference to district elections has been omitted due to the recent adoption of districts pursuant to the consent decree. Reference to prevailing wages has also been omitted due to the continuing uncertainty of the law. The timeframe to fill City Council vacancies by appointment was changed from 30 days to 60 days.

Respectfully submitted,



JENNIFER K. MCCAIN
Assistant City Attorney

Attachments: Draft Charter City Proposal
Escondido Municipal Code Chapter 2, Article 4b Proposition N

CHARTER OF THE CITY OF ESCONDIDO

PREAMBLE

WE THE PEOPLE of the City of Escondido declare our intent to restore to our community the historic principles of self governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed and firm in the conviction that the economic and fiscal independence of our local government will better serve and promote the health, safety and welfare of all of the citizens of Escondido, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Escondido.

CHARTER

Article 1 Municipal Affairs

Section 100. Municipal Affairs

Each of the responsibilities of governance set forth and described in this Charter, and as established by the Constitutional, statutory and judicially defined law of the State of California, is hereby declared to be a municipal affair or concern, the performance of which is unique to the benefit of the citizens of the City of Escondido.

Section 101. Powers

The City shall have all powers that a City can have under the Constitution and laws of the State of California as fully and completely as though they were specifically enumerated in this Charter. The enumeration in this Charter of any particular power, duty or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power.

Section 102. Incorporation and Succession

The City shall continue to be a municipal corporation known as the City of Escondido. The boundaries of the City of Escondido shall continue as now established until changed in the manner authorized by law. The City shall remain vested with and shall continue to own, have, possess, control and enjoy all property rights and rights of action of every nature and description owned, had, possessed, controlled or enjoyed by it at the time this Charter takes effect, and is hereby declared to be the successor of same. It shall be subject to all debts, obligations and liabilities, which exist against the City at the time this Charter

takes effect. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.

Article 2 Form of Government

Section 200. Form of Government

This municipal government established by this Charter shall be known as the "Council-Manager" form of government. The City Council will establish the policy of the City and the City Manager will carry out that policy.

Article 3 Elected Officers

Section 300. Enumeration and Term

The elected officers of the City shall consist of:

A City Council composed of five members who are registered voters of the City, four to be residents of their respective Districts and nominated and elected only by the residents of their respective Districts. The fifth shall be nominated and elected from the City at large and shall hold the office of Mayor.

Other elected officer(s) of the City shall be:

A City Treasurer with duties, responsibilities and compensation as provided by Ordinance of the City Council.

All of the elected officers shall serve for a term of four years following their election. The terms of all elected officers shall commence upon installation and each shall serve until the officer's successor is elected and installed.

Section 301. Eligibility

An elected officer of the City shall be a resident, United States citizen and voter in the City.

In addition, every Council member or candidate shall be and remain a qualified voter in the District from which the Council member or candidate is nominated, as required by the California Elections Code. No change in the boundary or location of any district shall abolish or terminate the term of office of any Council member prior to expiration of the term of office for which the member was elected, notwithstanding any other provision of this Section. Each Council member will, during the duration of the member's term, represent the District from which the member was elected.

Section 302. Vacancies

A vacancy in any elective office, from whatever cause, shall be filled by appointment by the City Council, such appointee to hold office for the remainder of any unexpired term, and until a successor is elected and installed.

In the event the City Council shall fail to fill a vacancy by appointment within sixty days after such office is declared vacant, it shall cause an election to be held to fill such vacancy.

Section 303. Prior Laws

This Article shall supersede all other provisions of the laws of the City of Escondido pertaining to the office of City Treasurer, all of which shall be of no further force and effect.

**Article 4
Fiscal Matters****Section 400. Economic and Community Development**

The City shall encourage, support, and promote economic development and community development in the City.

Section 401. Fair and Open Competition

The City will promote fair and open competition for all City construction projects so that all contractors and workers, whether union or non-union, are treated equally in the bidding and awarding of City construction contracts.

Section 402. Voluntary Employee Political Contributions

Unless otherwise required by law, neither the City, nor its agents, shall deduct from the wages, earnings or compensation of any City employee any political contributions unless the employee has first presented, and the City has received, a signed written authorization of such deductions, which authorization must be renewed annually and may be revoked by the employee at any time by giving written notice of such revocation to the City.

**Article 5
Revenue Retention****Section 500. Reductions Prohibited**

Revenues raised and collected by the City shall not be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by any other level of government.

Section 501. Mandates Limited

No person whether elected or appointed, acting on behalf of the City, shall be required to perform any function which is mandated by any other level of

government, unless and until funds sufficient for the performance of such function are provided by said mandating authority.

Article 6 General Laws

Section 600. General Law Powers

In addition to the power and authority granted by the terms of this Charter and the Constitution of the State of California, the City shall have the power and authority to adopt, make, exercise and enforce all legislation, laws, and regulations and to take all actions and to exercise any and all rights, powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State of California or by any other lawful authority. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

Section 601. Council Member Compensation

Notwithstanding the previous paragraph, the salary of the Mayor and the Council Members will continue to be set pursuant to California Government Code sections 36516 and 36516.1 where the formula considers city population and state law.

Article 7 Interpretation

Section 700. Construction and Interpretation

The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter which is a municipal affair.

Section 701. Severability

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

Article 8 Amendment

Section 800. Amendment to Charter, revised or repealed

This Charter, and any of its provisions, may be amended by a majority vote of the electors voting on the question. Amendment or repeal may be proposed by initiative or by the governing body.

Escondido Municipal Code

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Chapter 2 ADMINISTRATION

ARTICLE 4B. CITY TREASURER

Note

***Editor's note**—Art. 4B contains § c of an amendment to Proposition F (City Clerk/City Treasurer Accountability Initiative), as approved at an election held on Nov. 4, 1986. Proposition F was originally approved at an election held June 5, 1984.

Sec. 2-93. Treasurer's position created.

The office of treasurer of the City of Escondido is created as an elected position, responsible for conduct of the office in accordance with the laws of the State of California and pursuant to these provisions unless repealed, or amended by the state legislature or the people of the City of Escondido by public vote. (Prop. F., § C(1), 11-4-86)

Sec. 2-94. Term of office and filling of vacancy.

(a) If the office of Treasurer shall become vacant during the first three (3) years of the term, the city council shall set an election to be held not less than thirty (30) days nor more than seventy-five (75) days after the date on which the vacancy occurred for the purpose of selecting a treasurer to fill the remaining portion of the term.

(b) When a vacancy occurs during the fourth year of the term, the deputy treasurer shall perform all the duties of the treasurer for the remaining period of the term. (Prop. F., § C(2), 11-4-86)

Sec. 2-95. Salary and benefits.

The city council shall fix the treasurer's salary annually at no less than one-half (1/2) the highest salary paid to a city department head other than the city manager, unless a lower salary is requested by the city treasurer, with benefits equal to those provided such appointee. (Prop. F., § C(3), 11-4-86)

Sec. 2-96. Operating expenses, employees and capital expenditures.

(a) The city council shall appropriate monies for operating expenses, employee salaries and benefits, and capital expenditures as are reasonably required to fulfill the duties and responsibilities of the city treasurer.

(b) The treasurer shall be authorized to have at least two (2) employees, including one who shall be designated by the treasurer as deputy treasurer. The deputy treasurer shall be subject to the same qualifications and oath of office as the treasurer.

(c) Salaries and benefits for employees of the treasurer shall be approved by the city council in an amount equal to other city employees with the same or equivalent job classification. (Prop. F., § C(4), 11-4-86)

Sec. 2-96.1. Fiduciary bond requirements.

Fiduciary bond requirements for the treasurer and deputy treasurer shall be set by the city council after consideration of recommendations from the city treasurer and city manager. (Prop. F., § C(5), 11-4-86)

Sec. 2-96.2. Management of treasurer's office.

The treasurer shall have sole responsibility for management of that office, including, but not limited to, appointment of a deputy treasurer, hiring and discharge of employees and developing budgets for operating and capital expenditures. (Prop. F., § C(6), 11-4-86)

Sec. 2-96.3. Duties and responsibilities.

In addition to those functions, duties, and responsibilities mandated by state law and herein, the treasurer shall in accordance with all applicable provisions of state law governing the duties and responsibilities of the treasurer with respect to the handling of city funds:

(1) Receive directly or through other departments of the city all monies collected by or on behalf of the city and hold same by deposit or investment.

(2) Make disbursements for expenditures authorized by the city council.

(3) Perform all other functions necessarily incidental to the proper fulfillment of the treasurer's duties and responsibilities. Nothing in this section shall relieve the city council from its fiduciary responsibility with respect to city funds, for which both the city treasurer and city council shall be held accountable. (Prop. F., § C(7), 11-4-86)

Sec. 2-96.4. Audit.

The city treasurer and city council annually shall select an independent certified public accountant to conduct an audit of the internal controls of the office of city treasurer. (Prop. F., § C(8), 11-4-86)

FUTURE CITY COUNCIL AGENDA ITEMS
March 13, 2014

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

March 26, 2014
4:30 p.m.

CONSENT CALENDAR

Eagle Scout Lake (Formerly Sand Lake) Restoration Project
(H. Davies)

The Sand Lake project was completed during the early part of 2014. Funds were budgeted for the project in the Stormwater Operating Budget, in addition to the Vector Control Grant that was held in a CIP account. The budgeted funds in the Stormwater Operating Budget are being transferred to the CIP account to ensure that the project is properly accounted for and to allow public works to continue to bill their costs for this project.

Consulting Agreement for the Centerpointe 78 Commercial Environmental Impact Report (ENV 13-0009)
(B. Redlitz)

In response to the Request for Proposals (RFP) for the proposed grocery store and restaurant Recon & Associates was selected as the consultant for the project.

2013 Annual Housing Element Report (Case PHG 13-0041)
(B. Redlitz)

Government Code Section 65400 required each governing body (City Council or Board of Supervisors) to prepare an annual report on the status and progress in implementing the jurisdiction's Housing Element of the General Plan using forms and definitions adopted by the Department of Housing and Community Development. The City Council adopted a new Housing Element in December 2012 and this report analyzes the first year of the Housing Element.

PUBLIC HEARINGS

CURRENT BUSINESS

El Caballo Park Conceptual Master Plan: Planning Case No. PHG 13-001
(L. McKinney)

City Council allocated \$50,000 in Capital Improvement Project funds to develop the Master Plan for El Caballo Park. After conducting three community meetings and following -through with presentations to the City Appearance Committee, the Community Services and Planning Commissions, the conceptual Master Plan is presented for final Council review and acceptance.

Annual Appointments to the City's Boards and Commissions
(D. Halverson)

Interviews were conducted on March 5 and March 12, 2014. All Board/Commission terms are for four (4) years with the exception of the Library Board of Trustees, who serve (3) three year terms. In accordance with State law, the Mayor will nominate members for each Board or Commission and the Council will vote to ratify those nominations.

March 26, 2014
Continued

WORKSHOP

CALPERS Actuarial Workshop
(S. Bennett)

Mr. Bartel will present to Council information regarding the City's CalPERS plans including future actuarial assumptions, as well as a Public Employees' Pension Reform Act (PEPRA) update.

Future Agenda Items (D. Halverson)

April 2, 2014
4:30 p.m.

PROCLAMATION

National AmeriCorps Recognition Day

CONSENT CALENDAR

Adoption of Updated City of Escondido Design Standards and Standard Drawings and all References, San Diego Regional Standard Drawings and Standard Specifications for Public Works Construction
(E. Domingue)

The City of Escondido Design Standards and Standard Drawings, County of San Diego Regional Standards and Standard Specification for Public Works Construction (Green Book) have served as guidelines for design of public works improvements since 1982. City Council adopted the latest Design Standards on May 6, 2009. The proposed Design Standards include addition of standards for rural streets and updated to reflect current industry standards.

PUBLIC HEARINGS:

CURRENT BUSINESS

WORKSHOP

Update – Recycled Water and Potable Reuse Program
(C. McKinney)

The Utilities Department requests that Council receive and file this presentation concerning options for increased wastewater recycling and potable reuse.

Future Agenda Items (D. Halverson)

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

March 12, 2014

LEGISLATIVE UPDATE

- Our state lobbyist, Michael J. Arnold, informed us that AB 2739 has been introduced and placed on our "watch" list. This bill would extend the sunset of SB 731 from January 2015 to 2019. On March 10, mayors, council members, police chiefs and other law enforcement from throughout the state called on the Legislature to replace SB 731 with regulations that would restore local control over massage therapy businesses to California cities and police departments. The Sunset Review Committee took up SB 731 in its sunset review hearing Monday afternoon. For more information on this, please visit: http://www.cacities.org/Top/News/News-Articles/2014/March/Legislators,-Mayors,-Council-Members-and-LawEnfor?utm_campaign=website&utm_source=cacities.org&utm_medium=email

ECONOMIC DEVELOPMENT

- The San Diego North Economic Development Council commissioned a report on the state of the economy of North San Diego County which was presented at their first economic summit held last week. A copy of the report is available online at <http://sdnedc.org/wordpress/wp-content/uploads/2014/03/SOTR-2014-North-County-Prospects.pdf>. The following are some interesting statistics from the report:
 - 91% of businesses were satisfied with the North County's quality of life.
 - 44.6% of businesses have difficulty finding qualified job applicants
 - North San Diego County is an economic region with over 1.1 million people and 443,000 jobs.
 - The area has a population larger than eight states including Delaware, Montana and South Dakota.
 - The North County region hosts innovative, export-oriented industry clusters including Biotechnology, Clean Technology, Sports and Active Lifestyle, and Information and Communications Technology.
 - North County's percentage of San Diego's economy:
 - 35.4% of population
 - 30.9% of jobs
 - 31.9% of gross regional product
 - 36.8% of exports
 - 41.4% of imports

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

- The Federal Economic Development Administration grant application for \$3 million for the Citracado Parkway Extension has been completed and will be submitted this Friday, March 14.

NORTH COUNTY TRANSIT DISTRICT UPDATE

Passengers riding the SPRINTER light-rail system are now able to connect to free Wi-Fi while on board the trains. Connectivity should be extremely reliable since the SPRINTER travels primarily along city streets. However, connection speeds may vary depending on the number of passengers using the network at one time and what they are using it for. The free Wi-Fi service is only intended for light internet usage such as checking email and browsing the internet not streaming music or video or downloading large files.

SPECIAL EVENTS

The American Crown Circus will perform at the Swap meet property from March 13th-17th, from 5-9 p.m. Admission is \$18. It is a family acrobatic circus show that includes juggling, clowns, acrobats and an aerialist.

COMMUNITY DEVELOPMENT UPDATES

Planning:

- The Planning Commission recommended approval of the rezoning and annexation request for the 1.3 acre City-owned property north of Lake Wohlford Road east of Foxley Drive which contains the electric generator station operated by the City's Utilities Division; and unanimously approved two CUP requests from Verizon for a new wireless facility at 220 W. Crest, and within the Seventh-Day Adventist church tower at 1305 Deodar Rd.
- Major Projects Update:
 - Oak Creek (NUW) – Staff continues its review of the revised technical reports and plans. The applicant is evaluating options for completion of the environmental document in response to recent correspondence from area residents.
 - Amanda Lane (NUW) – Staff is still awaiting revised submittals in response to LAFCO and staff review.
 - Zak/NCA Development – Revised plans were submitted on 3/5/14 and are under review.
 - Centerpointe – The scope of work for the EIR is being finalized to be incorporated into the contract for Council consideration on March 19th.

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

- North Broadway Deficiency Area Projects – The applicant's submittal of traffic studies for the various projects is behind schedule, effectively delaying the completion of the environmental documents.
- The Executive Director of artist James Hubbell's Ilan-Lael Foundation contacted staff regarding the ongoing restoration project for the Queen Calafia Sculpture Garden. The foundation is a non-profit arts education foundation located near Julian which has access to a number of skilled professional artists who are mosaic and tile artisans. These artists work with Mr. Hubbell on his tile creations that can be found throughout San Diego County. The foundation offered to help organize some of these skilled artists to volunteer in your restoration project of Queen Calafia's garden. Their offer has been forwarded to the Niki Charitable Art Foundation and to Art Mosaic, Inc., the contractor responsible for the ongoing restoration effort, to see whether the artists could assist.

Building Division:

- The Building Division issued 39 permits, including 9 photovoltaic permits, for a total valuation of \$615,380. The Building counter averaged 26 daily sign-ins. Inspections averaged 23 per day.
- Work is continuing at the following projects:
 - Classical Academy
 - McDonalds on E. Valley pkwy.
 - Contempo
 - HARRF Administration Building
 - Talk of the Town carwash and restaurant
 - Monticello assisted living facility

CAPITAL IMPROVEMENT PROJECTS

2013 - 2014 Pavement Repair and Rehabilitation Program:

The paving contractor is working on Mission Avenue between Fig Street and Broadway. The hours of work are between 8:00 p.m. and 6:00 a.m. On Monday, March 10th the concrete contractor completed three bus stop pads in a single day. They are located on Escondido Boulevard at 3rd and 15th Avenue and on Broadway at Washington Avenue.

Grape Street Public Improvement Project:

The project is down to its final two construction items. The new black vinyl fencing is being installed along the project. The street lights poles have been delivered and set in place; they will be activated in the next couple of weeks.

Don Lee Drive Emergency Storm Drain Repair:

City Manager's WEEKLY UPDATE to City Council

The pipeline repairs began on Thursday, March 6th. The contractor completed all repairs and restorations to the SDG&E property on Tuesday, March 12th.

Private Development

1146 East Valley Parkway- McDonald's Restaurant:

The newly approved water main design was delivered to the City on Tuesday, March 4. A site meeting was held on site to discuss the order of operation. The pipeline material has not been delivered to the site at this time.

Tract 888-Cambell Court:

Water line work is continuing on site. The houses are in the framing stage of construction.

Lincoln Avenue & Escondido Boulevard Gas Main Testing Station:

The contractor is continuing with the backfill and testing of the 16" gas main. Permanent repairs to Lincoln Avenue will be started next week.

RedFlex Camera Removal:

Staff has been working with RedFlex, the vendor responsible to remove Red Light Photo Enforcement signage and equipment at City intersections. Engineering staff met with RedFlex representatives in January to review the specific requirement for removal of the below and above grade facilities. On March 3rd, RedFlex received a bid for removal of their equipment. The schedule for removal is not yet available; however, removal of signage will be prioritized as the first item of work.

SDG&E Gas Main Integrity Testing:

The utility is applying for a permit to perform integrity testing along their 16" transmission gas main located on Enterprise Street south to Mission Avenue, Mission Avenue to Metcalf Street, Metcalf Street to Lincoln Avenue then on Lincoln Avenue to Rocksprings Road. The work will be performed at night to lessen the negative impact on the surrounding business community.

PUBLIC SAFETY

Police:

- American Legion 20th Annual Jimmie L. Hayes Memorial Law and Order Awards Dinner. The following Police personnel were honored:
 - Martha Ellis – Medal of Merit
 - Officers Shaver, Whitaker, Martinez – Heroism award
 - Officer Songer – Traffic Officer of the Year
- FB & Twitter numbers continue to rise and we are actively managing both of those outreach platforms in an effort to synthesize information outreach and collection in a way the public will find useful. This process is ongoing and as we get deeper into the project we'll hopefully have significant success stories to share.

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

- PD hosted the San Diego Meth Strike Force Quarterly Meeting last Friday. About 80 members from around the county met at the Police and Fire Headquarters in the Community Room for an update on the Meth Strike Force and a presentation by Child Protection Services.
- PD has posted a job announcement for entry level officer position(s). They also have a recruitment video that was just produced. The video will be published on Facebook with brief information and a link to the job application page.
 - <https://www.facebook.com/EscondidoPolice#!/photo.php?v=702036343152133&set=vb.205060409516398&type=2&theater>
- Public Safety Dispatcher Casey Tompkins completed her training for her Basic POST certificate. This is a big accomplishment which reflects a lot of training and work experience. .
- Will be hosting an Emergency Negotiations training course in April. We will have about 20 students in the class.

Fire:

- The Burn Institute (BI) Boot Drive is Thursday, March 13th. Escondido firefighters will be at various locations around the city accepting donations. Funds raised from the "Boot Drive" go to burn injury survivors at burn camps and also to families at the UCSD Burn Center.
- The American Legion Law and Order Awards were held on Saturday, March 8th. Fire Captains Barratt and Holcomb, Engineer Jeff Ratlif, and FF/PM Mike Mellon received Meritorious Awards for their work on the new Engines. Engineer Jeremy Good and Mark Pendry from Info Systems also received Meritorious Awards for their work on the vehicle laptop project. Finally, Erica Bribiesca received a Citizenship Award for her assistance with a child choking at the AM/PM Gas Station at Mission and Broadway back in July.

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