

**COLANTUONO
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Our File No. 35010.006

November 17, 2025

VIA ELECTRONIC MAIL ONLY

Lisa Krause
Senior Housing Policy Specialist
California Department of Housing and
Community Development
3737 Main Street, Suite 400
Riverside, CA 92501
Lisa.Krause@hcd.ca.gov

Re: **Additional Information re Applicable Surplus Land Act Exemptions for
SLA Case SLA0001378**

Dear Lisa,

As requested at the October 22, 2025 meeting, this letter provides additional details to support a finding that the proposed lease with a public benefit nonprofit, The Rinks Foundation, to build and operate an indoor ice rink on a portion of Kit Carson Park (“Project”) is exempt under the Surplus Land Act (“SLA”).

The City of Escondido (“City”) owns and operates Kit Carson Park (“Park”) and proposes to lease a portion of the Park to The Rinks Foundation for approximately 50 years. The Park was purchased from the City of San Diego in 1967 through a voter-approved bond measure in 1966 (the “Bond Measure”) authorizing the City to incur bonded indebtedness in the principal amount of \$825,000 for the acquisition and construction of a park site.¹

The City respectfully submits that the Project is exempt under the SLA due to several valid legal restrictions and as an agency use. SLA legislative history and statutory

¹ City of Escondido Resolution No. 3539.

interpretation confirm that “valid legal restrictions” encompass voter-approved measures. The 1966 Bond Measure authorized funds solely for park acquisition and development, which imposes a binding restriction on the Park’s use through a contractual or contract-like relationship between the City and the electorate.

Converting the land for housing would require a costly election, rendering mitigation infeasible under the SLA. The Park also cannot be converted to residential use due to legal barriers not imposed by City: State law requires voter approval to end a park use, and agreements with the City of San Diego and the electorate under the Bond Measure mandate continued park use from the 1960s – roughly **50 years prior** to the September 30, 2019 cutoff for valid legal restrictions in the SLA. Covenants in the 1967 purchase agreement with the City of San Diego limit its use to park and recreational purposes and expressly run with the land. These restrictions have been enforced historically by San Diego and remain operative today.

Finally, the Project – a recreational facility for ice sports held open for the public – qualifies as an “agency use” under the SLA. The Project is consistent with the Park’s dedicated purpose of uses for recreational activities. The Project also advances the planned use adopted by City Council via the Park Master Plan by providing the high-quality recreational facilities the community and general public demand. The facility will be operated by a nonprofit for public benefit, not as a commercial enterprise, and will be required to be held open to the public, ensuring year-round recreational access. Once the lease terminates, the facility will revert to the City. This arrangement allows for the City to provide the community with a recreational facility the City could not otherwise afford to build with its limited financial resources.

I. Statutory Interpretation of the Surplus Land Act related to Voter-Approved Measures

As our prior letter indicated, when Assembly Bill 1486 (“AB 1486”) amended the SLA in 2019 to add an exemption for any “valid legal restriction,” that term was understood to refer to “state or federal statutes, **voter-approved measures**, or other legal restrictions that are not imposed by the local agency.”² HCD indicated its belief that “voter-approved measures” are no longer valid legal restrictions following the 2023

² Senate Committee on Governance and Finance: AB 1486 Bill Analysis (June 21, 2019), pg. 2-3 (available at: https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201920200AB1486#) (emphasis added).

amendments in Senate Bill 747 (“SB 747”). Neither the legislative history of these bills nor the canons of statutory interpretation support that reading.

First, it is a foundational rule that “[t]he words of a statute are to be interpreted in the sense in which they would have been understood at the time of the enactment.”³ AB 1486 did not define “valid legal restriction” but its legislative history makes plain the Legislature understood it to include voter-approved measures. SB 747 does not purport to redefine or cabin what constitutes a valid legal restriction. Instead, section 54221(f)(1)(J)(ii) now provides a list of possible restrictions, declaring “[v]alid legal restrictions **include, but are not limited to**, all of the following...” That list is exemplary, not exhaustive, and does not change the meaning of valid legal restriction as first enacted in AB 1486. As the Senate Rules Committee report notes “the bill also lists out several examples of presumptive valid legal restrictions, without limiting other legal restrictions that local governments might be subject to...”⁴ “As a basic principle of statutory construction, ‘include’ is generally used as a word of enlargement and not of limitation. [Citation] Thus, where the word ‘include’ is used to refer to specified items, it may be expanded to cover other items. [Citation].”⁵

We are aware that the earlier version of SB 747 included in the list of valid legal restrictions “a requirement for voter approval to transfer the property,” and that that language was replaced with the broader term “[r]estrictions imposed by the source of funding that a local agency used to purchase a property...”⁶ But this drafting change does not exclude voter-approved measures from the ambit of valid legal restrictions; had the Legislature intended to exclude voter-approved measures it would have done so expressly in section 54221(f)(1)(J)(iii), which excludes from the exemption any “existing nonresidential land use designation on the surplus land” and “[c]ovenants, restrictions, or other conditions on the property rendered void and unenforceable by any other law...” Nor do these later debates shed much light on the meaning of valid legal restriction. “Ordinarily, subsequent legislative history is given little weight in statutory interpretation.”⁷ “ [E]ven when it would otherwise be useful, subsequent legislative

³ (*People v. Cruz* (1996) 13 Cal.4th 764, 775.)

⁴ Senate Rules Committee: SB 747 Bill Analysis (September 8, 2023), pg. 8, available at: https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240SB747

⁵ *Rea v. Blue Shield of California* (2014) 226 Cal.App.4th 1209, 1227; see also *In re Johnny M.* (2002) 100 Cal.App.4th 1128, 1134

⁶ Gov. Code, § 54221, subd. (f)(1)(J)(ii)(IV)

⁷ *Barrett v. Rosenthal* (2006) 40 Cal.4th 33, 54 fn 17

history will rarely override a reasonable interpretation of a statute that can be gleaned from its language and legislative history prior to its enactment.’ ”⁸

II. Bond Financed Park Acquisition

HCD has also suggested the City’s 1966 Bond Measure does not create a valid legal restriction because the City could still change or alter the use of the Park. For the reasons discussed below, that is not accurate. “[A] bond act approved by the voters can, by its terms, limit the purposes for which the bond proceeds can be spent.”⁹ An action by the City that used bond proceeds for an unauthorized purpose would be subject to judicial challenge and invalidation.¹⁰ Here, the 1966 Bond Measure authorized indebtedness only for “acquisition of a park site from the City of San Diego, including the construction of basic utility services.” The City could not have turned around and sold the Park property to a residential developer in 1967, and it may not do so today. “The voters approved the bond proposition that was printed in the voter information pamphlet. Any future changes would have to be consistent with the projects specified in the proposition the voters approved.”¹¹

Statute also prevents the City from converting park land to a nonpark purpose without an election. Government Code section 38440 et seq. governs how a general law city may discontinue a public park use and dispose of the land. Doing so requires a majority vote of the electorate.¹² And before calling an election, the City Council must “adopt[] a resolution declaring that public interest or convenience requires the discontinuance of the use of such land as a public park... .”¹³ The City cannot make such a finding here, nor is the City interested in doing so, and no law suggests it can be

⁸ *Brown v. City of Inglewood* (2025) 18 Cal.5th 33, 51, citing *Consumer Prod. Safety Comm’n v. GTE Sylvania, Inc.* (1980) 447 U.S. 102, 118, fn. 13.

⁹ *California High-Speed Rail Authority v. Superior Court* (2014) 228 Cal.App.4th 676, 701; see also Gov. Code, § 53410 [requiring “statement indicating the specific purposes of the bond”].

¹⁰ *Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist.* (2013) 215 Cal.App.4th 1013, 1028.

¹¹ *Foothill-De Anza Community College Dist. v. Emerich* (2007) 158 Cal.App.4th 11, 24. See also *San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School Dist.* (2006) 139 Cal.App.4th 1356, 1397 (“ ‘It is clear that proceeds of a bond issue may be expended only for the purpose authorized by the voters in approving issue of the bonds.’ ”[cleaned up]).

¹² Gov. Code, §§ 38443, 38451, 38452.

¹³ Gov. Code, § 38443.

compelled to do so under the Surplus Land Act. This state statute is also a valid legal restriction on the City's ability to offer the proposed rink site for residential housing.¹⁴

It is not feasible for the City to go back to the voters and gain their permission to convert a portion of the Park to another use. First, it seems unlikely Escondido voters would agree. And our courts have long recognized the extreme cost, both economic and political, of a measure election:

The costs of an election—and of preparing the ballot materials necessary for each measure—are far from insignificant. [Citation] Proponents and opponents of a measure may both expend large sums of money during the election campaign. Frequently, the heated rhetoric of an election campaign may open permanent rifts in a community. That the people's right to directly legislate through the initiative process is to be respected and cherished does not require the useless expenditure of money and creation of emotional community divisions concerning a measure which is for any reason legally invalid.¹⁵

No authority supports the proposition that calling an election to remove a land restriction is a feasible method of avoiding that prohibition under the SLA.

The San Diego Registrar of Voters also estimates that a citywide election would be roughly \$100,000 to \$130,000 to add a measure to an already scheduled election. A citywide special election is expected to be significantly more expensive – at least double to triple the cost – because the City will bear the full cost of the Registrar of Voters services rather than sharing those election costs with other cities and the County, as it does in a general election. These costs are for County services only, and do not include internal costs such as the staff time; creation and printing of educational materials; legal costs to draft the measure and related resolutions, impartial analysis, and to attend Council meetings; and any consultant costs for polling. Legal costs alone would likely exceed \$10,000, depending on the measure's controversy with the City Council and community.

HCD has also suggested the electorate should be considered part of the City, and therefore any restrictions imposed by voters would not count as valid legal restrictions under Government Code section 54221, subdivision (f)(1)(J)(i). Not so. HCD cites *Mulkey*

¹⁴ Senate Committee on Governance and Finance: AB 1486 Bill Analysis, pg. 2-3 (available at: https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201920200AB1486#) (emphasis added).

¹⁵ *Citizens for Responsible Behavior v. Superior Court* (1991) 1 Cal.App.4th 1013, 1023.

*v. Reitman*¹⁶, but this issue was addressed by our Supreme Court much more recently in *California Cannabis Coalition v. City of Upland*.¹⁷ That case held that the terms “local government” and “agency” do not usually include the voters.¹⁸ “[T]he common understanding of local government does not readily lend itself to include the electorate, instead generally referring to a locality's governing body, public officials, and bureaucracy.”¹⁹ Further, the SLA limits “local agency” to California political subdivisions that possess both the authority and ability to acquire and hold property—a definition the electorate neither meets nor can meet.²⁰

That the local agency is distinct from the voters is further confirmed by cases interpreting the relationship between the two following a bond election. “The relationship between the public entity and the electorate arising out of voter-approved revenue measures has been alternatively described as ‘either strictly contractual or analogous to a contract.’ ”²¹ The four primary elements of the contract are:

- The statutes creating the bonding entity and authorizing bonded indebtedness;
- The resolution by which the bonding entity resolves to submit the issue to its electors;
- The ballot proposition submitted to the voters; and
- The voters' assent or ratification.²²

Naturally, if the bonding entity — here the City — is contracting with the voters, they cannot be one and the same. Moreover, this contractual relationship means the 1966 Bond Measure not only qualifies as a valid legal restriction because it is a restriction “imposed by the source of funding that a local agency used to purchase a property” but also as a contractual right, obligation or restriction agreed to before September 30, 2019.²³

¹⁶ (1966) 64 Cal.2d 529.

¹⁷ (2017) 3 Cal.5th 924 (“*Upland*”).

¹⁸ *Id.* at pp. 938–940.

¹⁹ *Id.* at p. 937.

²⁰ Gov Code, § 54221(a)(1).

²¹ *Sacks v. City of Oakland* (2010) 190 Cal.App.4th 1070, 1083, citing *Committee for Responsible School Expansion v. Hermosa Beach City School Dist.* (2006) 142 Cal.App.4th 1178.

²² *Monette-Shaw v. San Francisco Bd. of Supervisors* (2006) 139 Cal.App.4th 1210, 1215.

²³ Gov. Code, § 54221, subd. (f)(1)(J)(ii).

III. Valid Legal Restriction Due to Contractual Restrictions Entered into with the City of San Diego Prior to September 30, 2019

To qualify for the SLA's valid legal restriction exemption, a local agency must prove that the surplus land is subject to a legal restriction that: (1) was not imposed by the local agency, (2) completely prohibits housing development, and (3) cannot be feasibly mitigated or avoided.²⁴ Valid legal restrictions include existing constraints under ownership rights or contractual rights that prevent use of the property for housing if agreed to prior to September 30, 2019.²⁵

The Park qualifies as a valid legal restriction because on June 22, 1967 – roughly 53 years before the cutoff in the SLA - the City entered into an agreement to purchase the Park ("Purchase Agreement") "for the purpose of developing park and recreation facilities thereon and other uses consistent with the Master Plan developed by the Joint Land Use Study approved by the parties,"²⁶ prohibiting housing development. Though the Park's grant deed does not reflect the restriction on the use,²⁷ Section 13 of the Purchase Agreement provides:

This agreement is made for the direct benefit of the real property of City within the city limits of Escondido and it is the intention of the parties that this agreement **shall be a covenant running with the land and shall be binding upon the successors and assigns of both parties hereto.**²⁸

As conditions that run with the land, these covenants cannot be feasibly mitigated or avoided. First, the City of San Diego is also unlikely to remove this condition. When Escondido sought voter approval in 1979 to convert a portion of the Park into a retail center, San Diego directed its City Manager and City Attorney by resolution to enforce the Purchase Agreement. The resolution quoted the Purchase Agreement's requirement that the land be used for park and recreation facilities, noted that the Master Plan restricted the Park to "recreational and commercial recreational purposes" only, and warned that "the loss of said recreational opportunities would constitute a substantial

²⁴ Gov Code, § 54221, subd. (f)(1)(J)(i).

²⁵ Gov Code, § 54221, subd. (f)(1)(J)(ii)(I).

²⁶ Purchase Agreement (June 22, 1967), Recital B

²⁷ Grand Deed Kit Carson Park from San Diego City to Escondido (1967)

²⁸ Purchase Agreement (June 22, 1967).

detriment to the City of San Diego.”²⁹ The resolution concluded that developing a commercial shopping center would violate the Purchase Agreement.

Second, as discussed above, Government Code section 38502 requires voter approval to abandon park uses for any other use, which is not imposed by the City, prohibits the use of housing at the Park, and is not feasible nor required by the SLA.

IV. The Project is a Use Consistent with Park Purposes.

You requested information on how the Project is consistent the Park's purposes and the Bond Measure. The Project is a recreational facility for ice sports. The City will not lease the property to The Rinks Foundation unless and until these conditions are included in the lease:

- The facility is held open for public use year round and a certain percentage of rink time must be also available for the public use, such as, open skating, community events and rentals, and community leagues.
- The City assumes possession, management, and operation of the site and any facilities thereon after the lease terminates.
- Equal access and treatment for all users regardless of race, gender, religion, disability, or other protected status is required.

Courts have long recognized the well-settled principle that “land which has been dedicated as a public park must be used in conformity with the terms of the dedication, and it is without the power of a municipality to divert or withdraw the land from use for park purposes.”³⁰ The 1967 Purchase Agreement and related Council resolution dedicated the Park “for the purpose of developing park and recreation facilities thereon and other uses consistent with the Master Plan developed by the Joint Land Use Study approved by the parties.”³¹

While copies of this Master Plan and Joint Use Study are not available, the City of San Diego's actions in reliance on these documents provide clear evidence of their intent to limit the Park to recreational and commercial recreational purposes in the Purchase Agreement. As discussed above, when Escondido sought voter approval in 1979 to

²⁹ San Diego City Resolution R-250641 (November 19, 1979).

³⁰ *Slavich v. Hamilton* (1927) 201 Cal. 299, 302.

³¹ Purchase Agreement (June 22, 1967), Recital B; San Diego City Resolution 190755 (June 22, 1967), pg. 1.

convert part of the Park into a retail center, San Diego enforced the Purchase Agreement through a resolution confirming that the land was conveyed specifically for park and recreation facilities and that any commercial development would violate the Agreement. This prohibition extends to residential development.

Following this enforcement action, the City's actions reinforced these restrictions through updated Master Plans in 1973 and 1984. The 1984 Master Plan outlined permitted land uses including a commercial core surrounded by a golf course, open free play area, picnic areas, activity field area, amphitheater, and natural areas. Importantly, the 1984 Master Plan also sought to "explore revenue generating alternatives for Park facilities,"³² recognizing that "to provide the high level of recreational facilities that the community and general public demand, additional funds can be generated from alternative on-site revenue."³³ This focus on revenue generation is consistent with the Park's dedication for "commercial recreational purposes," which contemplates recreational facilities that generate revenue to support and sustain Park operations.

Although this Project was not specifically envisioned in 1984 Master Plan, the proposed partnership with The Rinks Foundation for this Project enables construction and operation of a community-serving sports facility without public financing, fulfilling the Master Plan's intent to expand recreational offerings through innovative funding models.

V. The Project is an Agency Use.

The Surplus Land Act ("SLA") defines "agency's use" broadly to include land currently used or planned for agency operations under an adopted written plan, specifically encompassing conservation purposes, utility sites, watershed property, and buffer zones around sensitive government facilities.³⁴ However, the SLA excludes commercial or industrial activities from the "agency use" definition, particularly nongovernmental retail, entertainment, or office development, and property disposed solely for investment or revenue generation.³⁵

As indicated in our prior letter, the City's proposal is for the Project to be developed and operated by a nonprofit for a 50-year term qualifies as an exempt "agency

³² Master Plan Development Report: Kit Carson Park (April 1984) "Revenue Generators", pg. 88.

³³ Master Plan Development Report: Kit Carson Park (April 1984) "Revenue Generators", pg. 88.

³⁴ Gov. Code, § 54221(c)(1).

³⁵ Gov. Code, § 54221(c)(1)(2)(A).

use,” and therefore is exempt under the SLA. Consistent with the Purchase Agreement with the City of San Diego to use the land for park and recreational development³⁶, the Project advances the planned use adopted by City Council via the 1984 Park Master Plan by providing the “high-quality recreational facilities the community and general public demand.”³⁷ As outlined above, the Project advances the Park's dedicated purpose of a park use with recreational facilities for the community. The City has no intent of declaring the land as surplus and desires only to expand recreational offerings at the Park, as indicated by the reverter clause in the lease and that the City intends to regain possession of the facility once the lease is terminated.

Finally, the Rinks Foundation is a public benefit corporation whose purpose is to develop the sport of hockey in the Orange County and San Diego communities. As a nonprofit, the Rinks Foundation's operation is not commercial nor is it solely for revenue generation. While the Project will generate revenue, its primary purpose is to provide an additional year-round public recreational amenity at the Park that the City could not otherwise afford to build with its limited financial resources.

VI. Supporting Documentary Evidence

In support the City's declaration that this Project is exempt from the SLA due to valid legal restrictions and since the Project is an agency use, please find the following documents enclosed:

Statutory Interpretation

- Attachment A - Senate Committee on Governance and Finance: AB 1486 Bill Analysis
- Attachment B - Senate Rules Committee: SB 747 Bill Analysis

Bond Measure

- Attachment C - Resolution 3539 Declaring Results of Bond Measure for Park
- Attachment D - Arguments for Bond Measure
- Attachment E – Bond Consultant Report Purchase of Kit Carson Park

³⁶ Purchase Agreement (June 22, 1967), Recital B; San Diego City Resolution 190755 (June 22, 1967), pg. 1

³⁷ Master Plan Development Report: Kit Carson Park (April 1984) “Revenue Generators”, pg. 88

Park Purchase

- Attachment F - Park Purchase Agreement Between Cities of San Diego and Escondido (June 22, 1967)
- Attachment G - San Diego City Resolution 190755 (June 22, 1967)
- Attachment H - Park Deed
- Attachment I - Minutes for Resolution 3700 Accepting Park Deed and Resolution 3701 Accepting Park Purchase Agreement

Park Dedication and Use

- Attachment J - San Diego City Resolution R-250641 (November 19, 1979)
- Attachment K - Resolution 84-60 Adopting the “Master Plan Development Report: Kit Carson Park” (April 1984) (includes Master Plan)
- Attachment L – Minutes for Resolution 84-60 Adopting “Master Plan Development Report: Kit Carson Park” (April 1984)

VII. Conclusion

In conclusion, the Project qualifies as exempt as a valid legal exemption not imposed by the local agency and as an agency use for the reasons outlined herein. Thank you for your attention to this matter and for considering the enclosed analysis. We are available to discuss further at your convenience.

Very truly yours,

A handwritten signature in black ink, appearing to read 'TMA', with a stylized flourish extending to the right.

Taylor M Anderson

TMA:TMA

cc: Michael McGuinness, City Attorney of Escondido
Dare DeLano, Assistant City Attorney of Escondido

Attachment A -
Senate Committee on Governance and
Finance AB 1486 Bill Analysis

SENATE COMMITTEE ON GOVERNANCE AND FINANCE

Senator Mike McGuire, Chair
2019 - 2020 Regular

Bill No: AB 1486
Author: Ting
Version: 5/16/19
Consultant: Favorini-Csorba

Hearing Date: 6/26/19
Tax Levy: No
Fiscal: Yes

SURPLUS LAND

Imposes additional requirements on the process that public agencies must use when disposing of surplus property.

Background

Public agencies are major landlords in some communities, owning significant pieces of real estate. When properties become surplus to their needs, public officials want to sell the land to recoup their investments. The Surplus Land Act spells out the steps public agencies must follow when they want to dispose of land they no longer need. It requires state departments and local governments to give a “first right of refusal” to other governments and some nonprofit groups. The statute’s implicit public policy is that real property should remain in public ownership if it’s still useful for certain favored purposes.

Before state and local officials can dispose of surplus land, they must send a written offer to sell or lease surplus land to various public agencies and nonprofit groups, referred to as “housing sponsors,” if they want to sell or lease the property for:

- Low- and moderate-income housing.
- Park and recreation.
- School facilities or open space.
- Enterprise zones.
- Infill opportunity zones or transit village plans.

If another agency or housing sponsor wants to buy or lease the surplus land for one of these purposes, it must tell the disposing agency within 60 days. The two entities have an additional 90 days to negotiate a mutually satisfactory price in good faith. If they can’t agree, the agency that owns the surplus land can sell the land on the private market. The Act says that nothing in its provisions prevent a local agency from disposing of the land at or below fair market value, where not in conflict with other law.

The Surplus Land Act’s provisions don’t apply to “exempt surplus land,” which means either:

- Land that a county transfers at less than fair market value for affordable housing development; or
- Small parcels that are sold to contiguous property owners.

Counties have the option of developing a central inventory of all the surplus land in that county. Under a separate provision of law, local governments must annually make an inventory of all land that it holds to determine what land, including air rights, if any, is in excess of its foreseeable needs and describe the excess parcels. The local government must make this list available for free to entities that request it.

State agencies must make a similar list of excess land and send it to the Department of General Services (DGS). Land reported as excess must then be transferred to DGS, which requests authorization to sell the land from the Legislature if it isn't needed by other state agencies.

In 2014, the Legislature updated the Surplus Land Act to enhance the affordable housing requirements under the law (AB 2135, Ting). Specifically, if a local agency sells the land for housing, a few inclusionary requirements apply. First, if the land is to be used for low- or moderate-income housing, at least 25 percent of the units must be offered at an affordable housing cost or rent. If the local agency doesn't come to terms with a housing sponsor or other local agency, and a housing project with 10 or more units is subsequently built on the land, at least 15 percent of the units must be affordable.

The 2014 changes to the Act were intended to expand the supply of land available for affordable housing. Since then, reports of some local agencies attempting to avoid the requirements of the Surplus Land Act have emerged. In one high-profile case in 2015, the City of Oakland attempted to sell property to a market-rate developer despite interest from affordable housing developers. Affordable housing advocates want the Legislature to increase the requirements on local agencies that want to dispose of surplus property.

Proposed Law

Assembly Bill 1486 expands the requirements and application of the Surplus Land Act in numerous ways.

Local agency surplus land. AB 1486 expands the definition of "surplus land" to mean land owned by any local agency that is not necessary for the agency's governmental operations, which the bill defines to mean land that is being used for the express purpose of agency work or operations, including utility sites, watershed property, land being used for conservation purposes, and buffer sites near sensitive governmental uses, including, but not limited to, waste water treatment plants. Surplus land also includes land held in a Community Redevelopment Property Trust Fund and land that has been designated in a long-range property management plan either for sale or for retention for future development and that was not subject to an exclusive negotiating agreement or legally binding agreement to dispose of the land.

AB 1486 presumes land to be "surplus land" when a local agency initiates an action to dispose of it. However, AB 1486 also expands the definition of "exempt surplus land" to include:

- Surplus land held by the local agency for the express purpose of exchange for another property necessary for its governmental operations;
- Surplus land held by the local agency for the express purpose of transfer to another local agency for its governmental operations;
- Surplus land that is put out to open, competitive bid by a local agency for specified affordable housing developments.

- Surplus land that is subject to legal restrictions that would make housing prohibited or incompatible on the site due to state or federal statutes, voter-approved measures, or other legal restrictions that are not imposed by the local agency. AB 1486 provides that existing zoning alone is not a legal restriction that would make housing prohibited or incompatible.

When disposing of surplus land for the purpose of developing low- and moderate-income housing, AB 1486 requires a local agency to send a notice of availability of surplus land located in an urbanized area to housing sponsors that have notified the applicable regional council of governments (COG), or in the case of a local agency without a COG, the Department of Housing and Community Development (HCD), of their interest. This requirement replaces the requirement in current law to send a written offer to housing sponsors that request an offer. The notice of availability that AB 1486 requires must be sent by first class mail and, if possible, email. The bill also makes conforming changes to require notices of availability for land that a local agency disposes for other purposes.

AB 1486 specifies that negotiations between a disposing agency and an entity desiring to purchase or lease land must be limited to sales price and lease terms, including the amount and timing of any payments.

If a local agency receives notices of interest in the land from multiple entities that proposed the same number of housing units, first priority must be given to the entity that proposes the deepest average level of affordability for the affordable units. AB 1486 defines priority to mean that the local agency must negotiate exclusively with that entity. However, AB 1486 allows a local agency to negotiate concurrently with all entities that provide notice of interest to purchase or lease land for the purpose of developing affordable housing.

AB 1486 says that if a local agency fails to comply with provisions of the Surplus Land Act, the sale or transfer of the property is invalidated unless the local agency makes an alternative site available that can accommodate an equal or greater number of housing units as the original site.

AB 1486 also clarifies that the existing 15percent minimum affordability requirement applies whenever surplus land is used for housing; reiterates the types of agencies that must comply with the Surplus Land Act; and adds the Surplus Land Act to provisions that allow HCD to notify the city or county and notify the Office of the Attorney General that that city or county is in violation of state law.

Local reporting requirements. AB 1486 modifies the existing requirement for local agencies to make an inventory of excess lands to also include all lands not needed for its governmental operations, and requires this information to be reported to HCD no later than April 1 of each year, beginning in 2021. The bill also requires HCD to create and maintain a searchable and downloadable public inventory of all publicly owned or controlled lands and their present uses in the state on its internet website by September 30, 2021, which must be updated annually.

AB 1486 also requires a city or county, by April 1 of each year, in the Annual Progress Report submitted to HCD and the Governor's Office of Planning and Research, to additionally include a listing of sites owned or leased by the city or county that have been sold, leased or otherwise disposed of in the prior year, and a listing of sites with leases that expired in the prior year. The bill also specifies that the list must include the entity to whom each site was transferred and the intended use for the site.

AB 1486 requires, in a city or county's identification of sites required pursuant to Housing Element law, the description of nonvacant sites to also include whether the city or county plans to dispose of the property during the planning period, and how the agency will comply with the Surplus Land Act.

State surplus land. AB 1486 clarifies the existing requirement that each state agency must review the land it owns in excess its foreseeable needs "for governmental operations," and defines "governmental operations" consistent with the definition for local agencies. AB 1486 requires DGS, when authority is granted for the sale or other disposition of lands declared excess, and DGS has determined that the use of land is not needed by any other state agency, to sell the land or otherwise dispose of it. DGS must also dispose of 10 percent or more of the land designated as unneeded by other state agencies each year and try to conclude the pending disposition of surplus land within 24 months.

Zoning. AB 1486 provides that surplus land disposed of by DGS or a local agency shall be permitted for a residential use if the project is 100% affordable housing, exclusive of managers' units.

AB 1486 makes other technical and conforming changes and includes findings and declarations to support its purposes.

State Revenue Impact

No estimate.

Comments

1. Purpose of the bill. According to the author, "California is facing a housing crisis and unused public land has the potential to promote affordable housing development throughout the state. AB 1486 clarifies and strengthens provisions in the Surplus Land Act that will promote the use of public land for affordable housing."

2. Robbing Peter to pay Paul. Local governments hold property for a variety of reasons, and they dispose of it for many reasons as well. Faced with tight budgets, state departments and local governments should be selling their surplus real estate for the highest possible prices, thereby recouping the public's investments. Recent legislation has eaten away at the ability of public agencies to maximize the value of their land: because any public land sold to a residential developer must include affordable housing, the value of that land is lower to a potential developer. AB 1486 goes a step further and imposes additional restrictions that will delay property sales, reduces the value that local governments can get for their land, and increases the red tape that the agencies and potential buyers must wade through before they can complete a transaction. By doing so, AB 1486 potentially undermines the services that local agencies provide to their constituents: if public agencies can't get the maximum sale price because of constraints on public land, they'll have less money to put towards other important programs. For example, water agencies that want to subsidize the water rates of low-income customers can't use ratepayer dollars to do so because of Constitutional limitations; instead, they rely on other types of revenues, including from property sales and leases. Similarly, AB 1486 restricts DGS's ability to appropriately time the disposal of state surplus land, potentially resulting in lower sales

prices that could have a General Fund impact. To provide some protection against potential revenue losses, the Committee may wish to consider amending AB 1486 to eliminate the restrictions on state agencies and specify that nothing in the bill requires a local agency to sell surplus land or receive less than fair market value for its property.

3. Who decides? Local officials are elected to best serve their constituents, and accordingly, current law provides local governments a lot of flexibility to dispose of land as they see fit. AB 1486 declares all land surplus that isn't being used for governmental operations, defined narrowly to mean only land that is currently being used for the express purpose of agency work or operations. But cities and counties have broad authority to look out for the welfare of their citizens and to take actions to ensure their wellbeing. Accordingly, some local agencies might consider selling land for economic development to be an important and valuable use of property, even though it might not be necessary for the agency's "operations." Furthermore, the bill's definition means that land reserved for future or planned uses would be designated as surplus. Finally, it is unclear who determines whether land is declared not necessary for government operations. The Committee may wish to consider amending AB 1486 to expand the uses of land that would not trigger a designation of surplus land and to specify that the local agency determines what land it needs, rather than leaving unspecified the entity that determines when land is no longer needed for an agency's use.

4. Give me some space. Local agencies impose restrictions on surplus lands for a variety of reasons. For example, some agencies reserve land to act as buffer sites between government activities (such as wastewater treatment) and other land uses that might affect, or be affected by, those activities. Local agencies therefore sometimes sell land with restrictions that may preclude incompatible uses on the site. However, AB 1486 prohibits local agencies from negotiating on terms other than price and timing of payments and automatically rezones surplus land sites to allow residential use if the project is 100% affordable. Accordingly, local governments may not be able to impose necessary restrictions on residential use that are protective of the agency and the public. This may result in housing being developed on surplus land in areas that may undermine the local agency operations or expose future residents to environmental harms. The Committee may wish to consider amending AB 1486 to delete the provisions that rezone surplus land as residential and to allow local agencies to make findings that restrictions on residential use are needed to protect the public or local agency operations.

5. Practical considerations. AB 1486 raises several operational concerns, outlined below:

- AB 1486 prohibits local agencies from participating in negotiations prior to sending a notice of availability to housing sponsors or other entities that get first crack at the land. However, the bill leaves "participating in negotiations" undefined. Some local agencies have raised concerns that it is unclear whether they could conduct informal surveys of land value to test the waters without running afoul of this provision.
- AB 1486 invalidates the sale of property if it is found that the local agency violated the Surplus Land Act, unless the local agency makes an alternative site available that can accommodate an equal or greater number of housing units as the original site. This provision is intended to give the Act some teeth, but it also potentially penalizes innocent parties that may have purchased the land not knowing that the local agency has violated the Act. Furthermore, if such violations are discovered at a later date, the purchaser may have invested significant capital in the property, only to find the transfer of ownership invalidated. To encourage compliance with the Act while avoiding the negative

consequences of this provision, the Committee may wish to consider amending AB 1486 to reinstate the provision of existing law that says that transfers cannot be invalidated and instead include an alternative penalty structure that also allows a local agency to cure an inadvertent error.

- AB 1486 requires local agencies to physically mail notices of availability to any housing sponsor that notifies the COG that they want to hear about surplus lands. But COGs can span broad areas, and some developers that sign up for notices may only be interested in land in one small part of the region. Accordingly, AB 1486 requires local governments to send out countless mailed notices that are likely to be ignored. This costs more money and is less convenient for agencies and developers alike than emailing the notices or posting them online in a readily searchable and accessible form. The Committee may wish to consider amending AB 1486 to instead designate HCD as the official keeper of the list of interested parties and to require electronic notification instead of mailing when a surplus parcel becomes available.

6. The Ghost of Redevelopment. State law regulates the use and disposition of properties owned by former Redevelopment Agencies (RDAs) and directs “successor agencies” to oversee the wind-down of RDA affairs and the payment of RDA obligations. Once a successor agency takes over for an RDA, it reviews the RDA’s outstanding assets and obligations, and develops a plan to resolve those obligations and a Long-Range Property Management Plan (LRPMP) to address how successor agencies plan to use or dispose of former RDAs’ real properties. Successor agencies can dispose of assets by selling them to other governments or interested parties, provided that they are disposed of expeditiously and in a manner that maximizes value to the local governments that receive money as a result of the dissolution of RDAs. The successor agency can also transfer ownership of assets that were constructed and used for a governmental purpose, such as police and fire stations, to the appropriate public jurisdiction. Revenue from properties sold goes towards repaying former RDA’s obligations. AB 1486 explicitly designates former RDA-owned land as surplus. By doing so, it requires these lands to go through the Surplus Lands Act disposition process before they can be sold, which may slow down or impair the ability of successor agencies to dispose of former RDA properties and use the resulting revenue to pay off obligations. As a result, AB 1486 could lengthen the time that it takes to pay off RDA obligations. The Committee may wish to consider amending AB 1486 to exclude RDA properties from the Surplus Lands Act.

7. Mandate. The California Constitution requires the state to reimburse local governments for the costs of new or expanded state mandated local programs. Because AB 1486 imposes additional duties on local agencies, Legislative Counsel says that it imposes a new state mandate. AB 1486 says that if the Commission on State Mandates determines that it creates a state-mandated local program, the state must reimburse local agencies by following the existing statutory process for mandate claims.

8. Related legislation. AB 1255 (R. Rivas) requires cities and counties to include an inventory of surplus sites that are infill, “high-density” sites in the housing element and requires DGS to create a searchable database of surplus sites. AB 1255 is currently pending in the Senate Housing Committee. AB 2065 (Ting, 2018) would have amended the Surplus Lands Act expand the types of local agencies required to comply with the Act, require a “written notice of availability” of property to specified entities prior to disposal of property, require that notice to be sent to housing sponsors that have notified both HCD and the COG of their interest in surplus

land, placed parameters on the negotiations to dispose of the property, and would have provided that the existing 15 percent affordability requirements applies whenever surplus public land is used for housing. AB 2065 died in the Assembly Appropriations Committee. Most of the changes that were contained in AB 2065 are in also in AB 1486.

9. Triple Referral. The Senate Rules Committee has ordered a triple referral of AB 1486: first to the Senate Governance and Finance Committee to consider issues related to local agencies; second to the Senate Housing Committee to hear issues related to housing; and finally to the Senate Governmental Organization Committee, which has jurisdiction over state agencies.

Assembly Actions

Assembly Local Government Committee:	6-2
Assembly Housing and Community Development Committee:	5-1
Assembly Appropriations Committee:	12-4
Assembly Floor:	53-20

Support and Opposition (6/21/19)

Support: Bay Area Regional Health Inequities Initiative; Building Industry Association of the Bay Area; California Community Builders; Chan Zuckerberg Initiative; Enterprise Community Partners, Inc.; Habitat for Humanity California; Hamilton Families; Midpen Housing Corporation; North Bay Leadership Council; Related California; San Francisco Foundation; TMG Partners; Transform.

Opposition: Association Of California Healthcare Districts; Association Of California Water Agencies; California Association Of Sanitation Agencies; California Municipal Utilities Association; California Special Districts Association; California State Association Of Counties; Irvine Ranch Water District; Mesa Water District; Orange County Water District; Rural County Representatives Of California; Santa Margarita Water District; Urban Counties Of California; Vista Irrigation District

-- END --

Attachment B -
Senate Rules Committee
SB 747 Bill Analysis

UNFINISHED BUSINESS

Bill No: SB 747
Author: Caballero (D), et al.
Amended: 9/8/23
Vote: 21

SENATE GOVERNANCE & FIN. COMMITTEE: 8-0, 4/12/23
AYES: Caballero, Seyarto, Blakespear, Dahle, Durazo, Glazer, Skinner, Wiener

SENATE HOUSING COMMITTEE: 11-0, 4/24/23
AYES: Wiener, Ochoa Bogh, Blakespear, Caballero, Cortese, McGuire, Padilla, Seyarto, Skinner, Umberg, Wahab

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/18/23
AYES: Portantino, Jones, Ashby, Bradford, Seyarto, Wahab, Wiener

SENATE FLOOR: 38-0, 5/31/23
AYES: Allen, Alvarado-Gil, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Grove, Hurtado, Jones, Laird, Limón, McGuire, Menjivar, Min, Newman, Nguyen, Niello, Ochoa Bogh, Padilla, Portantino, Roth, Rubio, Seyarto, Skinner, Smallwood-Cuevas, Stern, Umberg, Wiener, Wilk
NO VOTE RECORDED: Gonzalez, Wahab

ASSEMBLY FLOOR: 80-0, 9/13/23 - See last page for vote

SUBJECT: Land use: surplus land

SOURCE: Author

DIGEST: This bill makes various changes to the Surplus Land Act (SLA) regarding the disposal process, exemptions, and penalties for violations.

Assembly Amendments (1) delete provisions related to Economic Opportunity Law, various provisions related to transit agencies, and mixed use developments; (2) modify the definition of disposal, make various changes to exemptions; and (3)

make other technical and clarifying changes and include chaptering amendments with AB 480 (Ting).

ANALYSIS:

Existing law:

- 1) Establishes procedures for the disposal of publicly-owned land that is surplus to the needs of local agencies, under SLA.
- 2) Requires local officials that want to dispose of public property to declare that the land is no longer needed for the agency's use in a public meeting and declare the land either "surplus land" or "exempt surplus land."
- 3) Requires local agencies to follow the procedures laid out in the SLA before surplus land can be sold, including, but not limited, to:
 - a) Send a written notice of availability to various public agencies and nonprofit groups, referred to as "housing sponsors," notifying them that land is available for the following purposes:
 - i) Low- and moderate-income housing;
 - ii) Park and recreation, and open space;
 - iii) School facilities; or
 - iv) Infill opportunity zones or transit village plans.
- 4) Negotiates in good faith for 90 days with housing sponsors that respond.
- 5) Allows the local agency to dispose of the property on the private market if agreement is not reached with a housing sponsor.
- 6) Requires that, if a property sold as surplus is not sold to a housing sponsor, but housing is developed on it later, 15% of the units must be sold or rented at an affordable cost to lower income households.
- 7) Imposes penalties of 30% of the sale price of the land for a first violation and 50% of the sale price for any subsequent violation for selling land in violation of the SLA. Establishes an enforcement process, which provides, among other things, that a local agency cannot be liable for a penalty if it is not notified by HCD that it is in violation of the act.
- 8) Designates certain types of land as "exempt surplus land" and provides that the entirety of the SLA does not apply to exempt surplus land.

This bill:

- 1) Specifies additional examples of uses of property for an “agency’s use” under the SLA to include utility sites, port property, broadband and wireless sites, and waste disposal sites.
- 2) Defines “dispose” to mean either of the following:
 - a) The sale of the surplus land.
 - b) The entering of a lease for surplus land, which is for a term longer than 15 years, inclusive of any extension or renewal options included in the terms of the initial lease, entered into on or after January 1, 2024.
- 3) Provides that “dispose” shall not mean either of the following:
 - a) The entering of a lease for surplus land, which is for a term of 15 years or less, inclusive of any extension or renewal options included in the terms of the initial lease.
 - b) The entering of a lease for surplus land on which no development or demolition will occur, regardless of the term of the lease.
- 4) Revises the existing exemption in the SLA for small parcels to exempt all parcels of under half an acre, regardless of whether they are transferred to an adjacent owner.
- 5) Revises the existing exemption in the SLA for valid legal restrictions that make housing prohibited on the site as follows:
 - a) Requires documentary evidence, which includes, but is not limited to specified documents, that supports the valid legal restriction.
 - b) Provides a non-exhaustive list of examples of valid legal restrictions, as follows:
 - i) Existing constraints under ownership rights or contractual rights or obligations that prevent the use of the property for housing, if the rights or obligations were agreed to prior to September 30, 2019.
 - ii) Conservation or other easements or encumbrances that prevent housing development.
 - iii) Existing leases, or other contractual obligations or restrictions, if the terms were agreed to prior to September 30, 2019.

- iv) Restrictions imposed by the source of funding that a local agency used to purchase a property, provided that both of the following requirements are met:
 - (1) The restrictions limit the use of those funds to purposes other than housing.
 - (2) The proposed disposal of surplus land meets a use consistent with that purpose.
 - c) Provides that valid legal restrictions do not include either of the following:
 - i) An existing nonresidential land use designation on the surplus land.
 - ii) Covenants, restrictions, or other conditions on the property rendered void and unenforceable by any other law, as specified.
 - d) Provides that feasible methods to mitigate or avoid a valid legal restriction on the site do not include a requirement that the local agency acquire additional property rights or property interests belonging to third parties.
- 6) Establishes as categories of exempt surplus land:
- a) Land that is owned by a California public-use airport on which residential use is prohibited pursuant to Federal Aviation Administration regulations.
 - b) Land that is transferred to a community land trust.
 - c) Land disposed for commercial or other revenue generating activities for transit agencies, as specified, if the agency meets all of the following conditions:
 - i) The agency has an adopted land use plan or policy that designates at least 50 percent of the gross acreage covered by the adopted land use plan or policy for residential purposes. The adopted land use plan or policy shall also require the development of at least 300 residential units, or at least 10 residential units per gross acre, averaged across all land covered by the land use plan or policy, whichever is greater.
 - ii) At least 25% of the residential units developed are made available to lower income households at an affordable sales price or affordable rent.
 - iii) Land disposed of for residential purposes is put out to competitive bid.
 - iv) Prior to entering into an agreement to dispose of a parcel for non-residential development the agency, since January 1, 2020, must have

entered into an agreement to dispose of a minimum of 25 percent of the land designated for affordable housing.

- d) Land that is no larger than two acres, identified in a local agency transportation plan, as specified, abuts a highway, and is zoned for retail commercial use, as specified.
- 7) Requires HCD to link to all notices of availability and list all entities that have notified the department of their interest in surplus land for the purpose of developing low- and moderate-income housing.
 - 8) Clarifies that participating in negotiations does not include:
 - a) Issuing requests for proposals or requests for qualifications to affordable housing sponsors under specified exemptions;
 - b) Negotiating a lease, exclusive negotiating agreement, or option agreement for specified exemptions for the disposal of affordable housing; or
 - c) Negotiating with a developer to determine if the local agency can satisfy specified disposal exemption requirements.
 - 9) Modifies the penalties for land disposed of in violation of the SLA, as follows:
 - a) Imposes the same 30% and 50% penalties as current statute, but on a base of either:
 - i) In the case of a sale, the greater of the final sale price of the land or the fair market value of the surplus land at the time of sale, as determined by an independent appraisal.
 - ii) In the case of a lease, the discounted net present value of the fair market value of the lease as of the date the lease was entered into, as determined by an independent appraisal of the lease of surplus land in violation of this article.
 - b) Provides that the SLA penalties do not apply to violations that do not impact the availability and priority of land for, or construction of, affordable housing, such as clerical errors.
 - 10) Repeals HCD's exemption from the Administrative Procedures Act when adopting guidelines to implement the SLA.
 - 11) Makes technical and clarifying changes to:

- a) Consolidate the provisions of the SLA that protect certain aspects of local government authority to set conditions for disposition in a single section;
- b) Clarify the affordability requirements for housing developed on tribal lands;
- c) Make other technical changes; and
- d) Include chaptering amendments with AB 480 (Ting) and provide that the bill is contingent on the enactment of AB 480.

Background

Surplus Land Act. Public agencies are major landlords in some communities, owning significant pieces of real estate. When properties become surplus to their needs, public officials want to sell the land to recoup their investments. The SLA spells out the steps local agencies must follow when they want to dispose of land. It requires local governments to give a “first right of refusal” to other governments and nonprofit housing developers, and to negotiate in good faith with them to try to come to agreement.

Before local officials can dispose of property, they must declare that the land is no longer needed for the agency’s use in a public meeting and declare the land either “surplus land” or “exempt surplus land.” Agency use includes land that is being used, or is planned to be used pursuant to a written plan the local agency’s governing board adopts, or is disposed of to support agency work or operations.

The SLA designates certain types of land as “exempt surplus land,” and specifically provides that the entire law does not apply to exempt surplus land. All other surplus land must follow the procedures laid out in the SLA before a local agency can sell it. Before agencies can enter into negotiations to sell surplus land, they must send a written notice of availability to various public agencies and nonprofit groups, referred to as “housing sponsors,” notifying them that land is available for the following purposes:

- Low- and moderate-income housing;
- Park and recreation, and open space;
- School facilities; or
- Infill opportunity zones or transit village plans.

Housing sponsors can notify the Department of Housing and Community Development (HCD) that they are interested in acquiring surplus land to develop affordable housing. HCD maintains a list of notices of availability on its website.

If another agency or housing sponsor wants to use the surplus land for one of these purposes, it must tell the disposing agency within 60 days, and if multiple entities want to purchase the land, the housing sponsor that proposes to provide the greatest level of affordable housing gets priority. The agency and the housing sponsor then have an additional 90 days to negotiate a mutually satisfactory price and terms in good faith. If they cannot agree, the agency that owns the surplus land can sell the land on the private market. The SLA says that nothing in its provisions prevents a local agency from disposing of the land at or below fair market value, where not in conflict with other law.

AB 1486 (Ting, Chapter 664, Statutes of 2019). In 2019, the Legislature substantially revised the SLA to increase the emphasis on affordable housing and address concerns that some local agencies were bypassing the SLA's requirements (AB 1486, Ting). Among other changes, AB 1486 broadened the definition of surplus land and required land to be designated as surplus prior to the local agency selling the land, which ensures that local agencies must comply with the SLA. AB 1486 prohibited local agencies from counting the sale of land for economic development purposes as being "for the agency's use." This means local agencies must open their properties up to affordable housing developers first, even if they have different purposes in mind for the property. Additionally, AB 1486 instituted a requirement that if a property sold as surplus is not sold to a housing sponsor, but housing is developed on it later, 15% of the units must be sold or rented at an affordable cost to lower income households.

AB 1486 also provided certain projects could use the previous version of the SLA before AB 1486 amended it, if the local agency, as of September 30, 2019, entered into an exclusive negotiating, or legally binding, agreement to dispose of property, provided the local agency completed the disposition by December 31, 2022.

AB 1486 included a similar provision for land held in a Community Redevelopment Property Trust Fund, or designated in a long-range property management plan, for sale or retained for future development, so long as the local agency entered into the exclusive negotiating, or legally binding, agreement by December 31, 2020, and completes the disposition by December 31, 2022.

Several housing organizations want the Legislature to modify various provisions of the SLA.

Comments

- 1) *Purpose of the bill.* According to the author, “The SLA requires a local agency seeking to dispose of real property as “surplus” to first make it available for affordable housing. In 2019, AB 1486, imposed requirements under the SLA that included giving the Department of Housing and Community Development (HCD) an oversight role and the ability to impose fines when a local government is found to have violated the SLA. Unfortunately, local governments across the state have reported challenges with the Surplus Land Act, which has imposed bureaucratic requirements on properties not suitable for housing and limited opportunities for economic development, particularly in smaller jurisdictions. These bureaucratic hurdles have hampered their ability to effectively conduct activities and fulfill their missions without experiencing significant delays, or lobbying HCD or the Legislature to obtain individual exemptions. SB 747 makes a number of changes to the Surplus Land Act, which make numerous improvements to the Surplus Lands Act, in ways that continue to advance the development of affordable housing, while avoiding needless delays and uncertainty for local public agencies. Notably, SB 747: exempts parcels under half an acre from the SLA, thereby opening them up to economic development; streamlines the leasing process by clarifying that the SLA does not apply to leases of less than 15 years; and ensures that property purchased with funds that are restricted in their use, such as federal funds or mitigation fees, does not have to go through the SLA.”
- 2) *Get it in writing.* SB 747 adds a definition of dispose that specifies what types of transactions are subject to the SLA. It then goes on to specify two types of transactions that are definitively not disposals in order to provide further certainty to local governments that HCD will not subject those transactions to the SLA. However, this is not an exhaustive list of types of transactions that are excluded from the SLA—merely an example of those that must clearly be considered outside the scope of the law. For example, other transactions that would not fall under the SLA could include property transactions that are not sales or leases. Similarly, SB 747 includes additional activities that should not be considered “participating in negotiations,” as a matter of clarification, but are not an exhaustive list of actions that do not qualify as a negotiation. Finally, the bill also lists out several examples of presumptive valid legal restrictions, without limiting other legal restrictions that local governments might be subject to.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee:

- HCD estimates ongoing General Fund costs of \$660,000 annually for three staff positions to establish uniform standards to process and publish local agencies' notices of "exempt surplus land" determinations, and update policies and procedures related to SLA enforcement, and to adopt, amend, or repeal guidelines to implement the SLA pursuant to the APA.
- Costs to local agencies of an unknown amount to revise procedures for identifying and disposing of surplus lands. These costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates, should a local agency submit a claim.

SUPPORT: (Verified 9/13/23)

Association of California Healthcare Districts

AV EDGE

Calaveras County Economic & Community Development

California Association for Local Economic Development

California Association of Sanitation Agencies

California Business Properties Association

California Special Districts Association

City of Bakersfield

City of Bell Gardens

City of Bellflower

City of Beverly Hills

City of Brentwood

City of Camarillo

City of Elk Grove

City of Fowler

City of Fullerton

City of Indian Wells

City of Inglewood

City of Kerman

City of Montclair

City of Murrieta

City of Ontario

City of Palmdale

City of Paramount

City of Salinas

City of San Marcos
City of Suisun City
City of Tustin
City of Vista
City of West Sacramento
Irvine Ranch Water District
Kosmont Companies
San Bernardino County
Solano Economic Development Corporation
Tulare Chamber of Commerce

OPPOSITION: (Verified 9/13/23)

None received

ASSEMBLY FLOOR: 80-0, 9/13/23

AYES: Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Megan Dahle, Davies, Dixon, Essayli, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lackey, Lee, Low, Lowenthal, Maienschein, Mathis, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wicks, Wilson, Wood, Zbur, Robert Rivas

Prepared by: Jonathan Peterson / GOV. & F. / (916) 651-4119
9/14/23 9:27:09

****** END ******

Attachment C -
Resolution 3539 Declaring Results
of Bond Measure for Park

RESOLUTION NO. 3539

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ESCONDIDO, CALIFORNIA,
DECLARING THE RESULT OF THE CANVASS OF
ELECTION RETURNS OF SPECIAL BOND ELEC-
TION HELD IN SAID CITY ON NOVEMBER 8, 1966.

The City Council of the City of Escondido,
California, DOES HEREBY RESOLVE, DETERMINE AND ORDER as
follows:

Section 1. That a special bond election was duly
called and regularly held in said city on the 8th day of
November, 1966, at which election there were sub-
mitted to the qualified voters of said city the following
proposition, to wit:

PROPOSITION - PARK BONDS: Shall the
City of Escondido, California, incur a
bonded indebtedness in the principal amount
of \$825,000 for the acquisition and construc-
tion by the said city, of a certain municipal
improvement, to wit: acquisition of a park
site from the City of San Diego, including
the construction of basic utility services?

Section 2. A copy of the record as entered on the minutes of the Board of Supervisors of San Diego County showing the results of the canvass of the returns of said special bond election and the absentee votes cast thereat, has been duly received.

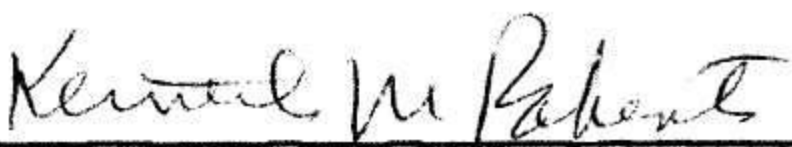
Section 3. That the votes cast in the precincts established for said election upon said proposition and for and against said proposition, the absentee votes, if any, cast upon said proposition and for an against said proposition, and the total votes cast at said election for and against said proposition and upon said proposition are as follows:

<u>PRECINCT</u>	<u>YES</u>	<u>NO</u>	<u>TOTAL</u>
ES 1	365	125	490
ES 2	207	110	317
ES 3	215	112	327
ES 4	279	126	405
ES 6	278	131	409
ES 7	222	95	317
ES 8	258	127	385
ES 9	283	166	449
ES 11	187	85	272
ES 13	110	56	166
ES 14	204	106	310
ES 15	221	113	334
ES 18	163	104	267
ES 20	178	98	276
ES 21	121	48	169
ES 22	242	125	367
ES 24	222	117	339
ES 25	260	122	382
ES 27	197	117	314
ES 28	198	108	306
ES 30	246	118	364
ES 32	268	120	388
ES 34	300	113	413
ES 36	191	68	259
ES 37	224	109	333
ES 39	93	53	146
ES 43	251	114	365
ES 44	194	59	253
ES 50	<u>215</u>	<u>111</u>	<u>326</u>
Totals in Precincts	6392	3056	9448
Absentee Votes	<u>210</u>	<u>92</u>	<u>302</u>
Total Votes including Absentee Votes	<u>6602</u>	<u>3148</u>	<u>9750</u>

Section 4. That the votes of more than two-thirds of all the voters voting at said election upon said bond proposition were cast in favor of the adoption of said bond proposition, and said bond proposition is hereby declared to be carried, and this City Council is authorized to issue bonds for the purpose stated therein as provided by law.

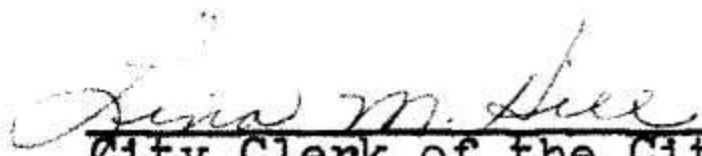
Section 5. That the City Clerk of this City is hereby directed to enter this resolution in full in the minutes of this City Council, which entry shall constitute the City Clerk's statement of the result of the election.

ADOPTED, SIGNED AND APPROVED this 14th day
of December, 19 66.



Mayor of the City of Escondido,
California.

ATTEST:



City Clerk of the City of
Escondido, California.

(SEAL)

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

I, LINA M. HILL, City Clerk
of the City of Escondido, California, DO HEREBY
CERTIFY that the foregoing resolution was duly adopted
by the City Council of said city and was approved by the
Mayor of said city at a regular meeting of
said City Council held on the 14th day of December,
1966, and that it was so adopted as follows:

AYES: Councilmen Crow, Harding, Linthicum,
Roberts, Tustin

NOES: Councilmen None

ABSENT: Councilmen None

(SEAL)

City Clerk of the City of
Escondido, California

Attachment D -
Arguments for Bond Measure

ARGUMENT IN FAVOR OF PARK BOND PROPOSITION.

Green and shaded open spaces, which are so characteristic of our city are rapidly giving way to new homes, businesses and industry. Our population has increased by 68.4% since 1960, a greater increase than any other community in the county. The city has managed to keep pace with this growth by expanding its sewer, water, street and storm drainage facilities. Our parks and recreational needs are no less important.

Today the citizens of Escondido have an opportunity to secure for themselves and for generations to follow a spacious community park. The park site is being offered to us by the City of San Diego at a fair price - slightly more than \$3,000 per acre. The proposed park would join an existing 30 acres of park land which will give the city an area of 234 acres for recreational development. A park of this size can offer many varied recreational activities for all age groups. It will also preserve a large open space at the southern gateway of our city, as an attraction to visitors and as a landmark of our city. The proposition we urge you to approve will enable the city to purchase the park site and to serve it with water and sewer facilities. Once acquired the city can plan for its orderly development with deliberation.

While this park is only part of the total recreational plans of the city it is a major addition, and one which will make Escondido a better place to live.

Vote "YES" on Proposition P - for Progress and Pleasure.

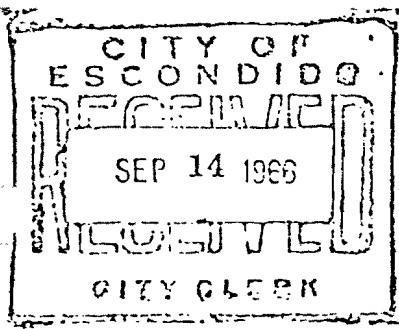
William S. Crow
William S. Crow

Robert F. Harding
Robert F. Harding

George M. Linthicum
George M. Linthicum

Kenneth M. Roberts
Kenneth M. Roberts

Lewis P. Tustin
Lewis P. Tustin



Attachment E -
Consultant Report for Purchase
of Kit Carson Park

THE PROJECTS

As briefly explained under "Authorization" and "Purpose of Issue," foregoing, the proceeds of this bond offering will be applied to three general purposes: acquisition and some improvement of a new City park site, installation of storm drain facilities, and improvement of fire protection facilities. The projects are briefly described following, in order of their magnitude.

THE PARK PROJECT

The park bonds are offered pursuant to authorization by Electors of the City of Escondido to incur debt "... for the acquisition and construction by the said city, of a certain municipal improvement, to wit: acquisition of a park site from the City of San Diego, including the construction of basic utility services."

The chosen site, now owned by the City of San Diego, consists of 234 acres of eminently well-suited land recently annexed to the City of Escondido southeast of the City (see accompanying map) and bounded on the west by U. S. Highway 395. Following exhaustive negotiation, the City of San Diego has agreed to sell the site to the City of Escondido, for the proposed purpose only, for \$615,000 (or equivalent value in City of Escondido participation in a joint utilities installation on adjoining lands of the City of San Diego), a price believed to be most reasonable in terms of open market values.

Approximately \$191,300 of the bond proceeds will be applied by the City to the installation of sewer and water facilities in and to the park, and in the surrounding area whose commercial and residential development both cities intend to encourage. It is expected that establishment of the park will stimulate high-grade residential and commercial development in its vicinity.

The remaining \$18,700 of bond proceeds authorized for the Park project will be available for peripheral costs, including legal and other professional services.

THE STORM DRAIN PROJECT

The \$500,000 in bonds attributable to the storm drain project are a part of \$2,000,000 authorized by electors "... for the acquisition and construction of storm drainage and flood control systems with appurtenances and appurtenant work including the acquisition of all real property, easements, and other property necessary, therefor and also including the city's participation in such projects involving the Federal government," (see "Authorization").

The work to be financed is a part of a long-term continuing project by which the City installs storm drain and flood control facilities as necessary to keep approximately abreast of the rate of growth and development, and to take advantage of the major Escondido Creek and Reidy Creek State and Federally financed Flood Control Projects currently under way.

Although the City has a generally dry climate, its topography and a tendency to concentrated winter rainfall create a definite and sometimes severe flood hazard. Prior to 1959 most run-off was carried by open ditches into two natural creek-beds. Never entirely satisfactory, this system had proven highly inadequate by the 1950's as municipal growth and development continued. In 1959 electors authorized a \$1,550,000 general obligation bond issue for the first substantial storm drainage project. During ensuing years the proceeds of this issue have been applied to facilities for

City areas whose need was most acute — generally the low-land areas of most concentrated development. Since then City development has become denser in both central and outlying neighborhoods. This has created a need for additional drainage works.

In 1966 construction began on the \$11,000,000 State and Federally financed Escondido Flood Control project. This consists essentially of widening, deepening, and concrete lining Reidy and Escondido Creeks, the main natural run-off channels through the City, plus construction of highway and railroad bridges. The only costs to the City to date in connection with this major project are for optional extra widths of bridges, which are financed from gasoline tax revenues, and some fencing. The Jack Creek Dam, to be included in a future, final phase of the project, will create a reservoir, whose cost will be shared by the City to the extent of an estimated \$1,500,000. This will probably be financed from the sale of water revenue bonds.

The present \$2,000,000 bond authorization will finance various local drainage projects to convey surface water into the improved creek-beds as needed during perhaps the next two years. The City has applied for a Federal grant toward its own over-all project, but must proceed with certain construction items before action on the application is likely to be taken. If granted, Federal assistance will permit the inclusion of desirable works which would be beyond the capacity of the \$2,000,000 bond authorization. However, the effectiveness of the \$2,000,000 project will in no way depend upon availability of additional Federal monies. Whether or not a grant is forthcoming, or in whatever amounts, the project will be complete and functional within its geographic limits, although the larger project would serve a greater area.

Proceeds of the initial \$500,000 Storm Drainage bonds will be applied approximately as shown:

New Drainage Projects	
Grape Day Park (completed, cost subject to reimbursement)	\$ 25,000
Ash Street (under contract)	70,000
Rose Street- Grand-Escondido Creek (Engineer's estimate)	200,000
Midway-Grand-Escondido Creek (Engineer's estimate)	125,000
Fencing (various projects)	30,000
Engineering, design on future work, miscellaneous, contingencies	50,000
Total	\$500,000

Locations of the projects named foregoing are shown in the accompanying drawing. Exact locations and specifications of future projects will depend to some extent upon development trends during the next year or so, and upon design work currently in progress. However, both design and construction will be generally geared to progress on the \$11,000,000 State and Federally financed Escondido Flood Control project now under construction.

The system heretofore has been complete and self-contained in all respects, including catch basins, manholes, cleanouts, inlets, and all other appurtenances. Wherever possible, structures have conformed to established street grades. Design criteria have presupposed ultimate develop-

Attachment F -
Park Purchase Agreement Between Cities
of San Diego and Escondido (June 22, 1967)

AGREEMENT**DUPLICATE ORIGINAL**DOCUMENT NO. 712945FILED JUNE 26, 1967

THIS AGREEMENT is made by THE CITY OF SAN DIEGO, a ^{OFFICE OF THE CITY CLERK} municipal corporation, herein called "City," and THE CITY OF ESCONDIDO, a municipal corporation, herein after called "Escondido."

RECITALS

- A. City is the owner of approximately 700 acres of real property lying wholly within the city limits of the City of Escondido which was annexed to the City of Escondido on January 1, 1966.
- B. Escondido desires to purchase from City approximately 204 acres of said real property, more particularly described in "Exhibit A" attached hereto, for the purpose of developing park and recreation facilities thereon and other uses consistent with the Master Plan developed by the Joint Land Use Study approved by the parties, a copy of which is on file with the City Clerk of the City of Escondido and a copy on file in the Clerk's Office of City.
- C. The fair market value of said 204 acres is Six Hundred Fifteen Thousand Dollars (\$615,000.00).
- D. City desires the construction of a sewage treatment and disposal facility consisting of a treatment plant, force mains, relief sewer main, effluent force main and pumping stations; on-site sewer, off-site water and on-site water facilities, hereinafter referred to as "Facilities," to service the remainder of its real property within the city limits of Escondido as shown on "Exhibit B" attached hereto.
- E. City is the owner of that certain real property within the city limits of The City of San Diego on which said sewage treatment plant is proposed to be constructed. Said real property is described in "Exhibit C" attached hereto.
- F. City and Escondido have developed a joint land use study covering the entire 700 acres.

NOW, THEREFORE, in consideration of the recitals and the mutual obligations of the parties as herein expressed, City and Escondido agree as follows:

1. City shall, within ten (10) days of the date of execution of this agreement by City, open an escrow by and through which the provisions of this agreement may be completed.
2. City shall, within sixty (60) days of the date of execution of this agreement by City, execute and deliver into said escrow grant deeds in the form of "Exhibits A and C" attached hereto, conveying to Escondido the real

property described therein, subject to the terms and conditions of this agreement.

a. City shall, within sixty (60) days of the date of execution of this agreement by City, deliver into said escrow an assignment to Escondido of fifteen (15) shares of the stock owned by City in the Green Mutual Water Company.

b. Within sixty (60) days of the date of execution of this agreement by City, Escondido shall deliver into said escrow its certified check in the amount of Fourteen Thousand Three Hundred Dollars (\$14,300.00) as the purchase price for the real property described in "Exhibit C" at which time said escrow shall be closed.

3. All fees and expenses of said escrow shall be paid equally by City and Escondido except that Escondido shall pay the entire cost of any and all policies of title insurance covering the property to be conveyed to Escondido pursuant to this agreement.

4. City shall convey the said 204 acres to Escondido free and clear of that certain lease between City and L. R. Green of December 17, 1953, recorded in Book 5098, at Page 420, of Official Records of the County Recorder of the County of San Diego.

5. Escondido shall, at its own expense and at no expense to City and in accordance with the plans and specifications approved by Escondido and City, construct and put into operation said facilities to service the said 700 acres owned by City within the city limits of Escondido. All of said facilities when constructed and paid for by Escondido according to the terms of this agreement shall be solely owned by Escondido, and upon their completion shall be subject to acceptance by the City Managers of Escondido and City. Said facilities shall be constructed according to the following schedule:

a. Upon execution of this agreement by City, Escondido shall deliver to City a plat map showing the exact number of acres of all property owned by City included within the city limits of Escondido and the number of acres of real property owned by City to be serviced by said facilities. Said plat map shall be subject to the approval of the City Manager of City..

b. Within thirty (30) days of the date of execution of this agreement, Escondido shall employ an engineer or engineering firm acceptable to Escondido and to City to prepare the plans and specifications and cost estimates for said facilities.

c. Within one hundred twenty (120) days of the date of employment of said engineer or engineering firm, Escondido shall deliver to City the plans and specifications and cost estimates for the facilities. Said plans and specifications and cost estimates shall be subject to approval by the City Manager of City who shall give written notice of said approval to Escondido.

d. Within one hundred twenty (120) days of the date of receipt of said written notice of approval, construction of said facilities shall be commenced. Escondido shall give written notice to City of the date of such commencement of construction.

e. Said facilities shall be fully completed and in operation within six (6) months of the date of commencement of construction, but in no event shall they be completed later than June 30, 1968.

f. Within thirty (30) days of the date of completion of said facilities, Escondido shall notify City in writing of the date of completion. Said notice shall include the total cost of construction of the facilities. Said total cost figure shall not include the cost of acquisition of the right of way from City as provided for in paragraph 6 of this agreement.

In the event that Improvement District Proceedings are initiated to construct said facilities and assessments are levied against any of City's real property pursuant to such proceedings, Escondido shall pay in full any and all of such assessments. No charges, fees or assessments of any kind or nature shall be made, levied, charged or assessed against any of City's property or against City, its successors or assigns for any cause or reason related to said facilities, including, but not limited to, connection fees and area assessment charges.

6. Escondido shall at all times and at no cost to City provide City with the necessary access and right of way across the said real property conveyed to Escondido pursuant to this agreement, for connections to said facilities. In the event it becomes necessary for Escondido to construct said off-site facilities across any City-owned real property, Escondido shall acquire the necessary right of way from City by payment of its fair market value.

7. The value of said facilities to City shall be computed in accordance with the following schedule:

a. Sewage Treatment and Disposal Facility and related items:

Sixty-eight percent (68%) of the total cost of construction of said facility less sixty-eight percent (68%) of the total amount of any Federal grant money made available to Escondido for the construction of said facility.

b. Sewerage Trunk Sewer System: Eighty-one and one-half percent (81 1/2%) of the total cost of construction of said system in Sunset Drive from Treatment Plant to San Pasqual Road; thirty-six percent (36%) of the total cost of construction of said system in Sunset Drive from San Pasqual Road to the Northerly boundary of City-owned property and one hundred percent (100%) of the total cost of construction of said system in Felicita Road.

c. Water Supply System: Sixty-eight percent (68%) of the total cost of construction of the on-site portion of said system in Sunset Drive and one hundred percent (100%) of the total cost of construction of the off-site portion of said system in Sunset Drive and beyond to the junction with Escondido water system.

Total value to City of said facility and systems is estimated to be Five Hundred Sixty-eight Thousand Five Hundred Dollars (\$568,500.00).

8. The value of said off-site water system as computed pursuant to paragraph 7 c of this agreement shall be subject to a refund contract, a form of which is attached hereto as "Exhibit D," under which City shall be reimbursed in the amount of one hundred percent (100%) of said value as additional frontage outside of the city limits of Escondido connects to said off-site water line. In the event that within ten (10) years of the date of completion of said system said value has not been completely reimbursed to City, Escondido shall promptly pay to City the balance of said value which has not been reimbursed.

9. In the event the value of the facility and systems as determined by actual contract costs as computed under paragraph 7 hereinabove is less than Six Hundred and Fifteen Thousand Dollars (\$615,000.00), Escondido shall pay the difference to City in cash within thirty (30) days of the date that said actual contract costs are determined. In the event the value to City of the facility and systems is greater than Six Hundred and Fifteen Thousand Dollars (\$615,000.00) as computed under paragraph 7 hereinabove, City shall pay the difference to Escondido in cash within thirty (30) days of the date that said actual contract costs are determined. The percentage figures as set out under

paragraph 7 hereinabove shall apply to total construction costs including engineering, rights of way other than across property owned by City, and incidental expenses. The costs of necessary insurance carried by Escondido during the construction of the facility and systems is an incidental expense.

10. Inasmuch as the provisions hereof, and of the specifications herein, and of all the other contract documents relating to the times of performance and completion of the work are for the purpose of enabling the authority to complete the construction of a public improvement in accordance with a predetermined program, all such time limits are of the essence of the contract.

11. Upon completion and commencement of operation of said facilities and approval thereof by the City Manager of City, City shall deliver to Escondido a certificate of completion in recordable form duly issued pursuant to action of the City Council of City. When said certificate has been recorded, it shall constitute a conclusive determination by the City and Escondido that said facilities have been completed and are in operation.

12. Any prevention, delay or stoppage in the construction of said facilities due to strikes, lockouts, labor disputes, inclement weather or other acts of God, governmental controls, enemy or hostile government action, civil commotion, fire or other casualty, and other causes beyond the reasonable control of either party, shall excuse performance for a period equal to any such prevention, delay or stoppage. Construction of any portion of the work may be deferred and continued upon the written approval of both parties.

13. This agreement is made for the direct benefit of the real property of City within the city limits of Escondido and it is the intention of the parties that this agreement shall be a covenant running with the land and shall be binding upon the successors and assigns of both parties hereto.

14. In the event that suit is brought upon this agreement to enforce the terms hereof by any party to this agreement, the prevailing party shall be entitled to a reasonable sum as attorney's fees.

IN WITNESS WHEREOF, this agreement is executed this 22nd day of June, 1967 by The City of San Diego, acting by and through its City Manager, pursuant to Resolution No. 190755 authorizing such execution, and by The City of Escondido, acting by and through the Mayor and City Clerk of said City, under and pursuant to Resolution No. 3643 of the City of Escondido.

THE CITY OF SAN DIEGO

By [Signature]
Assistant City Manager

THE CITY OF ESCONDIDO

By Kenneth M. Roberts
Mayor

By Lina M. Hill
City Clerk

I HEREBY APPROVE the form and legality of the foregoing Agreement, this
21st day of June, 1967.

EDWARD T. BUTLER, City Attorney

By James P. McGowan, Jr.
James P. McGowan, Jr., Deputy

APPROVED:

Vern B. Thomas
Vern B. Thomas, City Attorney
The City of Escondido

Attachment G -
San Diego City Resolution 190755
(June 22, 1967)

RESOLUTION NO. 190755

WHEREAS, The City of San Diego is the owner of approximately 700 acres of real property lying wholly within the city limits of the City of Escondido which was annexed to the City of Escondido on January 1, 1966; and

WHEREAS, The City of Escondido desires to purchase from The City of San Diego approximately 204 acres of said real property, more particularly described in "Exhibit A" attached hereto, for the purpose of developing park and recreation facilities thereon and other uses consistent with the Master Plan developed by the Joint Land Use Study approved by the parties, a copy of which is on file with the City Clerk of the City of Escondido and a copy on file in the Clerk's office of The City of San Diego; and

WHEREAS, the fair market value of said 204 acres is Six Hundred Fifteen Thousand Dollars (\$615,000.00), as determined by the Property Director of The City of San Diego; and

WHEREAS, Section 22.0907 of the Municipal Code of The City of San Diego permits the sale of City-owned property to a political subdivision without advertising for bids and without regard for the provisions of Section 22.0902 of the Municipal Code of The City of San Diego; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with the City of Escondido for the sale of said 204 acres and the construction of sewer and water facilities to service certain City-owned land lying within the city limits of The City of Escondido. (Copy of Agreement-Clerk's Document

APPROVED: EDWARD T. BUTLER, City Attorney

No. 712945.)

By

James P. McGowan, Jr.
James P. McGowan, Jr., Deputy

GRANT DEED

THE CITY OF SAN DIEGO, a municipal corporation, in the County of San Diego, State of California, for a valuable consideration, DOES HEREBY QUITCLAIM to the CITY OF ESCONDIDO, a municipal corporation, in the County of San Diego, State of California, all that real property situated in the City of Escondido, County of San Diego, State of California, described as follows:

All that real property situated in the City of Escondido, County of San Diego, State of California, described as follows:

That portion of Rancho San Bernardo, according to Partition Map of said Rancho, recorded in Book 2, Page 462 of Patents, records of said County, including a portion of the Oaks Tract of said Rancho San Bernardo, according to Map thereof No. 1415, filed in the Office of the County Recorder of San Diego County, described as follows:

Beginning at the most Easterly corner of Lot 9 of Block 8 of Longview Acres Subdivision Unit No. 2, according to Map thereof No. 2582, filed in the Office of the County Recorder of said County; thence along the boundary line of said Unit No. 2 as follows: South 20°39'12" West (record South 20°13'10" West) 528.48 feet; thence South 23°54'22" West (record South 23°28'20" West) 75.00 feet; South 09°04'42" West (record South 08°38'40" West) 251.74 feet; South 47°24'22" West (record South 46°58'20" West) 361.06 feet to a point in the arc of a 40.00 foot radius curve, a radial line of said curve bears North 42°15'47" East (record North 41°49'45" East) to said point; thence clockwise along said curve 183.48 feet through an angle of 262°49'10"; thence leaving said curve South 83°40'22" West (record South 83°14'20" West) 298.60 feet; thence leaving said boundary line South 00°00'45" East 450.12 feet; thence South 05°38'18" East 1666.61 feet; thence South 69°37'59" East 466.58 feet; thence South 67°00'35" East 5.93 feet to a point in the Westerly line of the land described in deed to J. B. Ashby, recorded April 10, 1923 as Document No. 22620 of Official Records; thence along the boundary line of said land North 06°20'50" East (record North 05°55'00" East) 243.26 feet to the Northwest corner of said land; thence South 83°39'10" East 870.09 feet (record South 84°05'00" East 870.00 feet) to the Northeast corner of said land; thence South 06°20'50" West (record South 05°55'00" West) along the Easterly line of said land, 471.14 feet; thence leaving said boundary line South 82°38'02" East 159.79 feet; thence South 02°44'16" East 35.28 feet; thence North 84°47'33" East 248.60 feet; thence South 04°51'30" East 40.00 feet to a point in the center line of the County Highway Route 3, Division No. 1; thence North 85°08'30" East along said center line 54.25 feet to a tangent 1000.00 foot radius curve concave Northerly; thence leaving said center line Easterly along said curve 103.07 feet through an angle of 05°54'20"; thence leaving said curve North 19°27'33" East

EXHIBIT A

MICROFILMED

190755

1186.43 feet; thence North 19°03'03" East 2481.59 feet; thence North 79°51'57" West 524.52 feet; thence North 10°08'03" East 680.00 feet; thence North 05°56'04" West 535.22 feet; thence North 11°24'04" East 150.00 feet to the Northerly line of said Oaks Tract; thence along said Northerly line North 78°35'56" West 400.00 feet; thence South 11°24'04" West 1109.96 feet; thence South 103.96 feet; thence West 1360.00 feet to the East line of the land described in deed to Helen G. Banister, recorded September 1, 1953 as Document No. 120396 of Official Records; thence along said East line South 20.00 feet to the Northeasterly line of said Lot 9, Block 8 first mentioned; thence South 63°50'58" East (record South 64°17'00" East) 60.00 feet to the Point of Beginning.

EXCEPTING THEREFROM any and all access rights in and to the proposed California State Highway over, along and across those courses and distances in the Westerly and Southerly boundary line of the above described land as follows:

Beginning at the Northerly terminus of that course designated as "South 00°00'45" East 450.12 feet"; thence South 00°00'45" East 450.12 feet; thence South 05°38'18" East 1666.61 feet; thence South 69°37'59" East 366.59 feet.

IN WITNESS WHEREOF, The City of San Diego has caused this deed to be executed by its Mayor and City Clerk, pursuant to resolution of the Council authorizing such execution, this _____ day of _____, 1967.

THE CITY OF SAN DIEGO

By _____
Mayor of said City

ATTEST:

City Clerk of said City

STATE OF CALIFORNIA)
) SS.
COUNTY OF SAN DIEGO)

On this _____ day of _____, 1967,
before me, the undersigned, a Notary Public in and for said County
and State, residing therein, duly commissioned and sworn, personally
appeared FRANK CURRAN, known to me to be the Mayor, and JOHN LOCKWOOD,
known to me to be the City Clerk of The City of San Diego, the
municipal corporation that executed the within instrument, and known
to me to be the persons who executed the within instrument on behalf
of the municipal corporation therein named, and acknowledged to me
that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official
seal, in the County of San Diego, State of California, the day and
year in this certificate first above written.

Notary Public in and for the County
of San Diego, State of California

RECEIVED
CITY CLERK'S OFFICE

1967 JUN 21 PM 2:07

SAN DIEGO, CALIF.

Councilmen

Helen Cobb
Ivor deKirby
Harry F. Scheidle
Tom Hom
Floyd L. Morrow
Jack Walsh
Allen Hitch
Mike Schaefer
Mayor Frank Curran

Yeas	Nays	Excused	Absent
☐	☐	☐	☒
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(Seal)

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

By *Thompson Base*, Deputy.

Office of the City Clerk, San Diego, California

Document
Number

713360

Filed

JUL 5 1967

Resolution
Number

190755

Adopted

JUN 22 1967

AK

MICROFILMED

Attachment H -
Park Deed

13-420790

FILE PAGE NO. **110139**
RECORDED REQUEST OF
SECURITY TITLE INSURANCE COMPANY

358

JUL 27 9:00 AM '67

1165-D

GRANT DEED

SERIES 8 BOOK 1967
OFFICIAL RECORDS
SAN DIEGO COUNTY, CALIF.
A.S. GRAY, COUNTY RECORDER

NO FEE

THE CITY OF SAN DIEGO, a municipal corporation, in the County of San Diego, State of California, for a valuable consideration, DOES HEREBY QUITCLAIM to the CITY OF ESCONDIDO, a municipal corporation, in the County of San Diego, State of California, all that real property situated in the City of Escondido, County of San Diego, State of California, described as follows:

All that real property situated in the City of Escondido, County of San Diego, State of California, described as follows:

That portion of Rancho San Bernardo, according to Partition Map of said Rancho, recorded in Book 2, Page 462 of Patents, records of said County, including a portion of the Oaks Tract of said Rancho San Bernardo, according to Map thereof No. 1415, filed in the Office of the County Recorder of San Diego County, described as follows:

Beginning at the most Easterly corner of Lot 9 of Block 8 of Longview Acres Subdivision Unit No. 2, according to Map thereof No. 2582, filed in the Office of the County Recorder of said County; thence along the boundary line of said Unit No. 2 as follows: South 20°39'12" West (record South 20°13'10" West) 528.48 feet; thence South 23°54'22" West (record South 23°28'20" West) 75.00 feet; South 09°04'42" West (record South 08°38'40" West) 251.74 feet; South 47°24'22" West (record South 46°58'20" West) 361.06 feet to a point in the arc of a 40.00 foot radius curve, a radial line of said curve bears North 42°15'47" East (record North 41°49'45" East) to said point; thence clockwise along said curve 183.48 feet through an angle of 262°49'10"; thence leaving said curve South 83°40'22" West (record South 83°14'20" West) 298.60 feet; thence leaving said boundary line South 00°00'45" East 450.12 feet; thence South 05°38'18" East 1666.61 feet; thence South 69°37'59" East 466.58 feet; thence South 67°00'35" East 5.93 feet to a point in the Westerly line of the land described in deed to J. B. Ashby, recorded April 10, 1923 as Document No. 22620 of Official Records; thence along the boundary line of said land North 06°20'50" East (record North 05°55'00" East) 243.26 feet to the Northwest corner of said land; thence South 83°39'10" East 870.09 feet (record South 84°05'00" East 870.00 feet) to the Northeast corner of said land; thence South 06°20'50" West (record South 05°55'00" West) along the Easterly line of said land, 471.14 feet; thence leaving said boundary line South 82°38'02" East 159.79 feet; thence South 02°44'16" East 35.28 feet; thence North 84°47'33" East 248.60 feet; thence South 04°51'30" East 40.00 feet to a point in the center line of the County Highway Route 3, Division No. 1; thence North 85°08'30" East along said center line 54.25 feet to a tangent 1000.00 foot radius curve concave Northerly; thence leaving said center line Easterly along said curve 103.07 feet through an angle of 05°54'20"; thence leaving said curve North 19°27'33" East



1186.43 feet; thence North 19°03'03" East 2481.59 feet; thence North 79°51'57" West 524.52 feet; thence North 10°08'03" East 680.00 feet; thence North 05°56'04" West 535.22 feet; thence North 11°24'04" East 150.00 feet to the Northerly line of said Oaks Tract; thence along said Northerly line North 78°35'56" West 400.00 feet; thence South 11°24'04" West 1109.96 feet; thence South 103.96 feet; thence West 1360.00 feet to the East line of the land described in deed to Helen G. Banister, recorded September 1, 1953 as Document No. 120396 of Official Records; thence along said East line South 20.00 feet to the Northeasterly line of said Lot 9, Block 8 first mentioned; thence South 63°50'58" East (record South 64°17'00" East) 60.00 feet to the Point of Beginning.

EXCEPTING THEREFROM any and all access rights in and to the proposed California State Highway over, along and across those courses and distances in the Westerly and Southerly boundary line of the above described land as follows:

Beginning at the Northerly terminus of that course designated as "South 00°00'45" East 450.12 feet"; thence South 00°00'45" East 450.12 feet; thence South 05°38'18" East 1666.61 feet; thence South 69°37'59" East 366.59 feet.

IN WITNESS WHEREOF, The City of San Diego has caused this deed to be executed by its Mayor and City Clerk, pursuant to resolution of the Council authorizing such execution, this 28th day of

June, 1967.

THE CITY OF SAN DIEGO

By Karl Curran
Mayor of said City

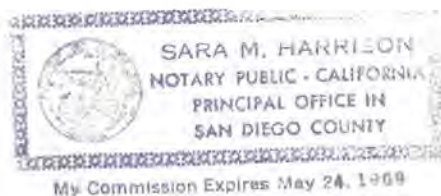
ATTEST:

John Lodwood
City Clerk of said City

STATE OF CALIFORNIA)
) SS.
 COUNTY OF SAN DIEGO)

On this 28th day of June, 1967,
 before me, the undersigned, a Notary Public in and for said County
 and State, residing therein, duly commissioned and sworn, personally
 appeared FRANK CURRAN, known to me to be the Mayor, and JOHN LOCKWOOD,
 known to me to be the City Clerk of The City of San Diego, the
 municipal corporation that executed the within instrument, and known
 to me to be the persons who executed the within instrument on behalf
 of the municipal corporation therein named, and acknowledged to me
 that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official
 seal, in the County of San Diego, State of California, the day and
 year in this certificate first above written.



Sara M. Harrison
 Notary Public in and for the County
 of San Diego, State of California

JUN 22 1967

100950

Passed and adopted by the Council of The City of San Diego
on June 22, 1967, by the following vote:

YEAS: deKirby, Scheidle, Morrow, Walsh, Hitch, Schaefer.

NAYS: None.

ABSENT: Cobb, Hom, Curran.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.

JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.

(SEAL) By WINNIFRED BOESE, Deputy.

I HEREBY CERTIFY that the above and foregoing is a full,
true and correct copy of RESOLUTION NO. 190756
passed and adopted by the Council of The City of San Diego,
California, on June 22, 1967.

JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.

(SEAL) By Carolyn L Worrell, Deputy.

RESOLUTION NO. 3701

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO ACCEPTING A DEED FROM THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, A TRUE PHOTO-STATIC COPY OF WHICH DEED IS HERETO ATTACHED; AND AUTHORIZING THE CITY CLERK TO RECORD THE ORIGINAL DEED.

BE IT RESOLVED by the City Council of the City of Escondido as follows:

1. That certain deed executed by the Mayor and City Clerk of the City of San Diego pursuant to Resolution No. 190756 granting to the City of Escondido, a Municipal corporation, the following described property, is hereby accepted by the City Council of the City of Escondido for and on behalf of the City of Escondido. A true photostatic copy of said deed is hereto attached.

All that real property situated in the City of Escondido, County of San Diego, State of California, described as follows:

That portion of Rancho San Bernardo, according to Partition Map of said Rancho, recorded in Book 2, Page 462 of Patents, records of said County, including a portion of the Oaks Tract of said Rancho San Bernardo, according to Map thereof No. 1415, filed in the Office of the County Recorder of San Diego County, described as follows:

Beginning at the most Easterly corner of Lot 9 of Block 8 of Longview Acres Subdivision Unit No. 2, according to Map thereof No. 2582, filed in the Office of the County Recorder of said County; thence along the boundary line of said Unit No. 2 as follows: South 20°39'12" West (record South 20°13'10" West) 528.48 feet; thence South 23°54'22" West (record South 23°28'20" West) 75.00 feet; South 09°04'42" West (record South 08°38'40" West) 251.74 feet; South 47°24'22" West (record South 46°58'20" West) 361.06 feet to a point in the arc of a 40.00 foot radius curve, a radial line of said curve bears North 42°15'47" East (record North 41°49'45" East) to said point; thence clockwise along said curve 183.48 feet through an angle of 262°49'10"; thence leaving said curve South 83°40'22" West (record South 83°14'20" West) 298.60 feet; thence leaving said boundary line South 00°00'45" East 450.12 feet; thence South 05°38'18" East 1666.61 feet; thence South 69°37'59" East 466.58 feet; thence South 67°00'35" East 5.93 feet to a point in the Westerly line of the land described in deed to J. B. Ashby, recorded April 10, 1923 as Document No. 22620 of Official Records; thence along the boundary line of said land North 06°20'50" East (record North 05°55'00" East) 243.26 feet to the Northwest

corner of said land; thence South 83°39'10" East 870.09 feet (record South 84°05'00" East 870.00 feet) to the Northeast corner of said land; thence South 06°20'50" West (record South 05°55'00" West) along the Easterly line of said land, 471.14 feet; thence leaving said boundary line South 82°38'02" East 159.79 feet; thence South 02°44'16" East 35.28 feet; thence North 84°47'33" East 248.60 feet; thence South 04°51'30" East 40.00 feet to a point in the center line of the County Highway Route 3, Division No. 1; thence North 85°08'30" East along said center line 54.25 feet to a tangent 1000.00 foot radius curve concave Northerly; thence leaving said center line Easterly along said curve 103.07 feet through an angle of 05°54'20"; thence leaving said curve North 19°27'33" East 1186.43 feet; thence North 19°03'03" East 2481.59 feet; thence North 79°51'57" West 524.52 feet; thence North 10°08'03" East 680.00 feet; thence North 05°56'04" West 535.22 feet; thence North 11°24'04" East 150.00 feet to the Northerly line of said Oaks Tract; thence along said Northerly line North 78°35'56" West 400.00 feet; thence South 11°24'04" West 1109.96 feet; thence South 103.96 feet; thence West 1360.00 feet to the East line of the land described in deed to Helen G. Banister, recorded September 1, 1953 as Document No. 120396 of Official Records; thence along said East line South 20.00 feet to the Northeasterly line of said Lot 9, Block 8 first mentioned; thence South 63°50'58" East (record South 64°17'00" East) 60.00 feet to the Point of Beginning.

EXCEPTING THEREFROM any and all access rights in and to the proposed California State Highway over, along and across those courses and distances in the Westerly and Southerly boundary line of the above described land as follows:

Beginning at the Northerly terminus of that course designated as "South 00°00'45" East 450.12 feet"; thence South 00°00'45" East 450.12 feet; thence South 05°38'18" East 1666.61 feet; thence South 69°37'59" East 366.59 feet.

3. The City Clerk is hereby authorized to cause the original deed to be recorded in the office of the County Recorder of San Diego, State of California.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido, California, this 19th day of July, 1967.

APPROVED:

KENNETH M. ROBERTS, Mayor of the City of Escondido, California

ATTEST:

LINA M. HILL, City Clerk of the City of Escondido, California

GRANT DEED

THE CITY OF SAN DIEGO, a municipal corporation, in the County of San Diego, State of California, for a valuable consideration, DOES HEREBY QUITCLAIM to the CITY OF ESCONDIDO, a municipal corporation, in the County of San Diego, State of California, all that real property situated in the City of Escondido, County of San Diego, State of California, described as follows:

All that real property situated in the City of Escondido, County of San Diego, State of California, described as follows:

That portion of Rancho San Bernardo, according to Partition Map of said Rancho, recorded in Book 2, Page 462 of Patents, records of said County, including a portion of the Oaks Tract of said Rancho San Bernardo, according to Map thereof No. 1415, filed in the Office of the County Recorder of San Diego County, described as follows:

Beginning at the most Easterly corner of Lot 9 of Block 8 of Longview Acres Subdivision Unit No. 2, according to Map thereof No. 2582, filed in the Office of the County Recorder of said County; thence along the boundary line of said Unit No. 2 as follows: South 20°39'12" West (record South 20°13'10" West) 528.48 feet; thence South 23°54'22" West (record South 23°28'20" West) 75.00 feet; South 09°04'42" West (record South 08°38'40" West) 251.74 feet; South 47°24'22" West (record South 46°58'20" West) 361.06 feet to a point in the arc of a 40.00 foot radius curve, a radial line of said curve bears North 42°15'47" East (record North 41°49'45" East) to said point; thence clockwise along said curve 183.48 feet through an angle of 262°49'10"; thence leaving said curve South 83°40'22" West (record South 83°14'20" West) 298.60 feet; thence leaving said boundary line South 00°00'45" East 450.12 feet; thence South 05°38'18" East 1666.61 feet; thence South 69°37'59" East 466.58 feet; thence South 67°00'35" East 5.93 feet to a point in the Westerly line of the land described in deed to J. B. Ashby, recorded April 10, 1923 as Document No. 22620 of Official Records; thence along the boundary line of said land North 06°20'50" East (record North 05°55'00" East) 243.26 feet to the Northwest corner of said land; thence South 83°39'10" East 870.09 feet (record South 84°05'00" East 870.00 feet) to the Northeast corner of said land; thence South 06°20'50" West (record South 05°55'00" West) along the Easterly line of said land, 471.14 feet; thence leaving said boundary line South 82°38'02" East 159.79 feet; thence South 02°44'16" East 35.28 feet; thence North 84°47'33" East 248.60 feet; thence South 04°51'30" East 40.00 feet to a point in the center line of the County Highway Route 3, Division No. 1; thence North 85°03'30" East along said center line 54.25 feet to a tangent 1000.00 foot radius curve concave Northerly; thence leaving said center line Easterly along said curve 103.07 feet through an angle of 05°54'20"; thence leaving said curve North 19°27'33" East

1186.43 feet; thence North $19^{\circ}03'03''$ East 2481.59 feet; thence North $79^{\circ}51'57''$ West 524.52 feet; thence North $10^{\circ}08'03''$ East 680.00 feet; thence North $05^{\circ}56'04''$ West 535.22 feet; thence North $11^{\circ}24'04''$ East 150.00 feet to the Northerly line of said Oaks Tract; thence along said Northerly line North $78^{\circ}35'56''$ West 400.00 feet; thence South $11^{\circ}24'04''$ West 1109.96 feet; thence South 103.96 feet; thence West 1360.00 feet to the East line of the land described in deed to Helen C. Banister, recorded September 1, 1953 as Document No. 120396 of Official Records; thence along said East line South 20.00 feet to the Northeasterly line of said Lot 9, Block 8 first mentioned; thence South $63^{\circ}50'58''$ East (record South $64^{\circ}17'00''$ East) 60.00 feet to the Point of Beginning.

EXCEPTING THEREFROM any and all access rights in and to the proposed California State Highway over, along and across those courses and distances in the Westerly and Southerly boundary line of the above described land as follows:

Beginning at the Northerly terminus of that course designated as "South $00^{\circ}00'45''$ East 450.12 feet"; thence South $00^{\circ}00'45''$ East 450.12 feet; thence South $05^{\circ}38'18''$ East 1666.61 feet; thence South $69^{\circ}37'59''$ East 366.59 feet.

IN WITNESS WHEREOF, The City of San Diego has caused this deed to be executed by its Mayor and City Clerk, pursuant to resolution of the Council authorizing such execution, this 28th day of June, 1967.

THE CITY OF SAN DIEGO

By Kenneth C. Brown
Mayor of said City

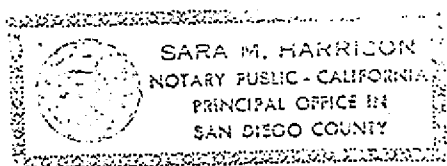
ATTEST:

John L. Lohmeyer
City Clerk of said City

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.

On this 28th day of June, 1967,
before me, the undersigned, a Notary Public in and for said County
and State, residing therein, duly commissioned and sworn, personally
appeared FRANK CURRAN, known to me to be the Mayor, and JOHN LOCKWOOD,
known to me to be the City Clerk of The City of San Diego, the
municipal corporation that executed the within instrument, and known
to me to be the persons who executed the within instrument on behalf
of the municipal corporation therein named, and acknowledged to me
that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official
seal, in the County of San Diego, State of California, the day and
year in this certificate first above written.



Sara M. Harrison
Notary Public in and for the County
of San Diego, State of California

JUN 22 1967

190756

RESOLUTION No. 190756

ADOPTED ON JUN 22 1907

BE IT RESOLVED by the Council of The City of San Diego as follows:

That the Mayor and the City Clerk of said City be, and they are hereby authorized and empowered to execute, for and on behalf of, and as the act and deed of, The City of San Diego, a Grant Deed, the form of which is on file in the Office of the City Clerk as Document No. 712980 conveying to the City of Escondido, a municipal corporation, the real property described in Exhibit A attached hereto.

That the City Clerk of said City be, and he is hereby authorized and directed to deliver a certified copy of this resolution and said agreement to the Property Director of said City for completion of the transaction.

APPROVED: WILLIAM H. HARRIS, Mayor

By JAMES W. HARRIS, Deputy

JWH:V1
6/26/07

Passed and adopted by the Council of The City of San Diego
on June 22, 1967, by the following vote:

YEAS: deKirby, Scheidle, Morrow, Walsh, Hitch, Schaefer.

NAYS: None.

ABSENT: Cobb, Hom, Curran.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.

JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.

(SEAL)

By WINNIFRED BOESE, Deputy.

I HEREBY CERTIFY that the above and foregoing is a full,
true and correct copy of RESOLUTION NO. 190756
passed and adopted by the Council of The City of San Diego,
California, on June 22, 1967.

JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.

(SEAL)

By Evelyn L. Worrell, Deputy.

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

I, LINA M. HILL, City Clerk of the City of Escondido, California, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the 19th day of July , 19 67 and that it was adopted by the following vote, to-wit:

AYES: Councilmen : Crow, Harding, Roberts, Tustin

NOES: Councilmen : None

ABSENT: Councilmen : Linthicum


Lina M. Hill
LINA M. HILL, City Clerk of the
City of Escondido, California

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

I, LINA M. HILL, City Clerk of the City of Escondido, California, DO HEREBY CERTIFY that the above and foregoing is a full, true, and correct copy of Resolution No. 3701 and that the same has not been amended or repealed.


Lina M. Hill
LINA M. HILL, City Clerk of the
City of Escondido, California

Attachment I -
Minutes for Resolution 3700
Accepting Park Deed and Resolution
3701 Accepting Park Purchase Agreement

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL, WEDNESDAY,
JULY 19, 1967.

The regular meeting of the City Council of the City of Escondido was held on Wednesday, July 19, 1967, at 7:30 P.M. with Mayor Kenneth M. Roberts presiding.

The invocation was given by Mr. Lee Wilkens.

The Flag Salute was led by Councilman Tustin.

The following Councilmen answered the roll call: Crow, Harding, Roberts, Tustin. Absent: Linthicum. Quorum present.

Mr. Alan Skuba, a representative of the Escondido Community Cable Company, reported on the disposition of the CATV hearing by the FCC in Washington D.C. He stated the hearing has been formally closed, and now both sides, KFMB and Escondido Community Cable, will file their findings and the initial decision by the FCC should be issued in early fall.

✓ Hearing - Stanley Way Annexation (158-65)

The affidavits of publication and mailing were presented. Moved by Crow the affidavits be received and filed. Motion carried unanimously.

City Manager Mitchell pointed out the area on the map.

One written protest was received from George and Rose Wiant, 1347 Stanley Way, and read in full by City Manager Mitchell. He reported that the one written protest represents 6.8% of the value of the territory proposed to be annexed.

The Mayor announced: "Under the Annexation Act of 1913, which governs the annexation of inhabited territory to the City, when protests are received it is mandatory upon the Council to recess the hearing for a period of not less than ten days to enable protestants to file additional protests. I hereby declare that this hearing be recessed until August 2, 1967 to enable the filing of additional protests."

✓ Hearing - Rezoning Lot 6 and portion Lots 5 and 7, Block 1 of Woodward's Addition, R-A-5 to C-1

The affidavit of publication was presented. Moved by Harding the affidavit be received and filed. Motion carried unanimously.

Mr. Davenport pointed out the area on the map and explained the zoning recommended by Planning Commission Resolution No. 796.

There were no written protests received and no oral protests made by anyone in the audience. No one asked to speak on the matter in any other way.

Councilman Tustin suggested that the hearing be continued so that the possible purchase by the City of these two lots could be considered.

Moved by Tustin hearing be continued to August 9th and the matter be referred to the staff for an appraisal of the two lots. Motion carried unanimously.

CC1860

7/19/67

Hearing - Rezoning portion Lots 3 and 4, Block 30, Homeland Acres
No. 2, R-T to R-1-20 (DeJong Property)

The affidavit of publication was presented. Moved by Harding the affidavit be received and filed. Motion carried unanimously.

Mr. Davenport explained the recommended zoning by the Planning Commission in Resolution No. 797 and pointed out the area on the map.

There were no written protests received.

The Mayor asked if anyone wished to make an oral protest.

Mr. Glenn DeJong, owner of the property, spoke in protest to R-1-20 zoning. He explained his plans for the expansion of the trailer park and stated he has cleared land in preparation for the expansion and has paid engineering fees, and that he has a great deal at stake. He stated the City has no right to take away zoning from property owners over their objections. He presented a map showing the location of the proposed expansion, adjoining property owners, and persons protesting and approving of the R-T zoning. He charged the Planning Commission with discrimination for selecting his property for review at this time, and stated that his plans for the expansion were held up due to a law suit filed by his neighbors, and financing. He presented a petition with 11 signatures of adjoining property owners stating they are not opposed to the R-T zoning and expansion. He asked that the R-T zoning be allowed to remain on his property.

An affidavit from Dolores K. Heil, 2215 Cranston Drive, stating it is their opinion that the expansion of the mobile home park will not be detrimental to the area was read by City Manager Mitchell.

Letter from Harold Gillette, HEI Industries, 2215 Cranston Drive, presented to the Planning Commission and protesting the R-T zoning was read by City Manager Mitchell.

Mrs. Adele Potts stated that she remembers only one other R-T zone which was recalled.

Letter from David Sorrensen, 2305 Froebel Drive, withdrawing his name from Mr. DeJong's petition was read by City Manager Mitchell.

Mr. Harmon, 2323 Froebel Drive, stated his property adjoins the proposed trailer park and he was speaking for himself and his neighbors whose properties adjoin the proposed park and they were endorsing the Planning Commission's recommendation for R-1-20 zoning.

Steve Thomas, Cranston Drive, stated he was speaking for the younger inhabitants of the area and that they would rather see the canyon left as it is rather than have a trailer park there.

Mr. Dave Sorrensen stated the expansion of the present park would tend to devalue residential properties.

Mrs. Warren, a resident of the area, stated she was opposed to expansion of the present park.

Mr. Walter Irons stated he opposed the R-T zoning.

Mr. Elmer Taylor, 2349 Cranston Drive, stated his main concern was

7/19/67

the wear and tear on the streets from the added traffic and access from Brotherton Road and Cranston Drive.

The Mayor asked if anyone else wished to speak in regard to the matter. No one asked to be heard.

All having been heard who wished to be heard the hearing was declared closed.

Council discussed the matter and questioned Mr. DeJong and the Planning Director and City Engineer on various points.

Mr. Thomas reviewed the background of Mr. DeJong's contacts with the City regarding his present trailer park, the proposed expansion, grading, stockpiling and other matters, and read Ordinance No. 1083 Section 1093.1, Authority to Review, which states that "The city shall have the right to review the appropriateness of a change of zone enacted at the request of the property if the land is not put to the use permitted by the zone change within a period of 12 months or such other time as may be reasonably required for the development of the land. Such zone change may be rescinded by the City Council by ordinance, after notice and hearing as provided for a change of zone."

Ordinance No. 1182, rezoning portion Lots 3 and 4 in Block 30, Homeland Acres Addition No. 2, R-1-20, was presented on its first reading and title read by City Attorney Thomas. Moved by Harding further reading of Ordinance No. 1182 be waived. Motion carried unanimously.

ORDINANCE NO. 1182

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF ESCONDIDO REZONING
CERTAIN PROPERTY HEREINAFTER
DESCRIBED PURSUANT TO PROVISIONS
OF DIVISION 10 OF THE ESCONDIDO
MUNICIPAL CODE, IDENTIFIED AS THE
ESCONDIDO ZONING CODE.

Ordinance No. 1182 was introduced by Councilman Harding.

Resolution No. 3697 was presented and explained by City Attorney Thomas. Title read by Mr. Thomas. Moved by Harding further reading of Resolution No. 3697 be waived. Motion carried unanimously. Moved by Tustin Resolution No. 3697 be passed and adopted. Motion carried unanimously.

RESOLUTION NO. 3697

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO ACCEPTING AND
APPROVING FAITHFUL PERFORMANCE
BOND, LABOR AND MATERIAL BOND, AND
COMPREHENSIVE LIABILITY INSURANCE
POLICY, FOR A PUBLIC WORKS CONTRACT
WITH T. B. PENICK & SONS, INC., FOR
CONSTRUCTION OF DRAINAGE FACILITIES
IN ROSE STREET FROM GRAND AVENUE TO
ESCONDIDO CREEK.

Resolution No. 3697 is on file in the City Clerk's office.

The Mayor proclaimed the week of July 22 - 29th, 1967 as North County Civic Light Opera Week. Pat Conway, representing the Civic Light Opera, was present to invite the Council to be their guests at a fund raising event July 29th at the Escondido Mall. Two vocalists from the Opera were present to sing an excerpt from the show "Brigadoon".

CC1860

7/19/67

The Mayor declared a ten-minute recess. Council reconvened at 9:25 P.M.

✓ Sunset and Highway 395 Annexation (175-67)

The petition for annexation was presented. Moved by Tustin the petition be received and referred to the Planning Commission for study and report. Motion carried unanimously.

Mr. Mitchell pointed out the area on the map. It is an uninhabited annexation located south of Kit Carson Park of 17.65 acres.

✓ Resolution No. 3698 was presented and title read by City Attorney Thomas. Moved by Harding further reading of Resolution No. 3698 be waived. Motion carried unanimously. Moved by Crow Resolution No. 3698 be passed and adopted. Motion carried unanimously. Resolution sets hearing for September 6, 1967.

RESOLUTION NO. 3698

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ESCONDIDO DESCRIBING THE
BOUNDARIES AND SETTING THE TIME AND
PLACE FOR HEARING PROTESTS ON THE
ANNEXATION OF "SUNSET AND HIGHWAY
395 ANNEXATION (175-67)".

Resolution No. 3698 is on file in the City Clerk's office.

✓ Vista Verde Annexation (174-67)

The petition, signed by 100% of the owners within the annexation, was presented. Moved by Harding the petition be received and filed. Motion carried unanimously.

✓ Resolution No. 3699, setting hearing for July 26, 1967, was presented and title read by City Attorney Thomas. Moved by Tustin further reading of Resolution No. 3699 be waived. Motion carried unanimously. Moved by Harding Resolution No. 3699 be passed and adopted. Motion carried unanimously.

RESOLUTION NO. 3699

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO DECLARING THE
FACT OF SIGNING A PETITION FOR ANNEX-
ATION BY LANDOWNERS, DESCRIBING THE
BOUNDARIES AND SETTING THE TIME AND
PLACE OF HEARING PROTESTS ON THE
ANNEXATION OF "VISTA VERDE ANNEXATION
(174-67)" TO THE CITY OF ESCONDIDO.

Resolution No. 3699 is on file in the City Clerk's office.

✓ Planning Commission Resolution No. 805, rezoning Vista Verde Annexation to specific R-1-8, was presented by City Manager Mitchell. Moved by Tustin Council accept Planning Commission Resolution No. 805 and set hearing thereon for August 2, 1967. Motion carried unanimously.

✓ Planning Commission Resolution No. 803, rezoning Lots 1 through 6, Block 27, to C-1, was presented by City Manager Mitchell. Moved by Tustin Council accept Planning Commission Resolution No. 803 and set hearing thereon for August 2, 1967. Motion carried unanimously.

7/19/67

✓ Planning Commission Resolution No. 804, recommending rezoning O'Chamis and Silcox Annexations C-N, was presented by City Manager Mitchell. Moved by Harding Council accept Planning Commission Resolution No. 804 and set hearing thereon for August 2, 1967. Motion carried unanimously.

✓ Resolution No. 3700 was presented and explained by City Attorney Thomas. Title read by Mr. Thomas. Moved by Harding further reading of Resolution No. 3700 be waived. Motion carried unanimously. Moved by Tustin Resolution No. 3700 be passed and adopted. Motion carried unanimously.

RESOLUTION NO. 3700

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO ACCEPTING A DEED FROM THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, A TRUE PHOTO-STATIC COPY OF WHICH DEED IS HERETO ATTACHED; AND AUTHORIZING THE CITY CLERK TO RECORD THE ORIGINAL DEED.

(Kit Carson Park)

Resolution No. 3700 is on file in the City Clerk's office.

✓ Resolution No. 3701 was presented and explained by City Attorney Thomas. Title read by Mr. Thomas. Moved by Tustin further reading of Resolution No. 3701 be waived. Motion carried unanimously. Moved by Crow Resolution No. 3701 be passed and adopted. Motion carried unanimously.

RESOLUTION NO. 3701

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO ACCEPTING A DEED FROM THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, A TRUE PHOTO-STATIC COPY OF WHICH DEED IS HERETO ATTACHED; AND AUTHORIZING THE CITY CLERK TO RECORD THE ORIGINAL DEED.
(Kit Carson Park)

Resolution No. 3701 is on file in the City Clerk's office.

✓ Resolution No. 3702 was presented and explained by City Attorney Thomas. Title read by Mr. Thomas. Moved by Tustin further reading of Resolution No. 3702 be waived. Motion carried unanimously. Moved by Harding Resolution No. 3702 be passed and adopted. Motion carried unanimously.

RESOLUTION NO. 3702

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH TAYLOR & HOOVER, INC., A CALIFORNIA CORPORATION, FOR THE CONSTRUCTION OF THE SOUTH SIDE RECLAMATION FACILITY PUMP STATION NO. 3, and MODIFICATIONS TO PUMP STATIONS NO. 1 AND 2, A COPY OF WHICH IS ATTACHED, PROVIDED WRITTEN NOTIFICATION HAS BEEN RECEIVED BY THE CITY OF ESCONDIDO OF THE RECORDING OF DEEDS CONVEYING PROPERTY TO THE CITY OF ESCONDIDO BY THE CITY OF SAN DIEGO FOR THE PROJECT; AUTHORIZING ALSO THE ACCEPTANCE AND APPROVAL OF THE FAITHFUL PERFORMANCE BOND AND LABOR AND MATERIAL BOND EFFECTIVE UPON

CCH860

7/19/67

EXECUTION OF THE AGREEMENT BY THE MAYOR
AND CITY CLERK.

Resolution No. 3702 is on file in the City Clerk's office.

✓ Resolution No. 3703 was presented and explained by City Attorney Thomas. Title read by Mr. Thomas. Moved by Harding further reading of Resolution No. 3703 be waived. Motion carried unanimously. Moved by Crow Resolution No. 3703 be passed and adopted. Motion carried unanimously.

RESOLUTION NO. 3703

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH EINER BROTHERS, INC., A CALIFORNIA CORPORATION, FOR THE CONSTRUCTION OF THE SOUTH SIDE TRUNK SEWERS FORCE MAINS, AND QUINCE-PINE RELIEF SEWER, A COPY OF WHICH IS ATTACHED, PROVIDED WRITTEN NOTIFICATION HAS BEEN RECEIVED BY THE CITY OF ESCONDIDO OF THE RECORDING OF A DEED CONVEYING PROPERTY CONSISTING OF APPROXIMATELY 204 ACRES TO THE CITY OF ESCONDIDO BY THE CITY OF SAN DIEGO; AUTHORIZING ALSO THE ACCEPTANCE AND APPROVAL OF THE FAITHFUL PERFORMANCE BOND AND LABOR AND MATERIAL BOND EFFECTIVE UPON EXECUTION OF THE AGREEMENT BY THE MAYOR AND CITY CLERK.

Resolution No. 3703 is on file in the City Clerk's office.

Change Order, due to changes in quantities on four items, in Assessment District No. 1-1966 (Bear Valley, Idaho, Glen Ridge, Oak Hill and Rose, Oak Hill and Bear Valley Sewer) was presented and explained by City Engineer Williamson. Moved by Tustin the Change Order be approved. Motion carried unanimously.

The Mayor asked if anyone wished to address the Council on any matter not listed on the agenda. No one asked to be heard.

✓ Mayor Roberts re-appointed Theodore McCain to the Traffic Commission subject to the confirmation of the Council. Moved by Harding the Mayor's appointment be confirmed. Motion carried unanimously.

✓ Letter from Adele J. Potts, complaining about the inability to hear Council at the Wednesday morning's briefing sessions, was read by City Manager Mitchell. Council indicated the microphones would be turned on hereafter.

✓ Letter from R. H. Laman, Jr., Director of Finance, requesting appropriation transfers from the Unappropriated Reserves to cover the following was read by City Manager Mitchell:

1. Advertising and Publicity Fund - \$2,541.95 in Maintenance and Operation Appropriation.
2. Parks and Recreation Fund - \$1,517.58 in Maintenance and Operation Appropriation.
3. General Fund - Sewer - Maintenance & Operation \$9,757.24
Non-Departmental - Maintenance
& Operation 6,432.34
4. Water Fund - \$9,207.74 in Maintenance & Operation Appropriation

7/19/67

4. (Continued)

Water Fund - \$8,701.92 in Capital Outlay Appropriation
\$17,909.66

Moved by Tustin the request for transfers be approved. Motion carried unanimously.

- ✓ Letter from Richard G. Copeland, Park Hill Association, 1514 Park Hill Lane, Escondido, requesting that the City of Escondido pay an assessment in the amount of \$10 for maintenance of Park Hill Lane for the year ending June 30, 1967, was read by City Manager Mitchell. Moved by Harding the request be approved. Motion carried unanimously.

Letter from Lester R. Lund, Chief of Police, regarding their investigation of an application for a dance permit made by Sandy's Restaurant, 510 W. Grant, Escondido, was read by City Manager Mitchell. Moved by Tustin the cabaret permit be approved. Motion carried unanimously.

- ✓ Letter from the San Diego County Water Authority stating that they will by resolution set the tax levy for the fiscal year 1967-68 and fix the amount of Authority taxes to be derived from that portion of the San Diego County Water Authority lying within Escondido was presented by City Manager Mitchell. Moved by Harding Council approve placing the Authority tax levy for the fiscal year 1967-68 on the tax roll. Motion carried unanimously.

- ✓ Letter from J. Ray Baker, Realtor, representing Mr. Mark Woodruff, requesting an easement for road and utility purposes over City property recently acquired from Lucie B. Hubbard, near Hubbard Avenue adjacent to the San Diego County Water Authority Aqueduct, was read by City Manager Mitchell. Mr. Williamson, City Engineer, advised that the granting of the easement should present no problem to the City, however, the owner of the land should furnish the City with a legal description of the property needed for the easement.

Moved by Tustin the bills be paid and reports filed. Motion carried unanimously.

Moved by Crow Council adjourn at 10:00 P.M. Motion carried unanimously.

Kenneth W. Reibel
Mayor

Lina M. Hice
City Clerk

CCH860

Attachment J -
San Diego City Resolution R-250641
(November 19, 1979)

RESOLUTION NO. R-250641

(R.80-914)
(REV.)

WHEREAS, The City of San Diego and The City of Escondido entered into an agreement dated June 22, 1967, a copy of which is on file in the office of the City Clerk as Document No. 712945; and

NOV 19 1979

WHEREAS, pursuant to said agreement the City of San Diego conveyed to the City of Escondido 204 acres of land valued at \$615,000; and

WHEREAS, The City of Escondido, as payment for said land, agreed to provide and did provide, at Escondido's cost, sewer and water facilities to benefit the City of San Diego's remaining land in the area; and

WHEREAS, said agreement specifically provided that the land was conveyed to the City of Escondido "for the purpose of developing park and recreational facilities thereon and other uses consistent with the Master Plan developed by the Joint Land Use Study approved by the parties"; and

WHEREAS, said Master Plan provided that the land be used for recreational and commercial recreational purposes; and

WHEREAS, at the June 5, 1979, election, the electorate of the City of Escondido approved the removal of a portion of the property from park use and the City of Escondido has indicated an intent to enter into an agreement whereby said portion of the property would be utilized for commercial shopping center development; and

WHEREAS, the loss of said recreational opportunities would constitute a substantial detriment to the City of San Diego; and

WHEREAS, the development of a shopping center on said property would violate the terms and conditions of the above specified 1967 agreement; and

WHEREAS, in 1975, the City of San Diego transferred an additional parcel of property to the City of Escondido and a portion of that property is also proposed for said shopping center development; and

WHEREAS, the City reserves the right, in connection with the 1975 transfer to repurchase the property if the City of Escondido, within 99 years, proposes to dispose of the property; and

WHEREAS, the proposed long term lease constitutes a proposed disposition of the property; and

WHEREAS, by Resolution No. 198232, adopted October 14, 1969, the City Council determined that the City of Escondido had complied with the terms of the June 22, 1967, agreement in that Escondido had completed at its cost sewer and water facilities as required by said agreement as consideration for the land and all of the supporting documents for said resolution indicate that the resolution was intended solely to indicate compliance with the sewer and water facilities development requirements, and the City intends to continue to enforce its rights regarding Escondido's agreement to utilize the property transferred for park and recreational purposes; and

WHEREAS, the City has determined that certain property adjacent to the park property in Escondido is surplus to the City's need and the City Manager has solicited an offer for said property from the City of Escondido pursuant to Section 54220 et seq. of the Government Code of the State of California which provides that such surplus property be made available for acquisition under specified conditions for park and recreation purposes by the City in which said surplus property is situated; and

WHEREAS on October 15, 1979, the City of San Diego provided the City of Escondido with an updated appraisal of the 77 acres of said surplus property which appraisal indicated a value of \$1.3 million; and

WHEREAS, on November 1, 1979, the City Manager of the City of Escondido requested that the transfer of said 77 acres of surplus property be expedited in order to retain the established value at \$1.3 million; and

WHEREAS, on November 6, 1979, the City Council in Executive Session considered whether civil litigation should be directed in order to protect the City's interest and determined that as an alternative to such litigation the City Attorney and City Manager should be directed to attempt to negotiate a reasonable settlement to protect the City's interest; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the City Attorney is hereby authorized and directed to transmit a copy of this resolution together with a letter of explanation to the City Manager and City Council of the City of Escondido.

2. That the City Attorney is further authorized and directed to, in conjunction with the City Manager, take appropriate action to protect the City's interest in the property proposed for shopping center development.

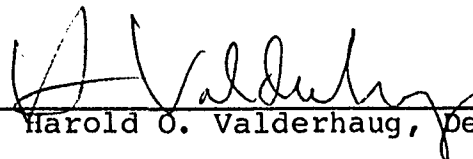
3. That Resolution No. 198232, adopted October 14, 1969, was intended solely and exclusively to indicate compliance by the City of Escondido with requirements of the June 22, 1967, agreement related to the construction of sewer and water facilities and that said resolution is not intended to waive City's rights to require that the property be utilized for park and recreation purposes.

4. That the City Attorney and the City Manager are hereby authorized and empowered to negotiate an equitable agreement with the City of Escondido whereby the City of San Diego will be equitably compensated for the substantial increase in value resulting from the change in use from park to commercial which will result from the development as a commercial shopping center of the property sold by San Diego to Escondido in 1967.

5. That the City Manager is hereby authorized and directed to attempt to coordinate the sale of the 77 acres of City surplus property adjacent to the park property with

an equitable solution to the problem involving the proposed use of the property previously transferred to the City of Escondido.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug, Deputy

HOV:dm
11/19/79 Rev. 12/5/79
Or.Dept.: Ex. sess.

Passed and adopted by the Council of The City of San Diego on NOV 19 1979,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	☒	☐	☐	☐
Maureen F. O'Connor	☒	☐	☐	☐
Bill Lowery	☒	☐	☐	☐
Leon L. Williams	☒	☐	☐	☐
Fred Schnaubelt	☒	☐	☐	☐
Tom Gade	☐	☐	☒	☐
Larry Stirling	☒	☐	☐	☐
Lucy Killea	☒	☐	☐	☐
Mayor Pete Wilson	☒	☐	☐	☐

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By William D. Boham, Deputy.

Office of the City Clerk, San Diego, California

Resolution
Number R-250641 Adopted NOV 19 1979

Attachment K -
Resolution 84-60 Adopting the “Master Plan
Development Report Kit Carson Park (April 1984)
(includes Master Plan)

RESOLUTION NO. 84-60

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA
AMENDING THE KIT CARSON PARK MASTER
PLAN AND APPROVING AND ACCEPTING
THE ENVIRONMENTAL IMPACT REPORT
PREPARED FOR THIS PROJECT

WHEREAS, various public hearings regarding the
Kit Carson Park Master Plan have been held before the
Planning Commission over the past several months; and

WHEREAS, the Planning Commission has reviewed the
proposed amendment to the Kit Carson Park Master Plan and
by Resolution No. 3928 has unanimously approved the
proposed amendment; and

WHEREAS, this City Council has reviewed and
considered the environmental impact report prepared for
this project; and

WHEREAS, this City Council is desirous at this
time and deems it to be in the best public interest to
authorize amendment to the Kit Carson Park Master Plan as
delineated in Planning Commission Resolution No. 3928;

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 this City Council determines that Environmental Impact Report No. 83-32 prepared for this project complies with the requirements of the California Environmental Quality Act and fully addresses all environmental consequences of this project and further determines, based on that review and consideration, that there are no significant, unmitigable environmental affects from the proposed amendment.

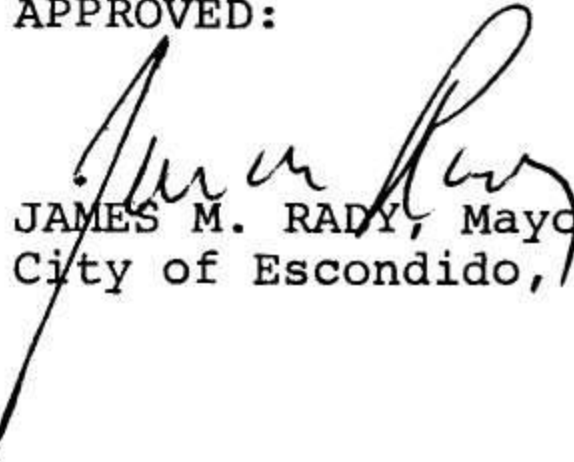
3. That this City Council approves the amendment to the Kit Carson Park Master Plan, a copy of which amendment is attached as Exhibit "A".

4. That this City Council adopts as its own the findings of the Planning Commission as detailed in Planning Commission Resolution No. 3828, a copy of which is attached as Exhibit "B".

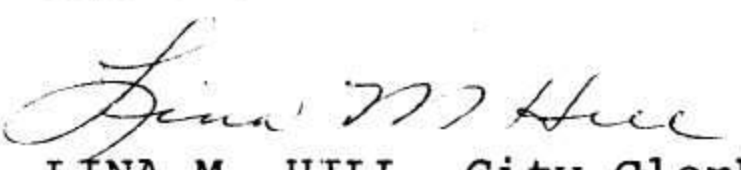
PASSED, ADOPTED AND APPROVED by the City Council of the
City of Escondido, California at a regular meeting thereof this
11th day of April, 1984, by the following vote to-wit:

AYES : Councilmembers: BEST, COWAN, HARMON, RADY, THURSTON
NOES : Councilmembers: NONE
ABSENT : Councilmembers: NONE

APPROVED:


JAMES M. RADY, Mayor of the
City of Escondido, California

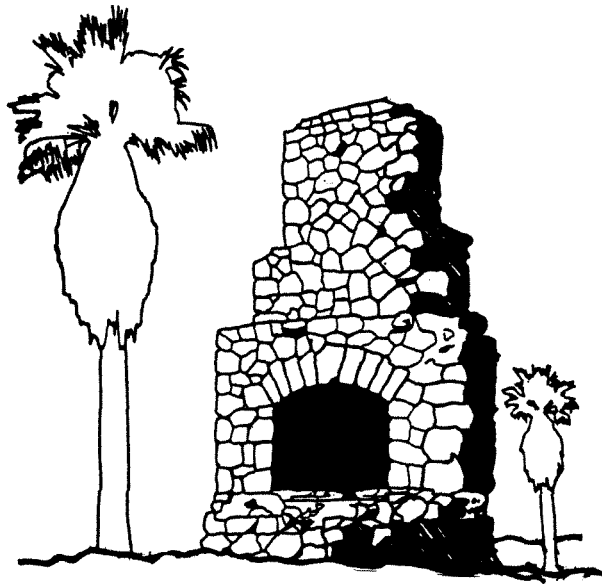
ATTEST:


LINA M. HILL, City Clerk of the
City of Escondido, California

Master Plan Development Report
City of Escondido, California

April 1984

KIT CARSON PARK



KIT CARSON REGIONAL PARK MASTER PLAN

APRIL 4, 1984

COMMUNITY SERVICES COMMISSION
ESCONDIDO, CALIFORNIA

Prepared for the
Community Services Commission
City of Escondido, California

Prepared by:

Planning • Urban Design
Landscape Architecture
A California Corporation
3585 Fifth Avenue
San Diego, California 92103

VAN DYKE • HALSEY



Principal In-Charge
Stephen L. Halsey

Consultants:

- Pountney - Civil Engineers
- Westec - Environmental Engineer
- FJK - Hydrology Engineers

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PARTICIPANTS

ESCONDIDO CITY COUNCIL

James Rady, Mayor
Ernie Cowan, Mayor Pro Tem
Jerry Harmon
Doug Best
Doris Thurston

COMMUNITY SERVICES DEPARTMENT

Jack Anderson, Director
Don Anderson, Asst. Director
Sam Villalobos, Parks Superintendent

COMMUNITY SERVICES COMMISSION

Jack Smith, Chairperson
Margaret McLeod
Dick Lievers
George Ferrara
Sean Grady
Roger Granbo
Ray Lawrance
Joe Ovies
Carol Thompson

PLANNING COMMISSION

Richard Mitchell, Chairperson
Webb Cate
Keith Kelley
Mike Rider
Thomas Tucker
Don Daniel
John Roberts

PUBLIC WORKS/ENGINEERING

Dennis Wilson, Director
Ron Anderson, City Engineer
Fred Luedtke
Phil Broughton
Ron Miller

COMMUNITY DEVELOPMENT DEPT.

Rolf Gunnarson, Director
Randi Coopersmith
Brian Smith

PUBLIC SERVICES

Police Department:
Robert Wolford, Asst. Chief

Fire Department:
Bob Watts, Fire Chief

Electric & Gas Utilities
San Diego Gas & Electric
Al Kruger

California Dept. Fish & Game
Harold McKinnie, Biologist

Ernest Hahn, Inc.

SPECIAL INTEREST GROUPS

Continental Little League
Escondido Girls Softball
North County Youth Soccer
Hidden Valley Tennis Club
Kit Carson Tennis Assoc.
Escondido Historical Society
Felicita Foundation
Escondido Police Posse
(Equestrian)
Escondido Humane Society

SUMMARY

INTRODUCTION

Since 1973, when the last Master Plan for Kit Carson Park was completed, the park has matured, changed in nature and expanded beyond its original boundaries. Rapid growth within the City of Escondido during that same period has put pressures on recreational, historical and cultural resources to meet present and future demands by residents.

METHODOLOGY

A desire to maximize Kit Carson Park's contribution to the lifestyle of Escondido's residents led members of the city government and local private interests to request a new Master Plan and report. Van Dyke/ Halsey, recreational planners, (1) collated all available information, (2) studied the land and the public's needs and values, (3) prepared and evaluated alternative schemes and (4) developed a feasible Master Plan. Perhaps most important, the plan is both a program and a data base with which to maintain and expand the concept of a "natural" park system for Escondido.

MASTER PLANS PURPOSE

The purpose of this Master Plan was to prepare a development plan and environmental impact report (EIR) in conjunction with each other to reduce or mitigate potential environmental impacts, while meeting and maximizing recreational opportunities.

FINAL PLAN

At the completion of Phase 4 in the planning program, one final composite plan emerged. This, after extensive and careful data base analysis and public review, became the recommended physical development plan.

PARK OBJECTIVES

The composite plan would:

- ° assist in maintaining the riparian area in a viable and high quality state,
- ° respect the natural resources and park's assets,
- ° manage the hydrological forces and water resources,
- ° expand recreational opportunities and unify the park space,
- ° manage long-term user impacts,
- ° maximize existing capital improvements where possible,

- ° provide for a sensitive interface between the North County Fair shopping center and Kit Carson Park,
- ° minimize and balance environmental impacts, and
- ° provide a logical implementation and phase schedule.

The revised Master Plan is one that employs a systems approach to the management of hydrological forces and respects the park's existing major capital improvements.

WATER

The system encompasses the management of hydrological forces, both low-flow and major 100-year event conditions. Maintenance of low-flow conditions allows the riparian area to exist and ensures habitat and water quality.

VEHICULAR

Vehicular access to the western part of the park via El-Ku Drive is to be eliminated in favor of a new road and stream crossing just north of the Arroyo de Oro play area. No vehicle access would be permitted beyond this point, except for emergency and service vehicles into the western portion past Sand Lake.

NATURE CENTER

A nature center development to educate and promote greater appreciation for flora and fauna resources in the community will be located near Sand Lake. Proximity to a number of ecological zones makes the location an ideal interpretive center site.

WATER MANAGEMENT

A proposed network for water resource management has been planned. This program will utilize surface flows, groundwater and potential reclaimed water for the development of new recreational lakes, will maintain and improve the ecological system's quality and will provide non-domestic water for irrigation. This approach, once studied through additional feasibilities as outlined, can result in major reductions in operational and maintenance costs.

FLOOD CONTROL

The proposed flood control system will protect and enhance the park's natural habitats from major damage or devastation as a result of a 100-year flood state. Even without this

event, it will benefit the ecological system through monitoring and improving the water quality.

SUMMARY

Kit Carson Park's future rests in its "natural" systems. The approach is a basic one: to relate time (leisure), activity (behavior) and space (environment) to provide a living park system.

With careful planning, resource management and recreational programming, as proposed, Kit Carson Park will provide the most cost-effective leisure time possible to the citizens of Escondido for years to come.

SUPPLEMENTARY DOCUMENTS

Supportive to the Kit Carson Final Master Plan is the E.I.R. Kit Carson Master Plan Revisions Report and the Appendices. Refer to these documents for further information and details.

RECOMMENDATIONS

The Master Development Plan for the Park is a precise concept with specific guidelines and controls for its development. The plan is not a precisely "engineered" plan, and will require refinements during the detail design and construction document stages. FIGURE 55.

Implementation of the plan will follow and adhere to the concepts, priorities, and development controls outlined in the plan.

The plan's primary singular objective is to retain, enhance, and protect the park's natural environment, while providing recreational and educational opportunities for the community.

The following recommendations summarize the policies and concepts in the plan. Details can be found in the body of the report.

IMPLEMENTATION

A. SPORTS AREA IMPROVEMENTS

1. Maximize existing sports area by combining uses, i.e., baseball and soccer fields.
2. Realign existing baseball and softball fields by overlapping with multi-use fields, and repositioning existing fields. Retain same number of fields.
3. Existing buildings and concession will be maintained in their current position and relationship to existing ballfields.
4. Reposition lighting for greater utilization, light control and glare reduction.
5. Provide for development of landscape buffer between Bear Valley Parkway and sports area.
6. Redesign will result in 9-10 ballfields and (7) soccer/football fields.
7. Additional parking will be expanded in the sports field area in the southeast corner of the park.
8. Informal picnic, pedestrian and bicycle circulation will be provided.
9. The existing (7) tennis court complex will be expanded by (4) or (8) courts.
10. The easterly half of the tennis court complex will be lighted.

11. A proshop/concession with restrooms will be developed.

12. Existing parking will be expanded.

B. HYDROLOGY AND RIPARIAN HABITAT

1. The water management and flood control system will provide for: (1) controlled release, (2) water impoundment, and (3) re-charge through the lake systems.

2. Utilize surface and ground-water resources, including potential reclaimed water.

3. Provide for enhancing and balancing the ecological system.

4. Reduce water damage by controlling erosive floodwater runoff.

5. Creation of a natural earth berm to control 50 to 100-year flood flows.

6. The berm will also act as a seasonal water management system.

7. Berm will provide for access for maintenance, bicycle, and pedestrians to the westerly portion of the park.

8. Sand Lake will continue to be used as a desiltation basin, with other upstream structures.

9. Tree Lake, in conjunction with the North County Fair flood control system, will be expanded to function as a closed natural recreational water body. Tree Lake will not be a desiltation for North County Fair's flood control system.

C. AQUATIC AND RIPARIAN

1. Natural aquatic plantings will be planted to maintain and reestablish newly developed areas.

2. Native plant species will be used for lakeside development.

3. Exotic species will be used only to create a desired ornamental affect and if there is no danger of upsetting the balance of native communities.

4. Primary maintenance required will be in the removal of silt from Sand Lake and other structures every 12-24 months.

5. Periodic maintenance of waterways, lakes, and ponds will be necessary for water quality and a balanced ecosystem.

6. The primary objective is to retain and preserve the "natural" feeling and systems within the park. These are the park's most important assets.

D. LANDSCAPE THEME

1. Kit Carson Park's "natural park" theme will be reinforced by the landscape concepts.

2. Landscape planting will complement the natural setting and topography of the site.

3. Vistas and views will be enhanced.

4. Accent and points of interest will be framed.

5. Screening and buffering of undesirable park edges and views will be provided in the design.

6. A major landscape screen is to be placed between Bear Valley Parkway and the sports areas.

7. The main entry at Kit Carson Way and Bear Valley Parkway will be enhanced with broad domed native trees and flowering shrubs, in combination with architectural features. Exotic plantings will be as secondary foundation plantings.

8. The park's interface with the North County Fair Shopping Center will have (3) basic transition areas along its edge.

a. transition (1), located at the park's southern entry and southeast sports fields, will have a manicured appearance with a strong identity. FIGURE 46.

b. transition (2), located at the Trout tarn and Tree Lake area, will have a natural appearance and provide the major circulation linkage for pedestrians to the park from the shopping center. FIGURE 46.

c. transition (3), located at the southwest corner to Duck Lake, will combine plantings of coastal sage scrub and screening materials to blend the shopping center's landscape berm into the park's westerly natural area. FIGURE 46.

9. A nature center will be developed in the westerly portion of the park to provide development of the native ecology for recreational and educational purposes.

10. A 250 foot buffer or transition will protect the riparian area from activities in the parks western areas.

11. Limited single access points will only be provided in some areas, i.e., Duck Lake, if approved by California Fish and Game.

12. Special areas will be established for camping, picnicking and nature observation.

E. CIRCULATION SYSTEMS

1. The proposed circulation system will provide a comprehensive and sensitive linkage between various park facilities.

2. The circulation will link recreational facilities without creating physical and visual barriers.

3. The circulation will improve safety and sight distances.

4. Provide maximum access while keeping roads to a minimum.

5. Realign and strengthen internal traffic flows for ingress and egress.

6. Expand parking facilities.

7. Circulation will provide access to the new western portion of the park.

8. The main entry to the park will be by Kit Carson Way. (Mary Lane).

9. Amphitheater Drive will be realigned.

10. Casteneda Drive (to be renamed Arroyo Drive) will be vacated just above the Humane Society and be extended north-erly across the Arroyo picnic area to the nature center.

11. Pedestrian walkways and bikeways.

F. GRAPHIC CONCEPTS

1. Major signage and monumen-tation will occur at the park entries.

2. Vehicular regulatory and directional signs will be placed at control points to direct traffic and pedestrians.

3. Nature interpretive signs for trail and park native fea-tures.

4. Facilities will be ident-ified with symbols and graph-ics.

5. Graphics easy to read, sim-ple, durable, and replacable.

6. Colors and letter styles will be standardized and fit the parks architectural theme.

G. UTILITIES

1. Utilities will be expanded to the new facilities as they are constructed.
2. As part of the North County Fair project, the existing on-site 12-KV electrical service will be underground.
3. All future utility installations will be placed underground.

H. ARCHITECTURAL GUIDELINES AND CONTROLS

On June 17, 1970, the City of Escondido adopted Resolution No. 4679, to create a specific plan pertaining to Kit Carson Park and surrounding area. Subsequently, additional policies were approved, as outlined in the Master Plan.

I. REVENUE GENERATORS

Various opportunities are available as the park expands to generate additional funds to operations and maintenance costs. City policy will determine level of revenue generation. Refer to the master plan section on revenue generators for examples.

J. SUMMARY OF COSTS AND PHASING

The method applied to develop the cost estimate consisted of quantitative and cost analysis for implementation of the Master Plan on present-day labor and material costs. All of the projected lease revenues from the North County Fair designated for Park use will be utilized in Kit Carson Park. FIGURE 53.

INTRODUCTION

HISTORY OF SITE

Named after Kit Carson, famous explorer of the western frontier, Kit Carson Park lies in a region that is rich in California history. The park sits at the western end of San Pasqual Valley, first inhabited by Indians of the Acorn culture but today a city of the San Diego agricultural preserve.

The valley also was the site of the Battle of San Pasqual, in which Kit Carson fought in 1846, about one mile southeast of the park on Mule Hill. A state historical monument recognizing the battle is located four miles east off San Pasqual Road.

The western end of the valley was home to the old stagecoach line, once heavily traveled by those on their way to the coast. Snook's Ranch, built on the site in the 1800's, was a way station for the stageline and its weary travelers. Today, all that remains of the ranch is a stone chimney located approximately 300 yards from the park's fire station and from which Mule Hill is visible.

During the 1900's, the park site was used for livestock grazing, farming, adobe manufacturing operations and development of wells, dikes and ponds by the Green Mutual Water Company.

Kit Carson Park, a 293-acre site, was acquired in 1967 by the City of Escondido from the City of San Diego.

SITE CHARACTERISTICS

Kit Carson Park lies in a small valley surrounded by foothills in a rural setting just above Lake Hodges. The site is typical of the San Diego County chaparral, sage scrub inland foothills and is transected by two drainage courses from the north and northeast. This natural water flow has created unique habitats of riparian woodland, freshwater marsh lakes and a low water table through the heart of the park.

NATURAL SYSTEMS

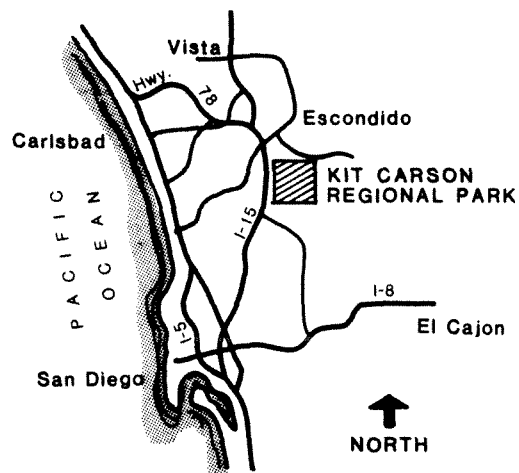
The natural waterways, bogs, lakes and cottonwood and oak trees create an oasis-like theme with cooler temperatures during the summer months and a large population of animal and bird life.

REFERENDUM

In a referendum in 1979, the citizens approved a ballot measure to lease approximately 75 acres for a commercial development proposed for the southern portion of the site. This recreational acreage was replaced with 77.5 acres immediately to the north and adjacent to the site.

As a result of park boundary adjustments, new acreage being acquired and the impact of a major land use change, there was a need to take a fresh look at the park's potential and review the 1973 Master Plan.

A desire to refine the original concept of a "natural" park, retain the original 1973 Master Plan's goals and to channel community interest led to the present Master Planning process.

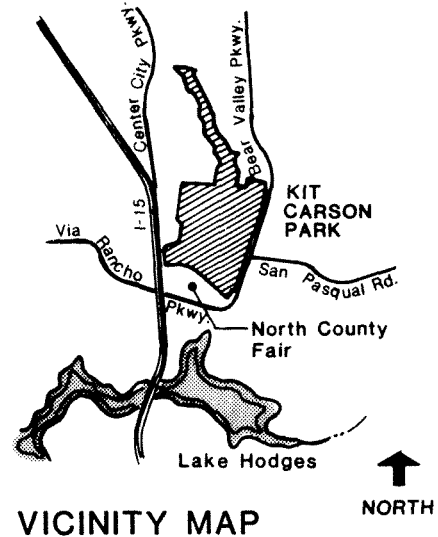


LOCATION MAP

VICINITY

INTRODUCTION

Kit Carson Park lies immediately east of Interstate Highway 15, north of the Via Rancho Parkway offramp, west of Bear Valley Parkway, and is surrounded by a low-density residential development to the north, extreme west and southwest; San Pasqual High School and some agricultural development to the east; Lake Hodges, and the proposed North County Fair Regional Shopping Center to the south.

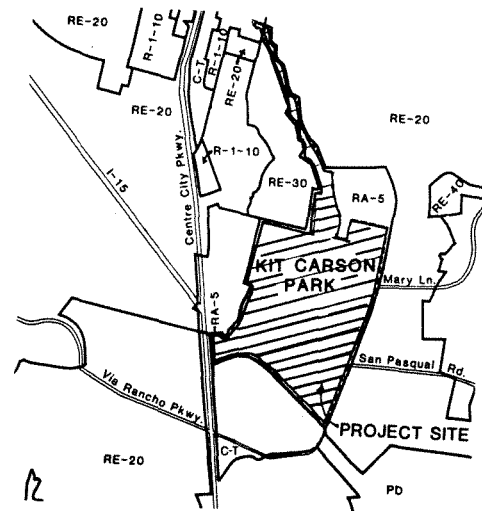


VICINITY MAP

ZONING - Page 1

INTRODUCTION

Current zoning plans in the general area of the I-15, Via Rancho Parkway intersection show Tourist-Commercial (C-T), Planned Commercial Development (PCD), Residential-Agricultural 5-acre (RA-5), or Residential Estates (RE-20, RE-30, and RE-40).



ZONING MAP

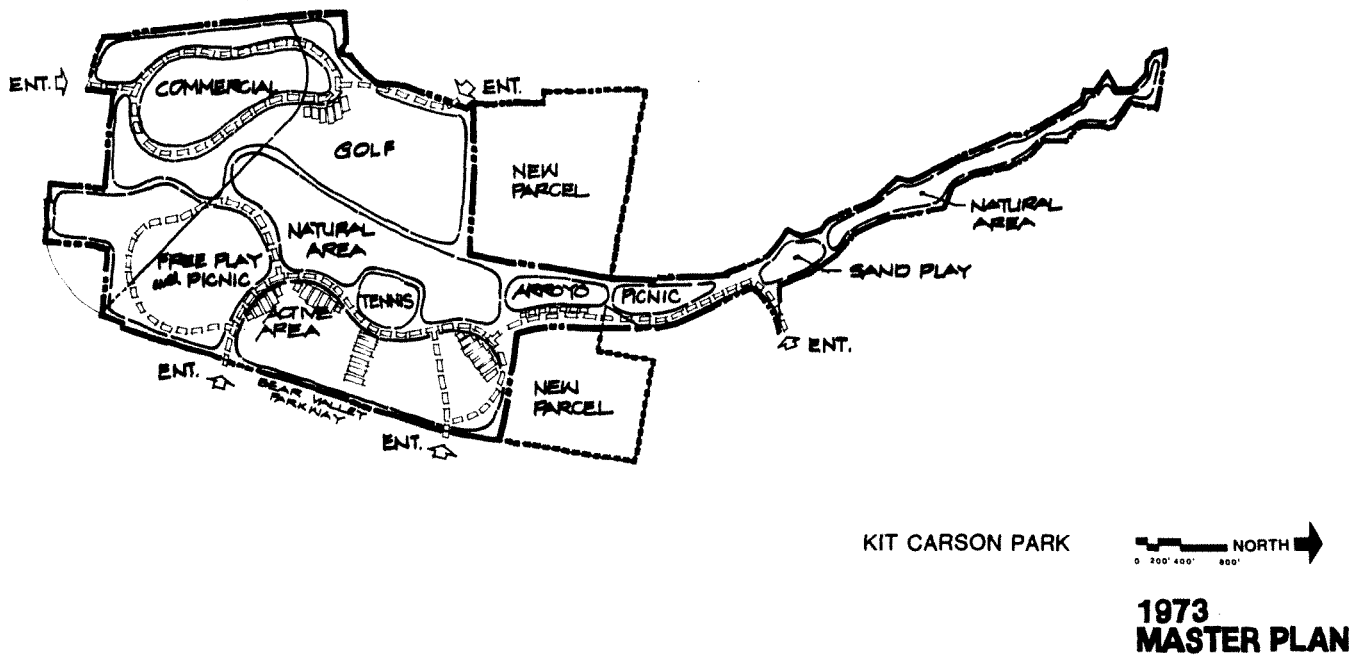


Figure 1

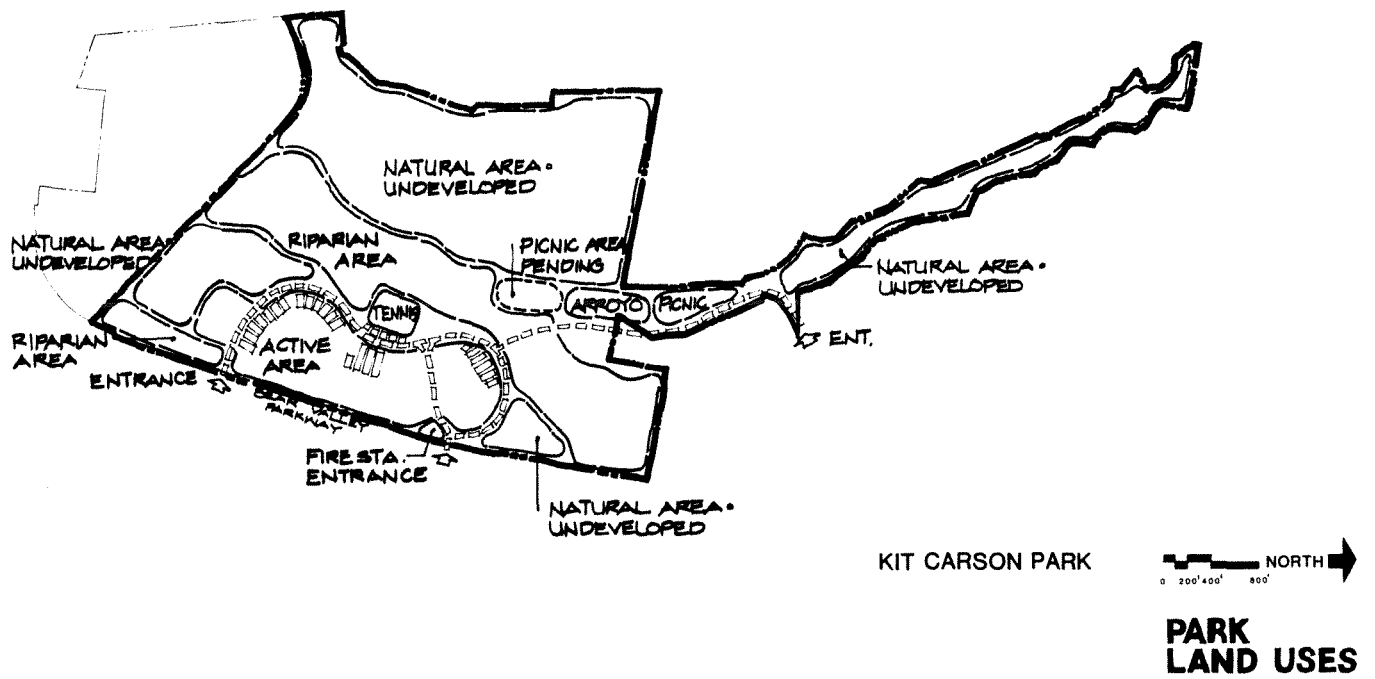


Figure 2

1973 MASTER PLAN / LAND USES

INTRODUCTION

The 1973 Kit Carson Master Plan had identified numerous land uses.

The west side was to have a commercial core surrounded by a golf course.

The east area along Bear Valley Parkway was divided into two sections with the south end being developed into open or free play and picnic areas.

The northern end of the east side was to be and has been developed into an activity field area and an amphitheater area.

The central part of Kit Carson Park, a riparian area, was to remain a natural area with limited or no use.

The lower more open portions have been developed as previously identified, into a play structure area, the Arroyo de Oro and adjacent picnic areas.

The upper portion, not quite reaching Escondido Boulevard, being difficult to develop has been left much in its natural state. FIGURE 1.

THE PARK TODAY

Park development to date has been limited generally to that area east of the riparian area. Included in the development are (7) tennis courts, (7) ball fields, restroom/concession facilities, amphitheater, fire station, soccer fields, picnic areas, the Arroyo de Oro play area and parking. FIGURE 2.

PLANNING PROCESS

INTRODUCTION

On March 10, 1982, the City of Escondido authorized Van Dyke/Halsey to proceed with the preparation of this Master Plan and report.

REQUEST OF SERVICES

The initial request for planning services as stated by the City of Escondido Community Services Commission was based on one major issue "retain the Park's 'natural' character" and included the following summarized directives:

ISSUES

- Review the existing Master Plan to retain previously adopted concepts of natural areas integrated with intense public use.
- Recommend specific park improvements based on existing usage and community input; also, test previously adopted improvement concepts.
- Provide inventory of existing park facilities and provide specific recommendations.
- Prepare a topographic survey.

- Provide for interface between park and shopping center.
- Provide recommendations for streambed development and maintenance.
- Provide revenue generating alternatives for park facilities and develop estimates for plan implementation and phasing program for construction.
- Study use of existing site wells for irrigation purposes and existing and future site utilities.
- Develop landscape theme and interface non-park uses into park.
- Make recommendations for enhancement and protection of wildlife in the park.
- Prepare site analysis of existing environmental elements.

PLANNING PHASES

The planning process was structured into five major phases.

1. Initial Project Organization
 2. Data Base and User Demand Studies
 3. Analysis and Interpretation
 4. Alternative Concept Plans
 5. Master Development Plan
- FIGURE 3.

Phase 1

As part of the planning process an EIR was prepared in conjunction with the Master Plan in order to evaluate and adjust the final planning concepts and to avoid and mitigate, where feasible, significant environmental impacts. The EIR is inclusive with this report and should be referenced for greater data detail.

Phase 2

Informational in nature and focusing on assembling and analyzing the existing 1973 Master Plan, reports, data, shopping center EIR. Also included was extensive on-site surveys to collect all of the background information needed for the master planning effect.

This data provided the foundation for all subsequent work and identified environmental constraints and pertinent design issues. The "data base" contained various maps and charts on ecology, physical and use elements.

- Elevation & Slope Analysis
- Soils
- Drainage and Hydrology
- Vegetation/Eco-Zones
- Wells and Utilities
- Visual Image Analysis/Circulation
- Use to Use Analysis
- Remote Sensing Infrared Aerial Photography

This work program provided a logical sequence and stages at which the Community Services Commission, staff and public could review, comment upon and direct the progress of the plan.

Phase 3

Was to analyze the reconnaissance in order to set direction and determine viable alternative concepts. Public presentations were made to the commission, staff and city council to review the findings and review observation initial findings for potential recreational opportunities.

AERIAL PHOTOGRAPHY

One of the special tools utilized during this phase was color infrared photography. With this method, more detail is discernible since the human eye is much more sensitive to differences in color than to differences in shades of gray.

COLOR-INFRARED PHOTOGRAPHY

Color-infrared film is especially useful for vegetation surveys because the image-forming dyes enhance infrared sensitivity. In this film, the top layer is sensitive to near infrared light, enabling the film to image this type of light as red in photography. Similarly, red will show as green, green as blue, and blue as black. Because infrared film does not produce an image that appears natural, it is often called "false-color" film.

AERIAL ANALYSIS

Using color-infrared film, a series of aerial photographs was taken of the site for environmental analysis and interpretation. In the images, growing, healthy vegetation appears in various red hues, clear

water as black, sediment-laden water as light blue and urban areas as blue-gray. The health of the riparian habitat, water quality, vegetation life cycle and other site conditions were able to be studied. This was interfaced with other environmental issues and potential site opportunities.

Phase 4

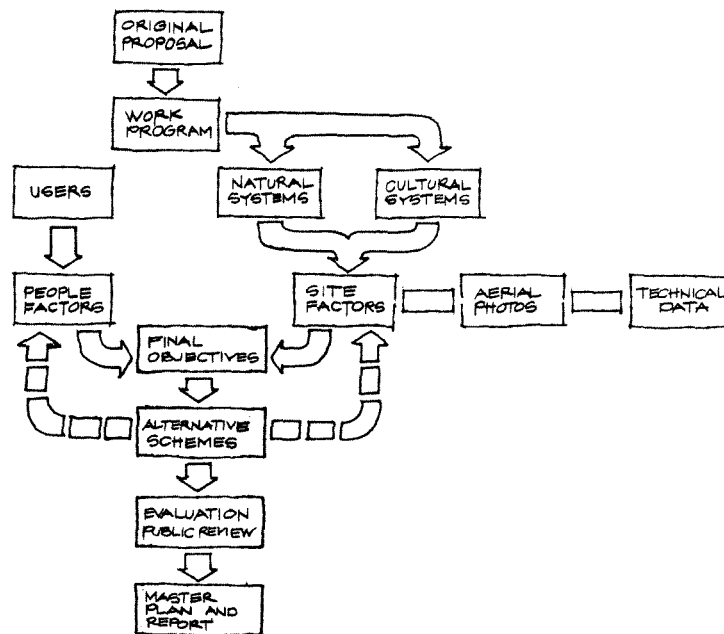
This phase developed four alternative schematic development plans which reflected various priorities based on phase 3 analysis. These plans schematically illustrated a broad range of design and policy directions that were available in terms of the park's size, user-orientation, ecology and new properties. Feedback from the community was collected and evaluated to determine positive and negative aspects of each. SCHEME 'A' took a natural ecological approach while expanding the recreational area to west in passive and active activities. SCHEME 'B' expanded concession activity in the western and southeast portions of the park and expanded vehicle access. SCHEME 'C' proposed realignment of a portion of the main collector and

park linkage system and included a nine-hole golf course. SCHEME 'D' took a position of emphasizing concessions and revenue-generating uses, major changes to the road systems to limit automobile access and expanding user areas.

Phase 5

Comments and feedback from community, staff, commission, and council provided valuable input.

After presentation of the alternatives and public input, a final "overall concept" plan, Phase 5, was presented. Changes were made based on the feedback received. The revised plan was presented to Community Services Commission and City Council and approved. With additional direction from the Parks and Recreation Department, the final Master Plan was prepared.



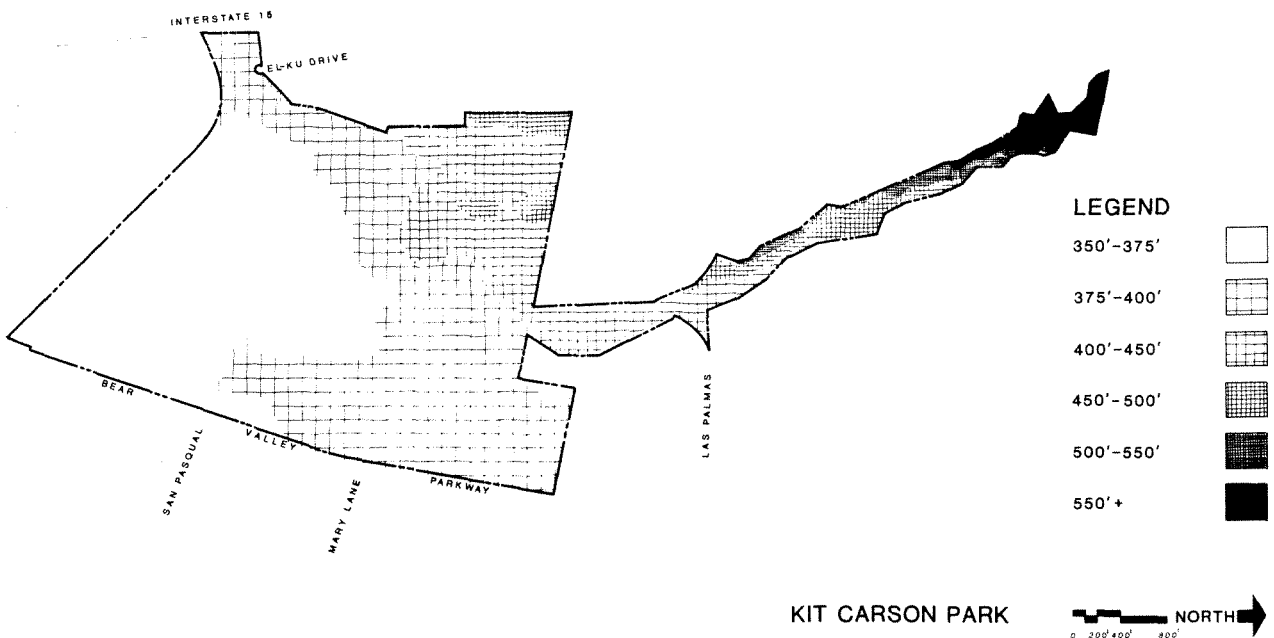
PLANNING PROCESS

Figure 3

Inventory and Analysis

ELEVATIONS

Over 60% of the site lies between the elevations of 340 to 400 feet. In the main body of the park on the western portion lies a small ridge entering from the north. From the ridge, panoramic views of the region and park overviews can be seen from two high points, one of which is at an elevation of 465 feet and the other at 472+ feet. The pan-handle rises from 400 to in excess of 550 feet at the northern end. FIGURE 4.



elevations
Figure 4

SOILS

INTRODUCTION

The site's soils exhibit a series of soils and formations. The erosion of these soils is the result of soil structure and slope gradient. Special attention and planning will be necessary to insure control and stabilization of soil erosion.

SOIL FORMATIONS

The basic formations are:

RaB	Ramona sandy loam
CkA	Chino silt, loam, saline
C1G2	Creneba Coarse sandy loam, eroded
RaC	Ramona sandy loam
FaD2	Fallbrook sandy loam, eroded
FaC	Fallbrook sandy loam
VaB	Visalia sandy loam
PeC2	Placentia sandy loam, eroded
PfC	Placentia sandy loam, thick surface
RaC2	Ramona sandy loam, eroded
RaD2	Ramona sandy loam, eroded
FaE2	Fallbrook sandy loam, eroded

FIGURE 5

SOIL STRUCTURE

Alluvium deposits cover a large portion of the site. Surface runoff from the surrounding developed watershed area has been spread out through the central portion of the site. As a result, the alluvium deposit in the park wetlands has been trenched by annual flood waters its total length to underlying clay. Based on these exposures, the alluvium in the park riparian area appears to have a maximum thickness of approximately 5 to 15 feet and consists essentially of silty, gravelly sands and clay deposits. FIGURE 6.

SUMMARY

This soils report was based on preliminary surface reconnaissance for general planning purposes. In order to develop suitable recommendations for proposed site grading, more detailed soil and geological investigations will be required. Any structures that are planned in connection with the park's improvements would also require detailed foundation investigations including exploratory borings, especially in marginal areas such as in the alluvium-filled zones.

The principal considerations of the park's soils are the drainage characteristics, soil formation, environmental and use potentials. (For further details, see Kit Carson EIR.)

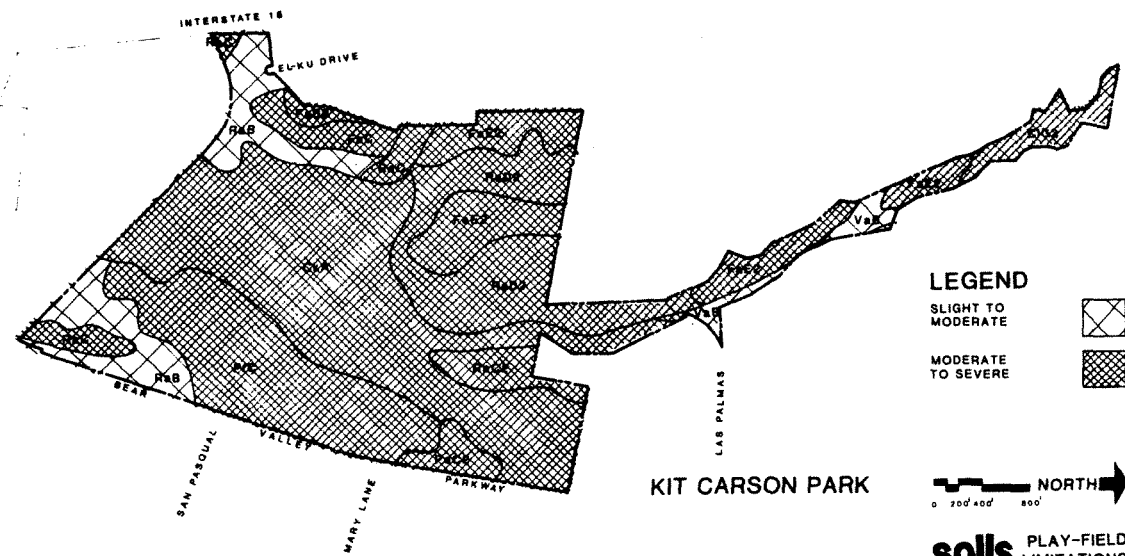


Figure 5

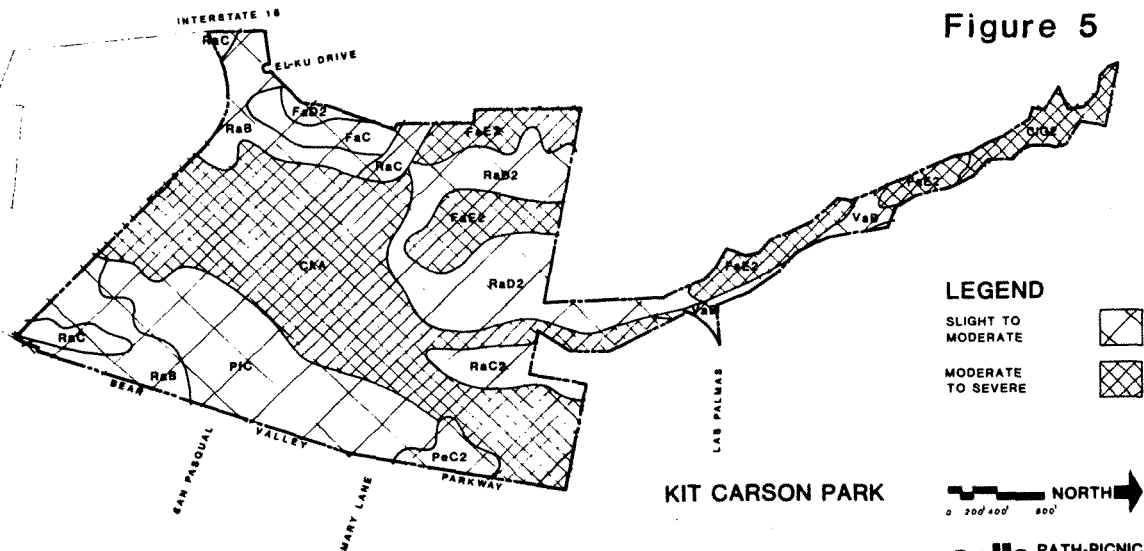


Figure 6

DRAINAGE / HYDROLOGY

INTRODUCTION

There are two main drainage flows through Kit Carson Park, one of which is through the panhandle area that drains approximately one square mile. The other flows into the park from the northeast, draining 5.5 to 6.0 sq. mi. FIGURE 7-8

PANHANDLE DRAINAGE

*The drainage through the panhandle delivers approximately 700 cubic feet per second with a velocity of 8.3 feet per second at the Las Palmas Avenue crossing. Flows from the northeast enter at the north edge of the riparian area with peak flows of 4000 cubic feet per second at a velocity of 1.85 feet per second. The drainage plain, covered by riparian vegetation, will flood with between 3 to 8 feet of water and will drain very slowly. Most of the topography in this area is in the 0-5% slope range and in many cases slope at 2% or less.

*These figures are based on a 100 year frequency storm.

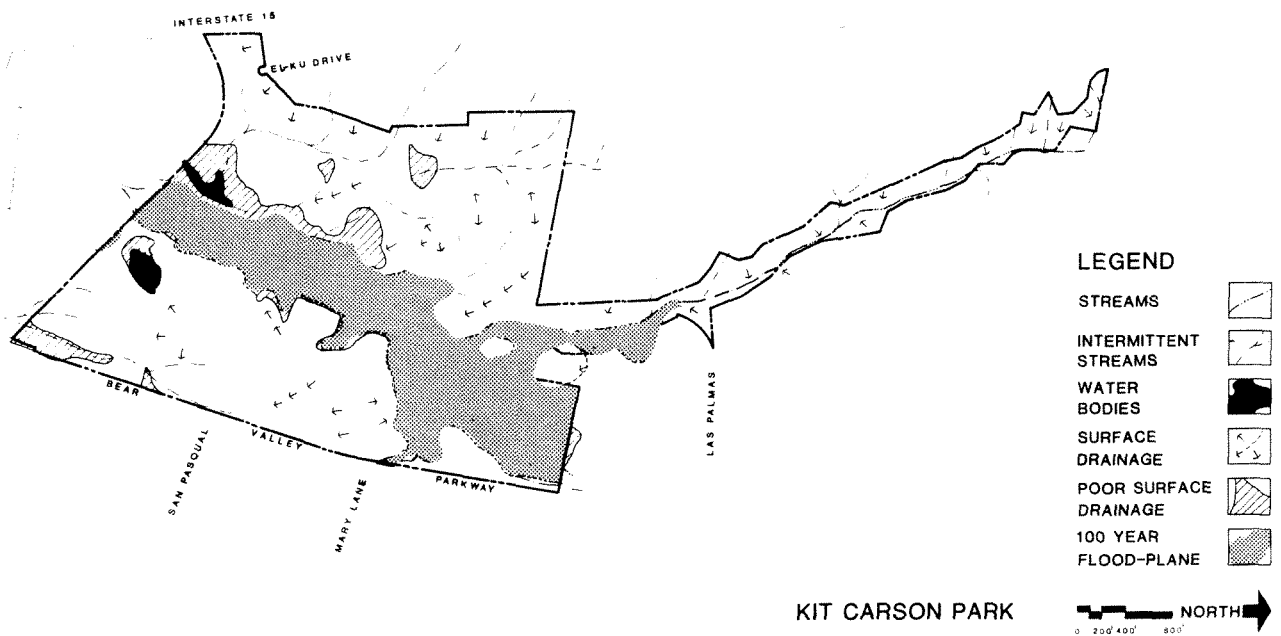
NORTHEAST DRAINAGE

The drainage from the northeast is less erosive until it meets the panhandle flow at approximately the center of the site. Channel velocities at this convergence reach in excess of 11.20 feet per second. As a result of the high velocities and existing soil conditions, the stream in the riparian area becomes what is known as a braided stream, wandering freely from side to side in a wide flood plain corridor. Potentially, in a 100-year flood event, the riparian area could virtually be wiped out as a result of the undermining of the channel sides and destruction of large stands of trees.

SAND LAKE

Sand Lake has become the sediment basin for materials carried out of the panhandle area and above. Currently, Sand Lake is dredged of this material based on sediment deposits.

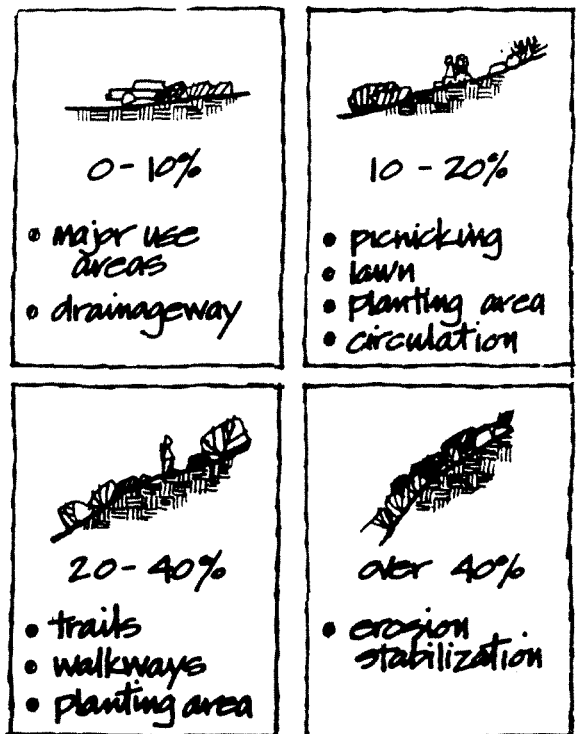
Several other minor drainage swales enter the site but are of no significant impact on the major surface flows. FIGURE 7.



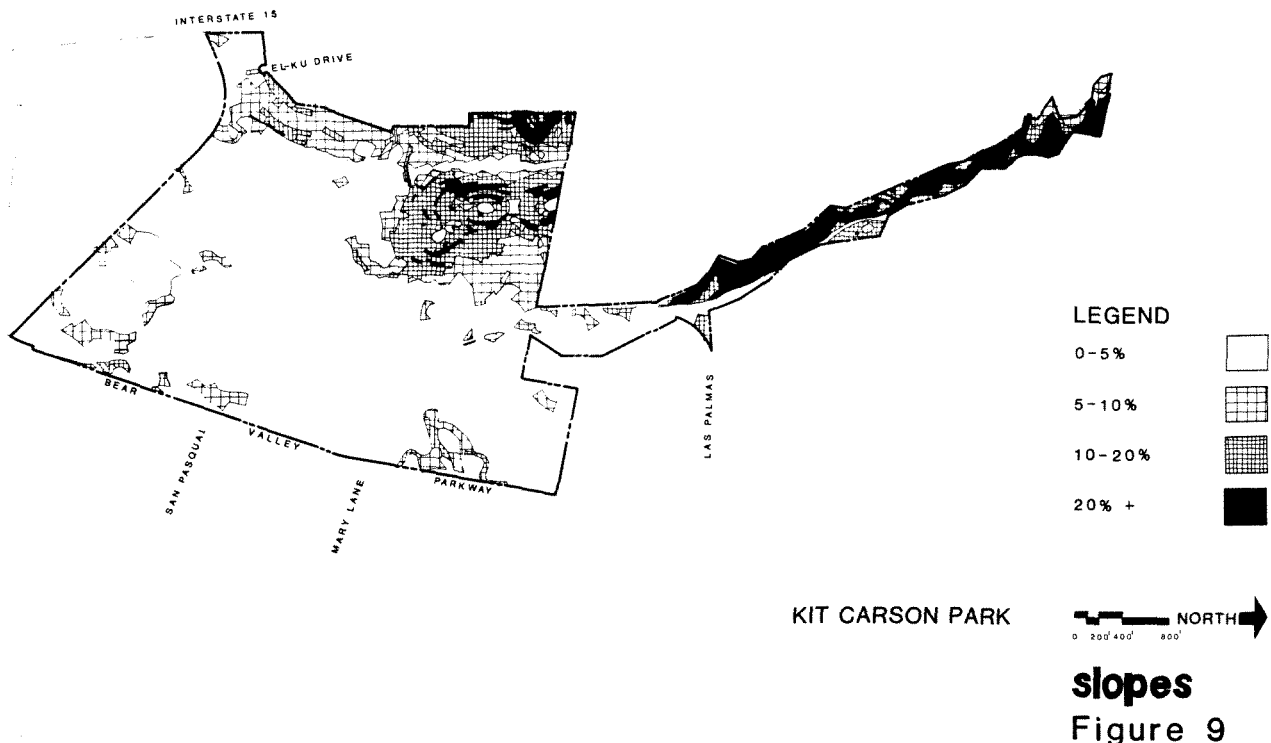
drainage
Figure 7

SLOPES

Most of the grades in Kit Carson Park are in the range of 1-5%, making those areas feasible from a grading standpoint for active park development. Along the western edge and the ridge, grades generally range from 5-20%. In the panhandle area, grades are predominantly in excess of 20%. The steep-sided slopes of the panhandle limit development to trail(s) and overlooks. Special design considerations will be required for development in the panhandle area, relative to drainage, erosion and access. FIGURE 9.



SLOPE USE POTENTIAL



VEGETATION / ECO-ZONES

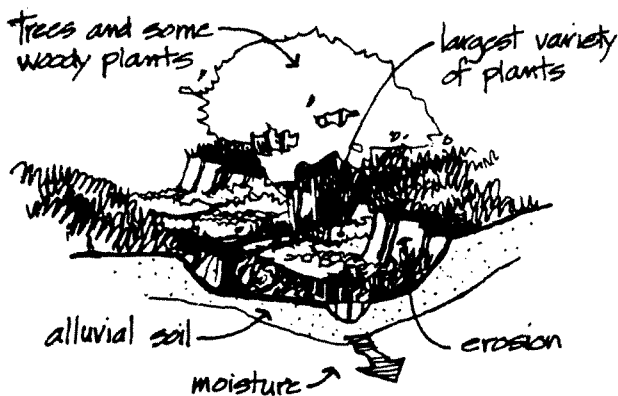
INTRODUCTION

Kit Carson Park, a 293-acre park, contains complex ecological systems that provide habitats for several rare wildlife species and ecologies that require sensitive and special protection from impacts potentially generated by recreational development.

Van Dyke/Halsey, recognizing these conflicts, approached the challenge by preparing an integrated data base. In order to accomplish this task, aerial reconnaissance with the latest in aerial photographic techniques was utilized.

ANALYSIS PROCESS

An analysis process was developed that combined standard black-and-white photography with color infrared photography. Existing historical aerial photos were used to supplement the photo interpretation process through record searches.



RIPARIAN

PHOTOGRAPHY

Since color infrared film is sensitive to portions of the light spectrum that our eyes cannot see, it provides a much clearer picture of existing conditions. For example, healthy vegetation reflects light energy in the infrared spectrum, which allows the interpreter to identify species and relative plant vigor, delineate plant communities and ecological systems, interpolate ground water levels and trace changes in land use and drainage patterns. FIGURE 15.

EXISTING DATA

Existing aerial photographs were used to help establish patterns of change that have occurred over the past 40 years. The accompanying photos were acquired from several public agencies and were located by an index system developed by Van Dyke/Halsey. FIGURE 14.

Overall, the application of the latest aerial photo interpretation techniques has allowed Van Dyke/Halsey to prepare a comprehensive data base of the park's whole environment, which helped to picture clearly an otherwise complicated system.

HABITATS

The vegetation and natural habitats within the park are a result of various elements and ecologies. The most unusual aspect of Kit Carson Park's rare character is the high quality of riparian habitat. Other natural communities exist which combine to make Kit Carson Park a very special place. FIGURE 12.

INTRODUCTION

Vegetation types within the park generally fall into one of six major plant associations:

1. Riparian Woodland
2. Freshwater Marsh
3. Oak Woodland
4. Coastal Sage Scrub/
Successional Coastal
Sage Scrub
5. Flood plain
6. Introduced

RIPARIAN

The riparian woodland contains approximately 87 acres and is the largest association in the park. It measures 4,200 feet long and 580 feet wide at its widest point. It also supports the largest number of birds and animals and provides excellent breeding and feeding areas. FIGURE 13.

INFLUENCES

This riparian area also positively influences the species diversity of the adjacent natural habitats. Mature pockets of cottonwood, sycamore and willow make up the major over-story vegetation. The under-story vegetation varies from impassable to open and marshy. FIGURE 10-11.

COASTAL SAGE SCRUB

Coastal sage scrub occupies approximately 53 acres and is generally scattered throughout the park with the largest portion being located west of the riparian area. Successional coastal sage scrub is generally scattered at the edges of the coastal sage scrub and in areas that have been previously disturbed. The park contains approximately 32 acres of successional coastal sage scrub. FIGURE 12.

FLOOD PLAIN

Flood plain habitat in Kit Carson Park is estimated at approximately 13 acres and is dominated by such plants as stinging nettle and mule fat. FIGURE 12.

PLANT ASSOCIATION

The existing diverse vegetation associations contribute to high diversity in animal habitats within Kit Carson Park. The park is also linked to additional natural habitats to the north and southeast and by the Lake Hodges and San Pasqual agricultural open spaces to the south. (For further details, refer to the Kit Carson EIR.)

The existing on-site vegetation and habitats support approximately 180+ varieties of birds, mammals, amphibians and reptiles commonly found on the coastal plain and in the low foothills of San Diego County.

ANIMAL

Direct or indirect on-site observation include the following mammals: desert cottontail, California ground squirrel, raccoon and a variety of common field rodents. Some of the large species may den off-site in natural scrub areas and hunt throughout the site. (Refer to appendices in the Kit Carson EIR.)

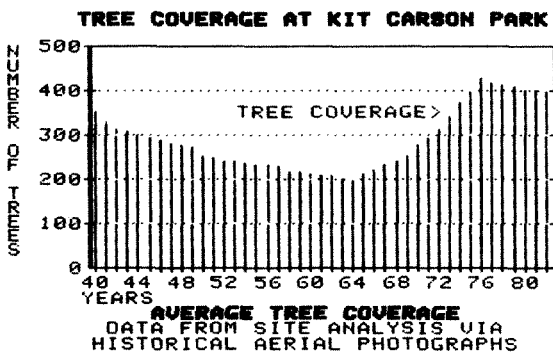


Figure 10

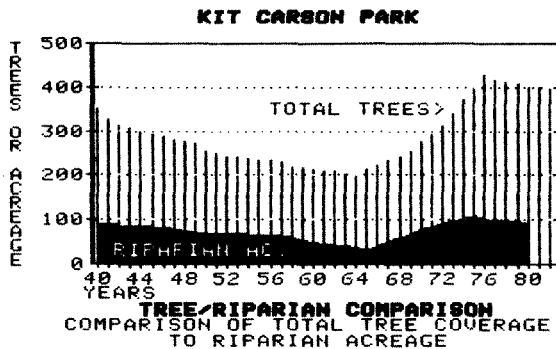


Figure 11

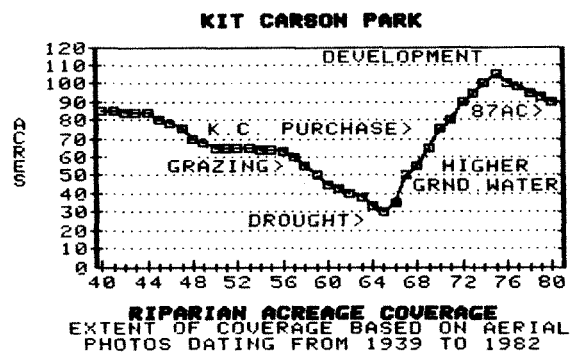
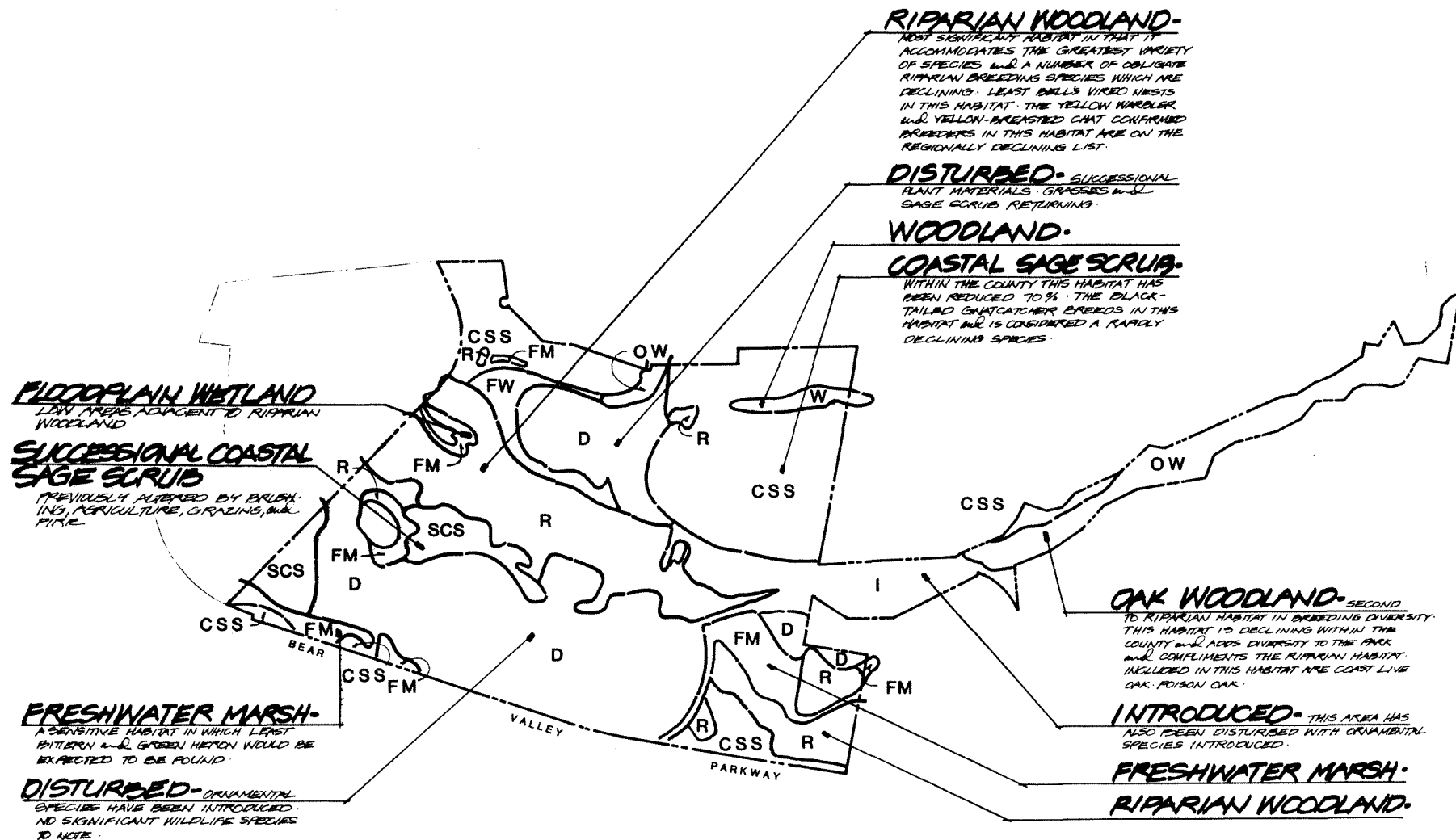


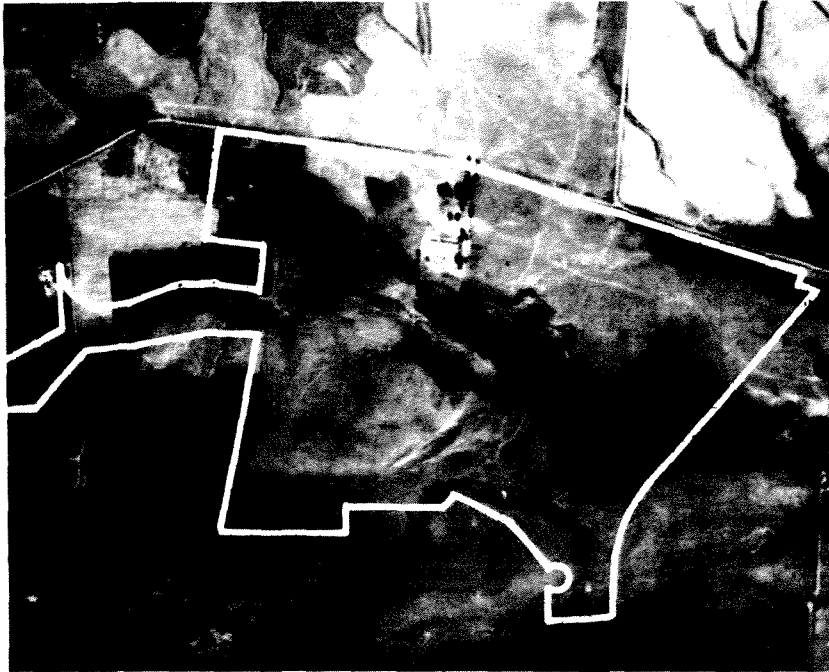
Figure 13



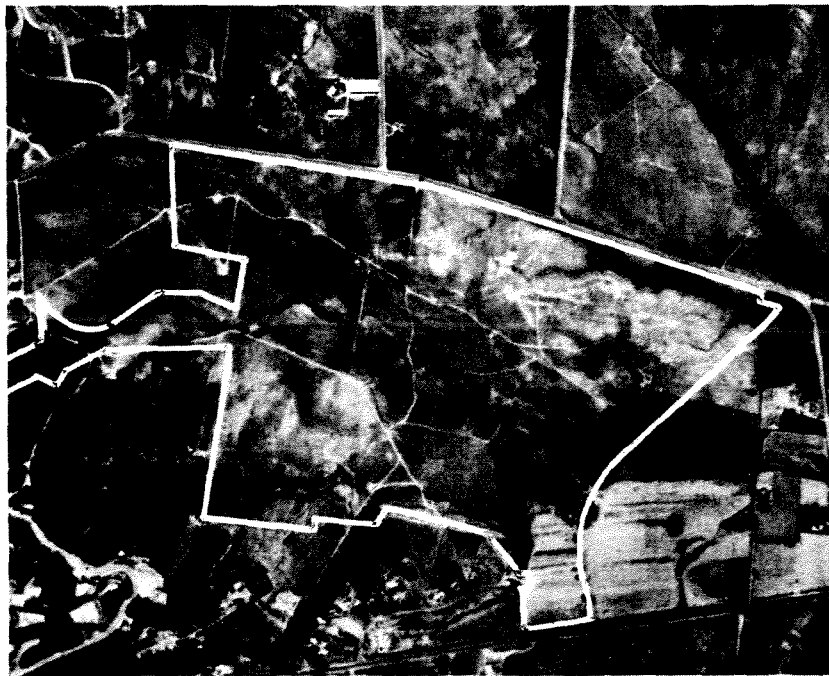
KIT CARSON PARK

**eco-zones**

Figure 12



1939: First of 12 study photos of Kit Carson Park. Riparian area is stable - 85 acres and 350 trees.



1964: Low water tables and overgrazing caused the riparian area to be reduced to 30 acres, 200 trees.



1982: Riparian area has stabilized higher groundwater levels, now 87 acres and 500 trees.

Figure 14

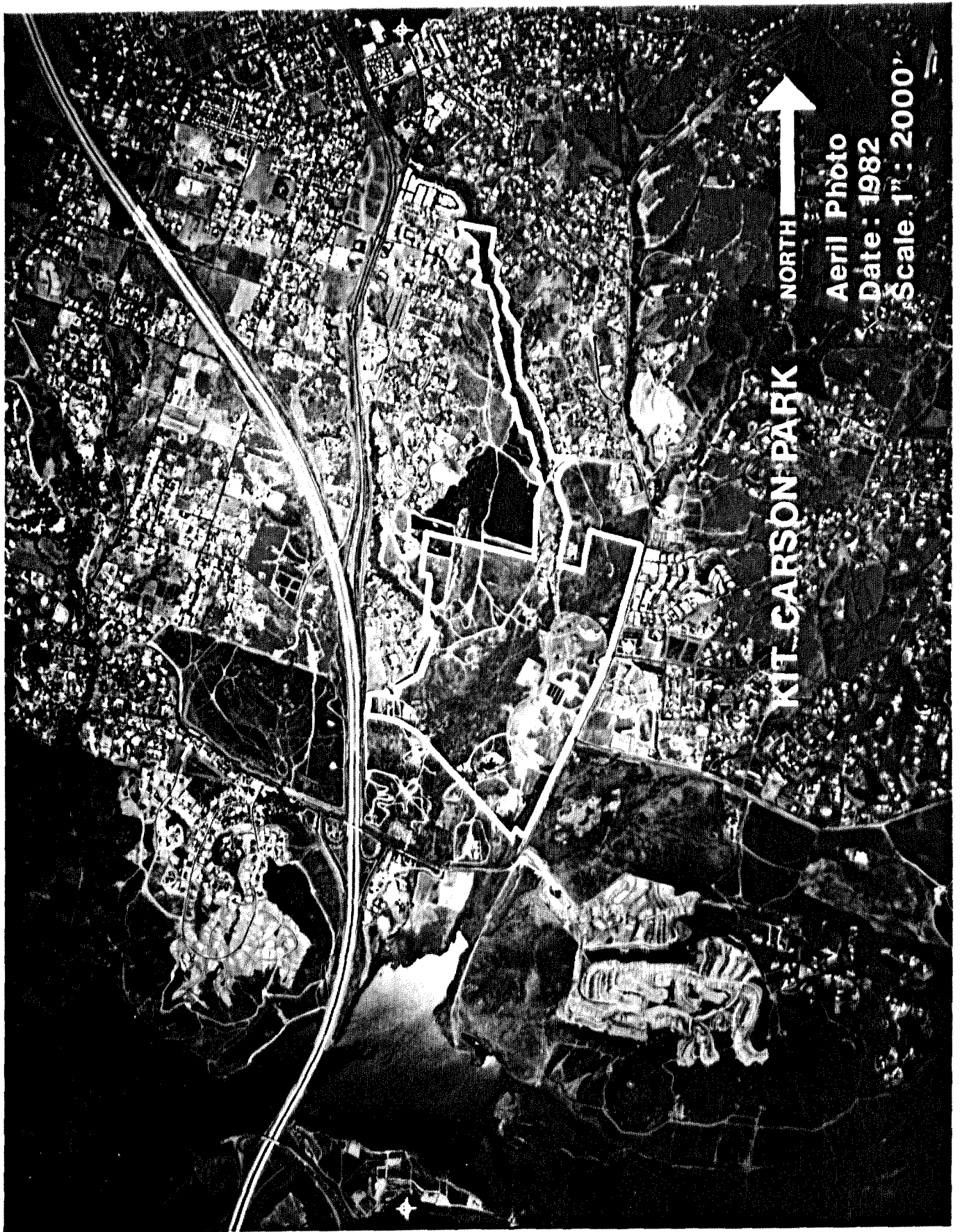


Figure 15

UTILITIES

Located within the Bear Valley Parkway corridor are primary feeds for water, sanitary sewer, storm drain, telephone, electric, gas and television cable. Lines from these utilities currently serve the site, but only extend into the eastern portion of the park. Development in the western portion will require utility extensions. The current utility mains will adequately handle any increased load as a result of park development. FIGURE 16.

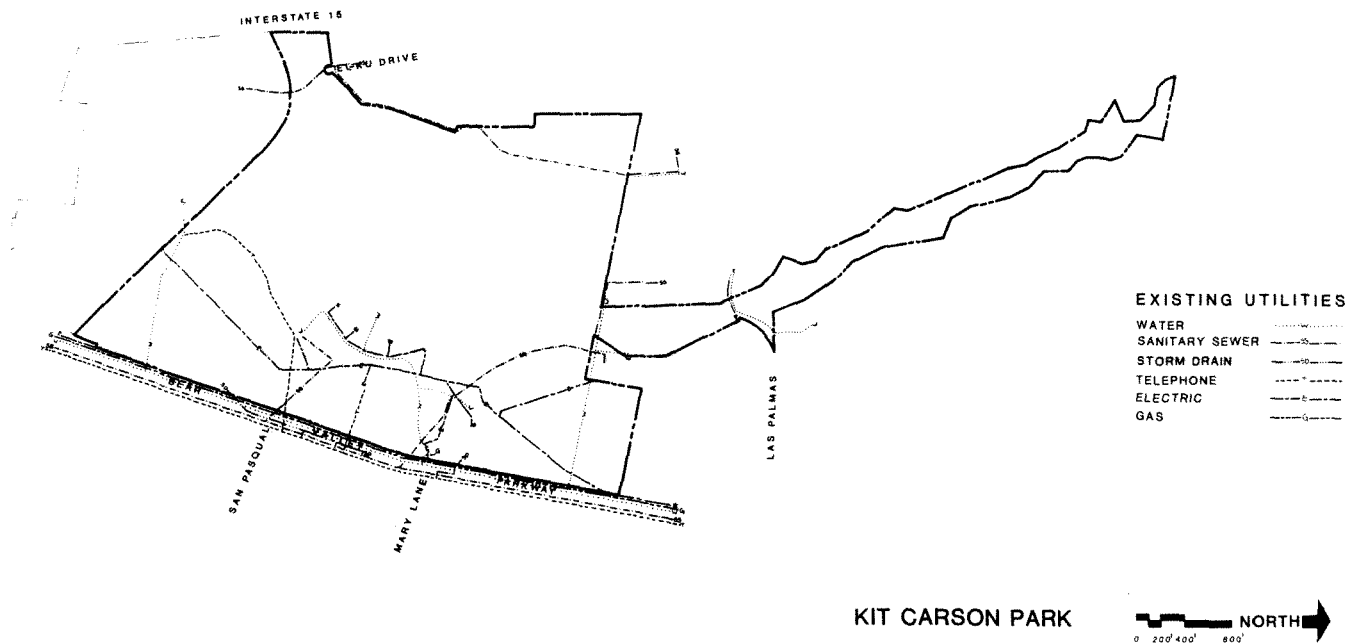


Figure 16

WELLS AND WATER

INTRODUCTION

The park is within the San Dieguito drainage basin located at the convergence of two tributary creeks which drain into Lake Hodges at the southern end of the park.

In early years, the Green Mutual Water Company tapped the aquifer with a series of 12 interconnected wells within the park's boundaries. During that period, the water quality was good enough to be used for agriculture grazing and domestic uses with the majority being used for orchard irrigation. Water was derived from both the Escondido Mutual and Green Mutual Water Companies.

WELL SITE LOCATION

Two-thirds of the well sites are located on the eastern side of the riparian area. Of 12 wells, number 7, located near Tree Lake is the largest, with a 95 foot well and a 135 gallons per minute pump capacity. FIGURES 23 and 18. Water pumped from these wells varied from 598-741 acre feet per year. This practice has been abandoned. Several dikes were built to collect and channel surface water for increased

percolation and groundwater recharge. Duck Lake was created by such a dike. FIGURE 17.

WATER QUALITY

During this period, the water quality was good enough for domestic use. However, present water quality does not meet municipal criteria for domestic use.

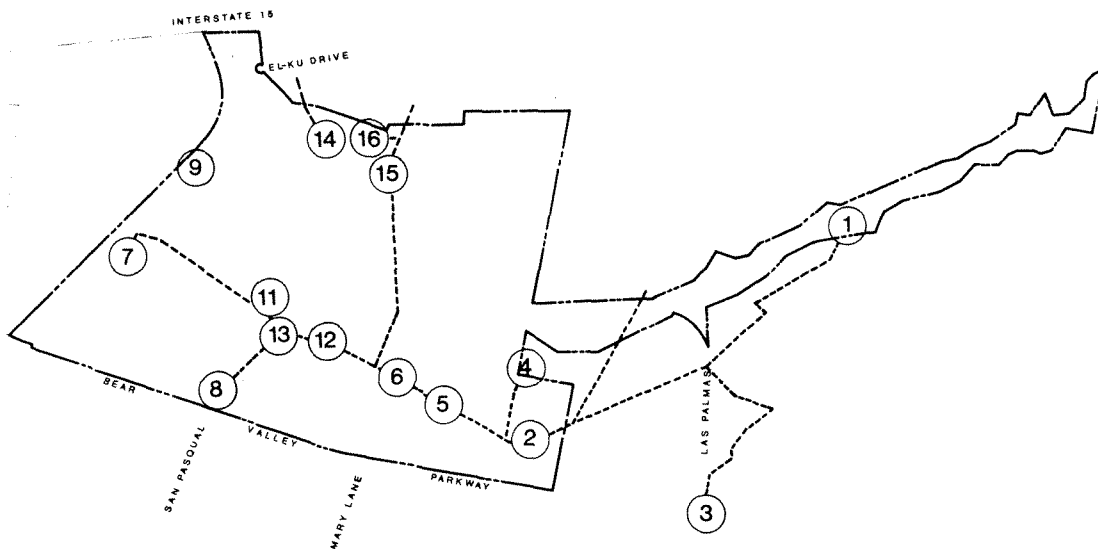
Some of the factors affecting the water quality are:

- ° Dissolved solid levels which are presently above the limit recommended by the state for potable water.
- ° Increased urbanization resulting from higher run-off from streets, septic tank systems, oils and insecticides.

Although the surface water and groundwater are two separate systems, they interconnect in a delicate ecological system.

TESTING

The existing physical condition of the pumps and wells is not known at present, but their specifications are shown in FIGURE 18, and accompanying graphs. FIGURES 20-28.



KIT CARSON PARK



wells

Figure 17

WELL DATA			GROUNDWATER DATA				PUMP DATA			LATERAL CHARTS	CHEMICAL ANALYSIS
WELL NUMBER	ELEVATION OF PUMP	WELL DEPTH	DATA AVAILABLE	AVERAGE DEPTH	LOWEST DEPTH	HIGHEST DEPTH	PRESSURE	HORSEPOWER	GPM		
2	397.3	88					5	3	70	X	
4	396.7	80					7	2	70	X	
5	388.3	60	56-73	18.5	40.0	3.8	8	2	70		
6	383.6	70	62-71	9.9	28.0	Flow	9	2	70		
7	359.4	95	56-76	44.4	84.6	7.3	22	15	135	X	
8	377.4	85	56-76	33.3	63.1	5.9	15	5	85	X	
11	367.0	70	62-76	18.6	57.0	2.0	16	3	80		
12	374.1	65	65-73	14.4	46.6	-.1		3	25		
13			60-63								
14			56-73	15.8	57.0	3.2		5			X
15			56-57	21.2	54.0	8.8					X
16			56-73	21.8	42.8	8.7		3			

Figure 18

There are five basic tests and/or feasibility studies that should be performed to prepare a basic data base for decision making:

- Pump testing and mechanical inspection,
- Select well sites for draw-down tests,
- Water quality tests,
- Soil tests for permeability, and
- Economic feasibility for domestic versus other sources.

WATER SUITABILITY

Although the water quality may not be potable, it may be suitable for irrigation.

The most recent information shows that salinity (total dissolved solids, or TDS) problems exist due to agricultural and municipal return flows and poor quality sub-surface inflow from the San Pasqual Basin. It is the quality of this runoff water which will largely determine the quality of water in the lakes fed through surface waters. FIGURE 19.

WATER QUALITY CRITERIA

The following basic fundamental criteria shape the quality requirements for use of existing groundwater and future reclaimed water for irrigation and lake re-charge:

Public Protection

- For the protection of the general public, the use of reclaimed water must pose no bacteriological or virological hazard.

Salinity

- Salinity (TDS) must be low enough to maintain favorable osmotic pressures for plants to take up water.

Chemicals

- Certain ions making up TDS, such as boron, chlorides and sodium, are specifically harmful to some vegetation. A high level of sodium can also be harmful to soils.

Trace elements

- Trace levels of certain metals and synthetic organics can effect plant growth. Obviously,

even very low concentrations of herbicides can be toxic to plant life.

Other constituents which effect water quality: (FIGURE 19)

CONSTITUENTS OF WATER QUALITY

Constituent	Recommended Limit	Remarks
pH	4.5-9.0	Most effects of pH on plant growth are indirect (e.g., pH effects on heavy metals' toxicity described above).
Fecal Coliform Density	1,000/100 ml	Irrigation waters at or below this limit should pose no hazard to animals or man from their use or from consumption of raw crops irrigated with the waters.
TDS	500-5,000 mg/l	Below 500 mg/l, no detrimental effects are usually noticed. Between 500 and 1,000 mg/l, TDS in irrigation water can affect sensitive plants. At 1000 to 2000 mg/l, TDS levels can affect many crops, and careful management practices should be followed. Above 2,000 mg/l, water can be used regularly only for tolerant plants on permeable soils.

Figure 19

(Source: Guidelines for Water Reuse. Camp Dresser & McKee Inc.)

Water Movement

- ° Return flows from both surface and sub-surface irrigation are non-point sources of pollutants and either are, or soon can be, subject to control. The quality requirements that are imposed on irrigation return flows may dictate a high quality of the applied water.

Solids

- ° Suspended solids, chemical precipitants, and algae growth can clog the spray nozzles and drip applicators of irrigation units.

Total Dissolved Solids (TDS)

The most recent tests for TDS show levels of 1,000 P.P.M.-plus and the most recent test at well number 7 of 1,342 P.P.M. During the period from 1956 thru 1976, when the Green Mutual Water Company operated, the Department of Water Resources monitored well data. Data was compiled on a month-to-month or quarter-to-quarter basis with several gaps in between.

The data shown on FIGURE 18, and graphs plot the well information. The "depth to groundwater" levels show two significant occurrences; the first being the seasonal fluctuations

of the levels, with the lowest occurring in the late fall and highest in early spring. They also illustrate a gradual increase in the water table level as a result of increased urbanization within the watershed. Well data was not kept on every well or was not available at the time of our research.

Water Sources

In the early past, the City of Escondido attempted to use reclaimed water for irrigation in the Park from the now dismantled treatment plant south of the park site. The reclaimed water from the plant was found to contain high levels of salinity and solids made up of clay soils.

PRIMARY PROBLEMS

The primary problems with use of the groundwater or reclaimed water is the total dissolved solids (TDS) in the water. It alters the osmotic state of water in the soil. When concentrations of TDS become high, plants can wilt even when they have been watered.

Control of salinity is an important criterion in open space landscape irrigation reuse systems. Where TDS is high, the

problem can be aggravated by poor leaching characteristics in the soils, high evapotranspiration rates and by the type of materials being irrigated.

OPPORTUNITIES FOR WATER

There are two opportunities for supplying non-domestic water sources for irrigation and lake re-charge: (1) groundwater usage with proper planning and (2) reclaimed water.

SOURCE 1

Groundwater usage from existing pumps could provide the water source. Pumping from the groundwater should not affect surface flows unless excessive pumping and overdraft occurs.

This would be prevented through establishment of a water management program to balance the flows and park ecology. Through proper planning to monitor surface flows and irrigation practices, run-off would minimize increases in TDS levels in the systems.

IRRIGATION MANAGEMENT

Practicing proper irrigation management is an important factor in the water management program. Certain systems, such

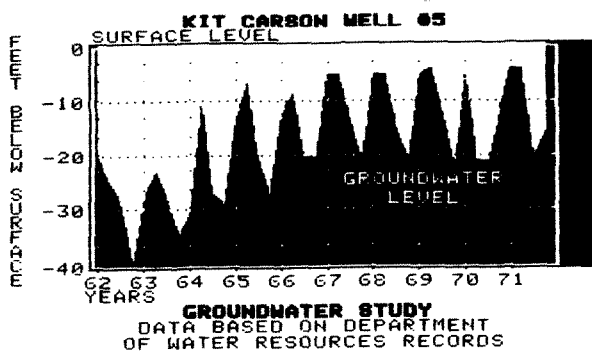


Figure 20

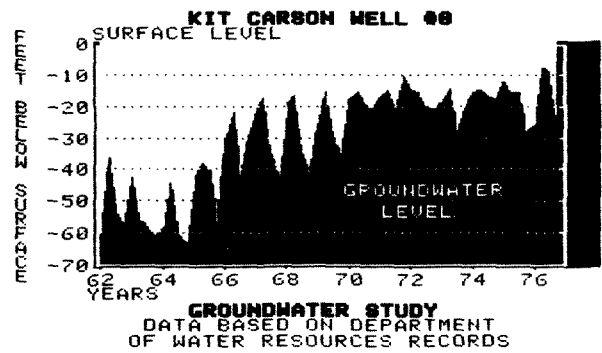


Figure 22

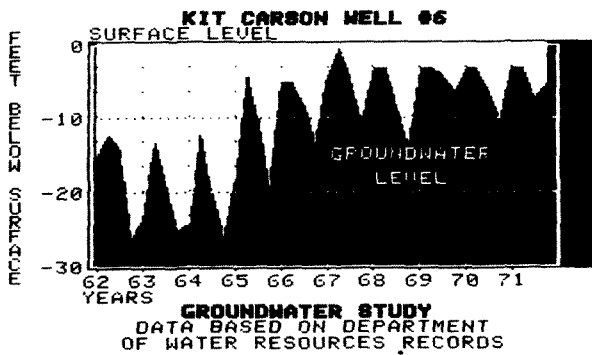


Figure 21

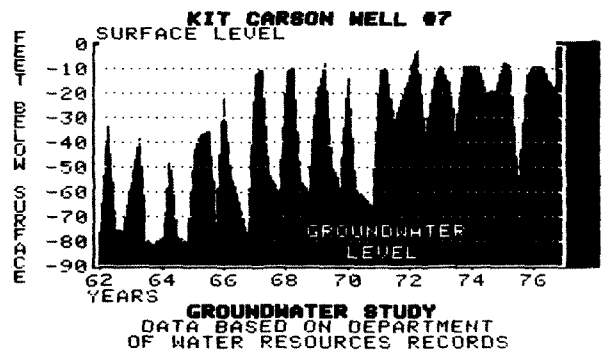
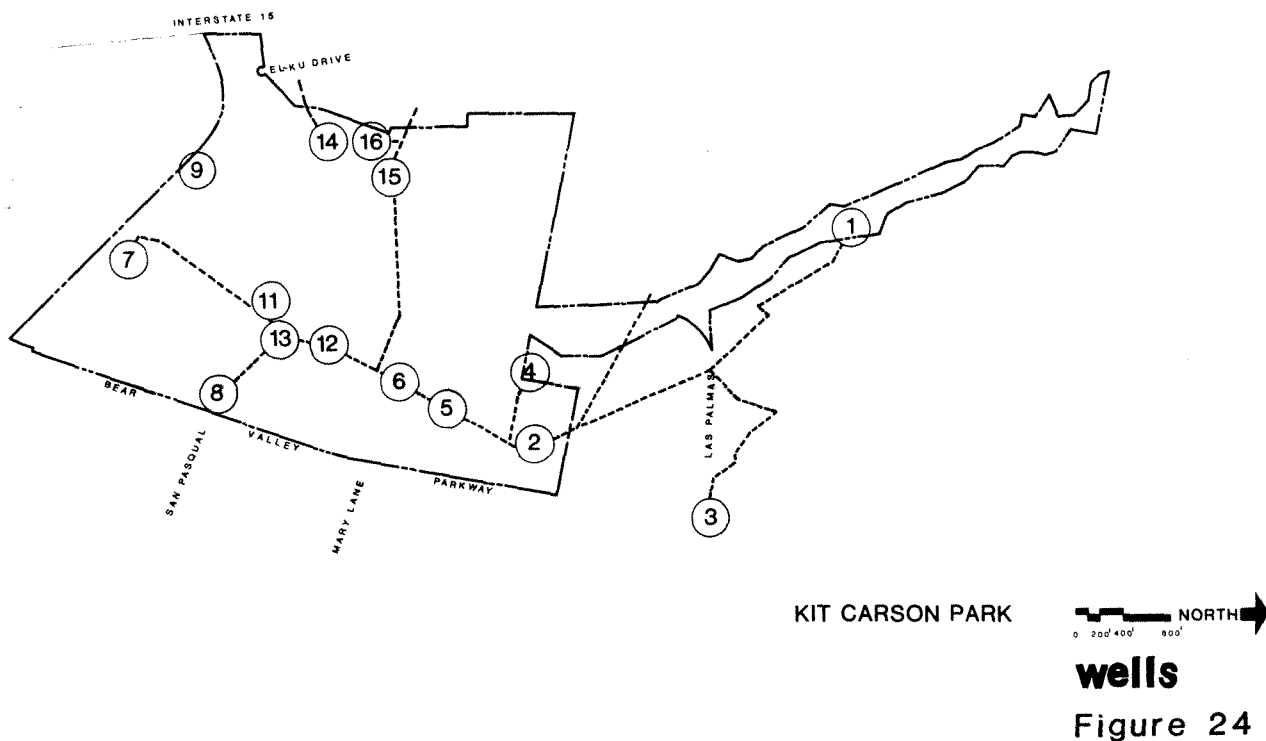


Figure 23



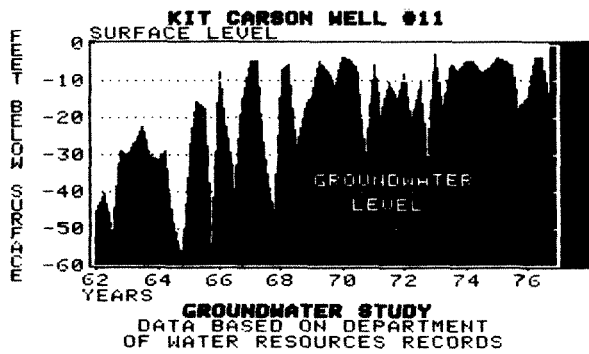


Figure 25

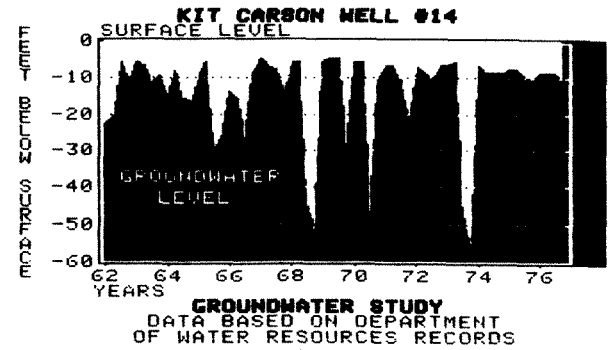


Figure 27

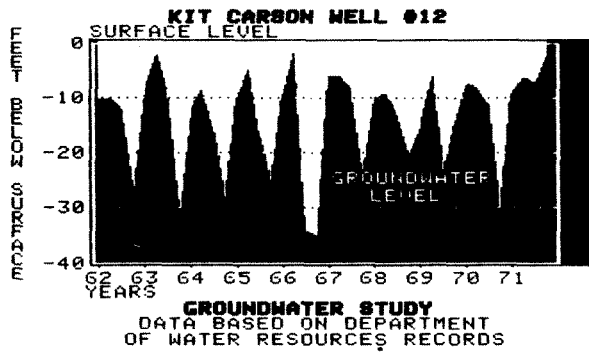


Figure 26

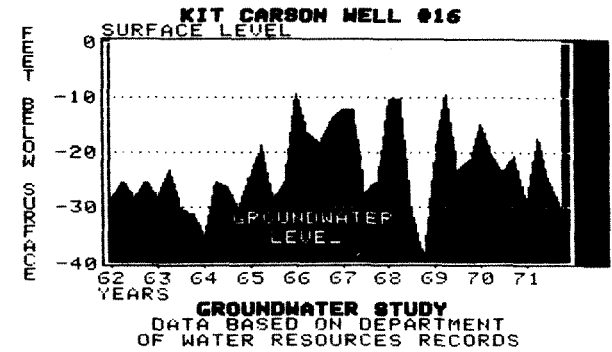
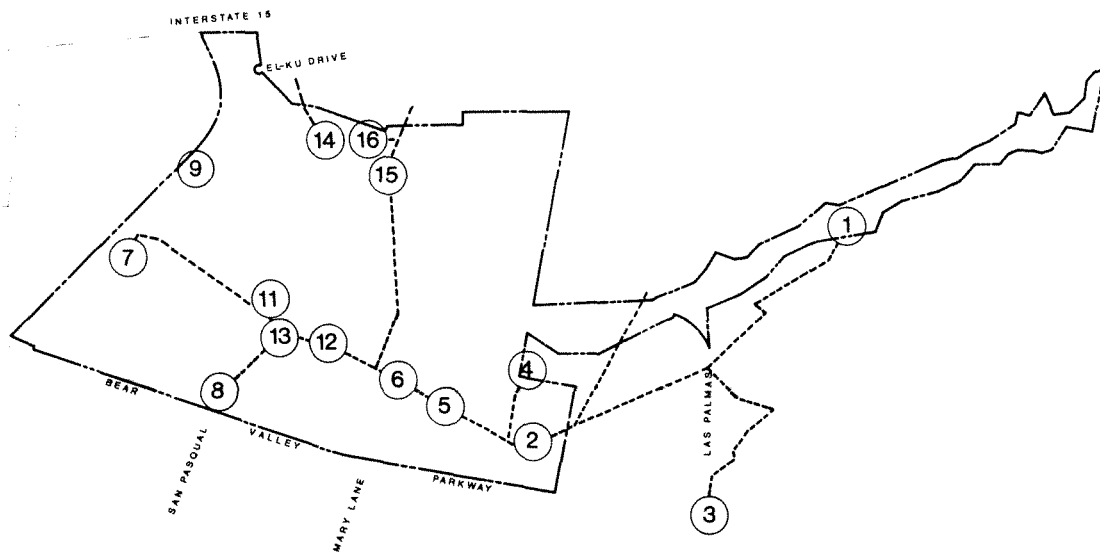
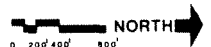


Figure 28



KIT CARSON PARK



wells

Figure 29

as drip irrigation methods, permit use of water with somewhat higher TDS than can be used for spray irrigation, because in spray irrigation, the higher salt concentration could damage foliage. Increased leaching will help to flush out excess salts in the soil, but at the risk of polluting groundwater. The lake system in the park provides a special opportunity for recreation and ecological preservation.

LAKE MANAGEMENT

Although some of the lakes are fed by groundwater, most depend on runoff from watershed areas and it is the quality of this runoff water which will largely determine the quality of water in the lake. Nutrients and pollutants may increase weed growth and sediment will cause the buildup of silt.

SOURCE 2

COUNTY STUDY

Presently, the San Diego County Water Authority is preparing a study on reclaimed water for the area called "Water Reuse Study for San Pasqual and San Dieguito Watershed".

HALE AVENUE PLANT

The project proposed would take reclaimed water from the Hale Avenue plant, desalinate and pump it into the San Pasqual Valley Aquifer via injection wells. The water would then be extracted at the east end of Lake Hodges and pumped to the north by the park at the corner of San Pasqual and Bear Valley Parkway.

If the irrigation value of reclaimed or groundwater is high enough, methods of demineralization, which can reduce TDS levels while retaining inorganic nitrogen as a nutrient in the water, are available.

SUMMARY

Because of the increasing potential for water shortages, coupled with increased costs, the use of groundwater and reclaimed water provides a viable and long-term cost effective method of maintaining recreational resources and values, particularly during drought seasons.

EXISTING SITE OBSERVATIONS

(1) HISTORICAL

- Fireplace from former Snooks Ranch existing has not been developed for park use or focal point

(2) FIRE STATION

- Potential conflict between emergency and public vehicles at Mary Lane entrance

(3) ACCESS POINT - NORTH

- Potential conflict with emergency vehicle access
- No sense of entry
- No graphic development

(4) VIEW - INWARD

- View into park unscreened, cluttered, many light poles for athletic fields visible, not a park-like view

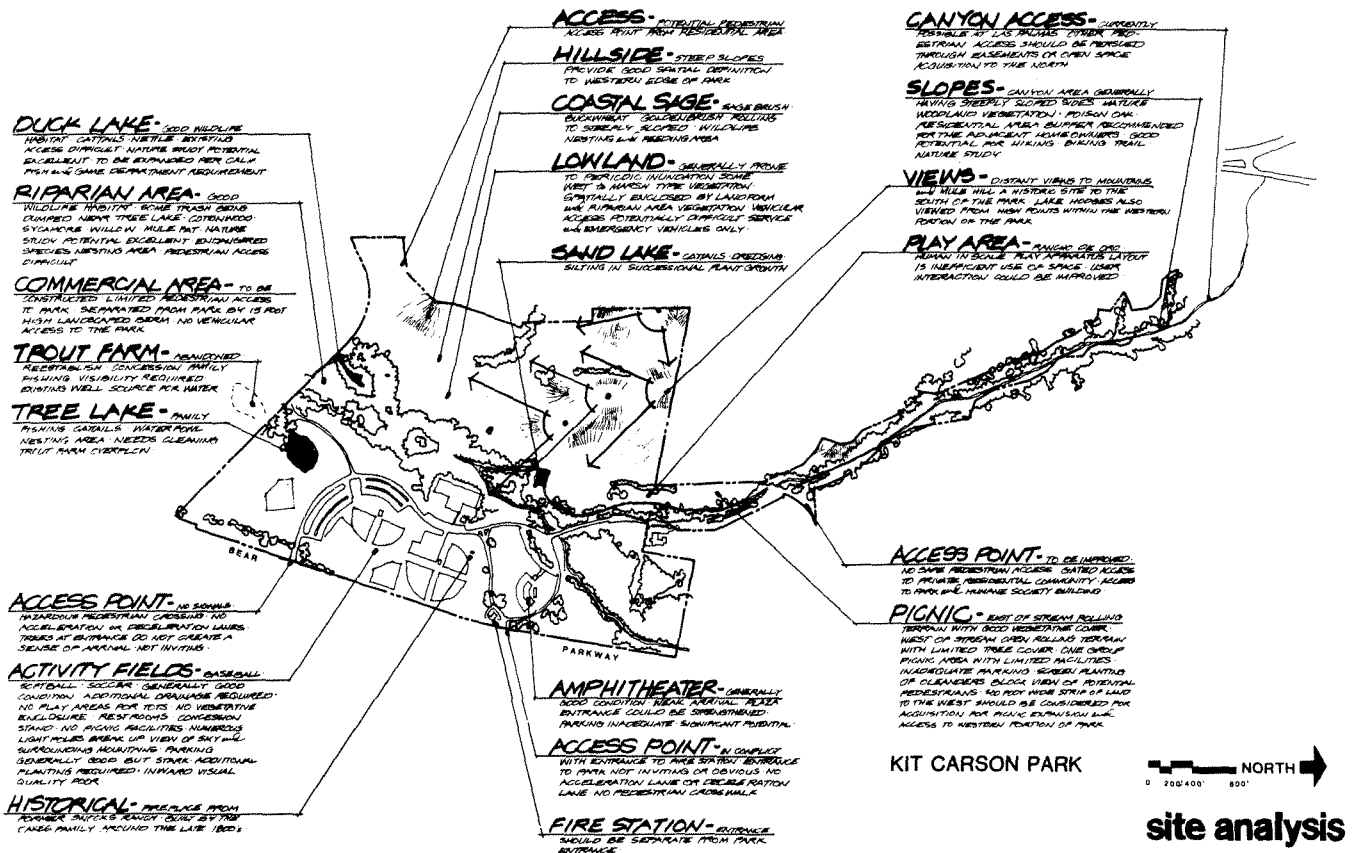
(5) TENNIS COURTS

- Seven existing courts in good condition
- Expansion to eleven courts possible

(6) AMPHITHEATER

- Approximately 1,800 permanent seating - 1,400 lawn seating
- Lawn areas adjacent inadequately drained
- Parking and circulation inadequate
- No sense of arrival
- Use not maximized
- Restrooms, stage and other facilities generally in good condition

FIGURE 30



(7) DUCK LAKE

- Good wildlife habitat, potential for additional wildlife habitat development
- Excellent nature study potential
- Difficult access
- Nettles, cattails

(8) COMMERCIAL INTERFACE

- Access to park limited to pedestrian and bicycle
- Bike and pedestrian path running along the top of a landscaped berm between commercial center and park

(9) TROUT TARN

- Abandoned concession to be reestablished
- Needs proximity to water source
- Public visibility required
- Parking required

(10) TREE LAKE

- Family fishing area
- Clean-up required
- Trout tarn overflow

(11) ACCESS - SOUTH

- No signals
 - Hazardous pedestrian crossing
 - No acceleration or deceleration lanes
 - No sense of arrival
 - No entry graphics
- FIGURE 31

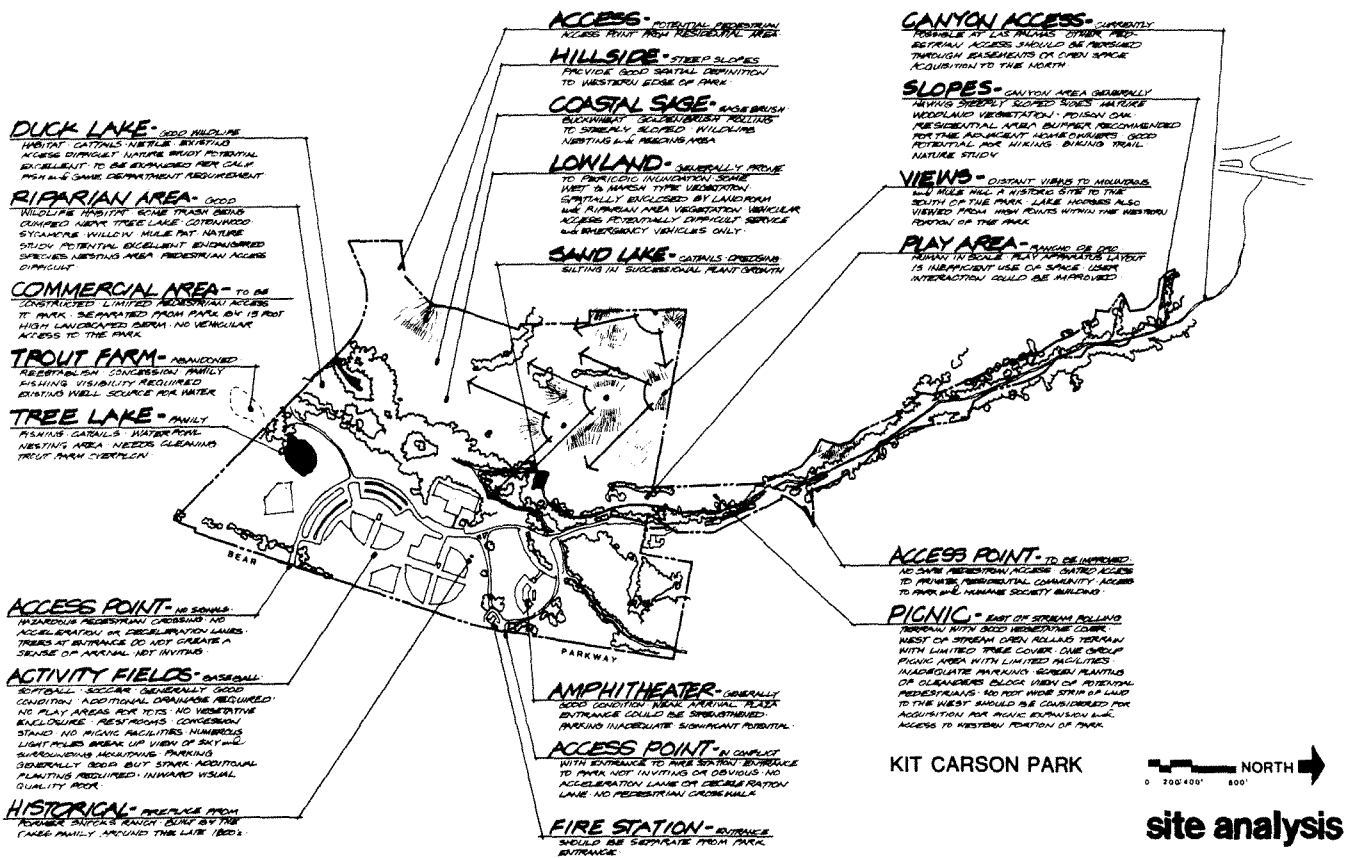


Figure 31

(12) SAND LAKE

- Successional plant growth
- Siltation evident
- Man-altered shoreline
- Adjacent to riparian area - nature study potential high
- Waterfowl area

(15) HILLSIDE

- Steeply sloping
- Provides good spatial definition to western portion of the site

(13) LOWLAND

- Generally disturbed or man altered
- Successional plant growth
- Dump Site
- Subject to inundation
- Slow runoff

(16) ACCESS

- Potential access point to western portion of the site
- Residential street

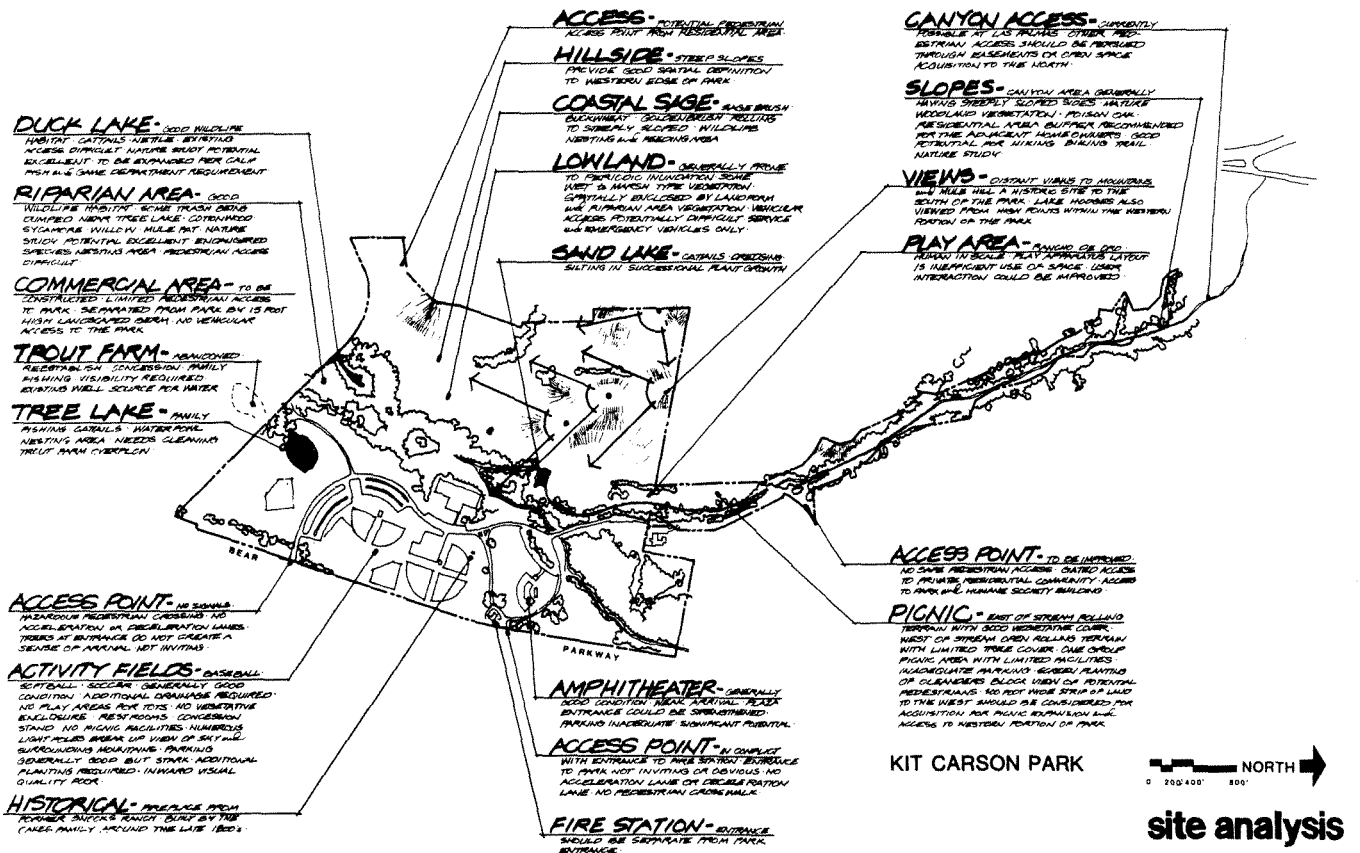
(14) COASTAL SAGE

- Sagebrush, buckwheat, goldenbrush
- Rolling to steeply sloped
- Wildlife nesting and feeding

(17) PICNIC

- Open and relatively flat - some low spots
- Vegetation immature
- New restroom facility
- New gazebo and group picnic area
- Supplemental temporary parking along western edge

FIGURE 32



PICNIC (cont.)

- Parking limited
- Roadway use hazardous to pedestrians
- Eastern portion good vegetative cover along stream
- Western open and rolling with boulder grouping

(20) PEDESTRIAN

- No pedestrian circulation exists between park uses
- Jogging and hiking occur on an uncontrolled basis

(18) VIEWS

- Park (main body) high point
- Panoramic views excellent
- Manmade trails
- Erodible soils
- Possible nature study observation point

(21) BICYCLE

- No bicycle paths exist within the park
- Bicycles currently use roadway and/or lawn areas

(19) CANYON

- Steeply sloped canyon walls
- Relatively mature oak woodland with sycamores along stream
- Heavily vegetated in poison oak
- Development difficult
- Trail possible
- No northern access

(22) VEHICULAR CIRCULATION

- Speed limit is not enforced
- Uncontrolled access by vehicles to sensitive areas
- Casteneda Drive, north of Humane Society Building, hazardous to pedestrians
- Internal park intersection narrow and potentially hazardous

FIGURE 33

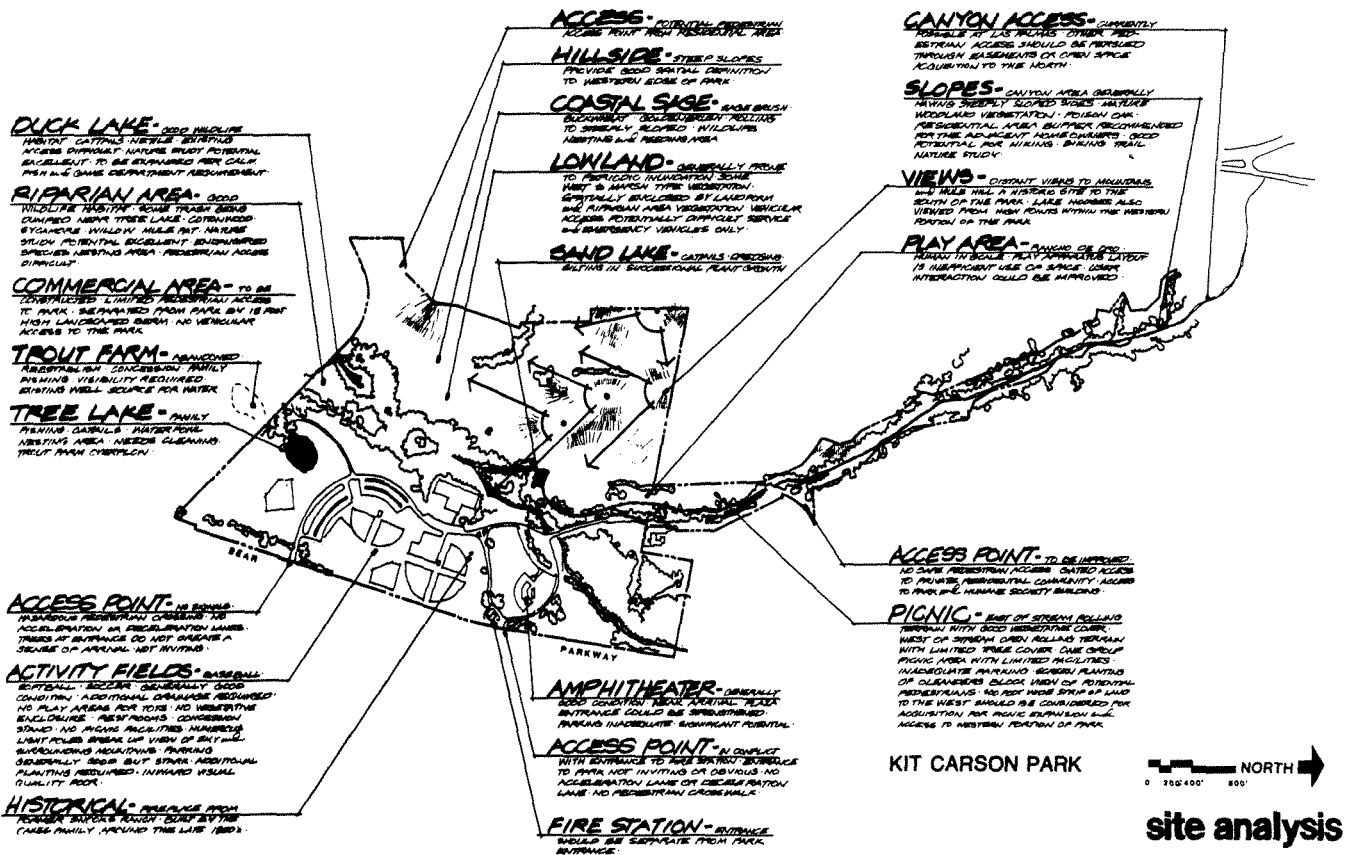


Figure 33

(23) ARROYO PLAY AREA

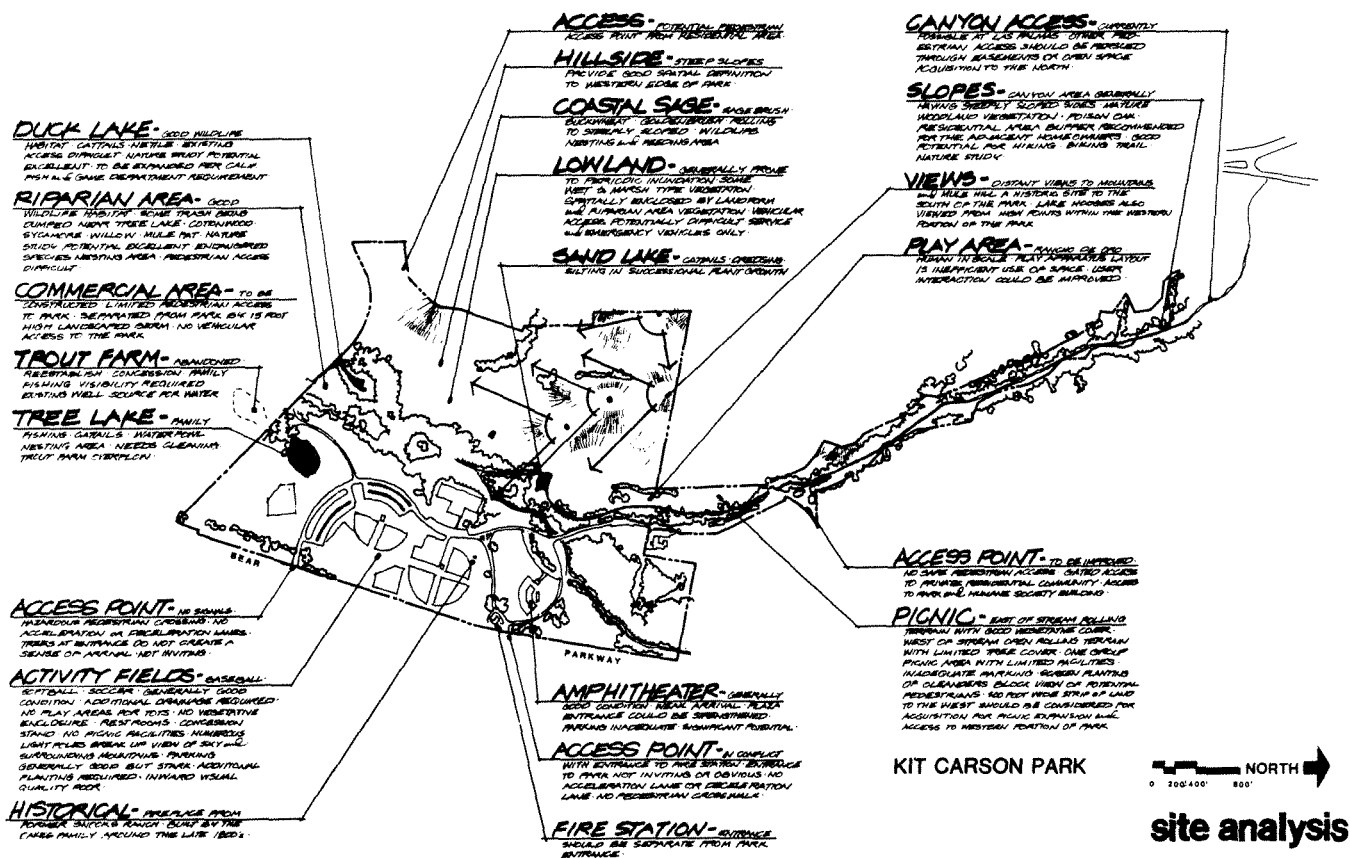
- Enclosed feeling - screened from rest of park
- Diverse introduced vegetation
- Gated entrance-not inviting
- Low/flatland strong stream subject to periodic inundation
- Play apparatus generally large - out of scale with children - dispersed throughout area
- Limited open play
- Fenced
- Parking limited

(24) PARKING

- Parking generally is inadequate for the amphitheater area and other park uses
- Parking areas generally inefficient
- Developed as a "sea of asphalt" no relief - no planting islands to break up monotony
- Some turning radii are too small
- Limited parking area lighting
- "Some unstructured overflow parking - inadequate and inefficient."

GENERAL

- Benches other than picnic tables do not exist
 - The number of picnic tables is inadequate
 - Signage within the park is minimal and unaesthetic - no area identification signage - inconsistent graphics
 - No entry graphics or monumentation
 - Trash receptacles are either the 30-gallon drum or dumpster type with no enclosures for screening. Locations are inconsistent and additional areas required
 - Drinking fountains appear in the tennis court area and in conjunction with the ballfield restroom facilities. Additional drinking fountains appear to be needed throughout the park.
 - Lighting within the park is confined to the ballfield area and limited parking lot lighting. The number of light poles and glare in the ballfield area make the lighting visually unpleasing.
- FIGURE 34.



site analysis

USE TO USE ANALYSIS

INTRODUCTION

As part of the planning process, user and cultural information was collected and analyzed.

One technique was to prepare a "use to use" metrics chart. This allowed Van Dyke/Halsey to evaluate numerous potential uses to determine inter-relationships and suitabilities. Three objectives were targeted to measure use relationships and their compatibility: (1) compatible, (2) limited compatibility, or (3) not compatible.

SUMMARY

This resulted in identified special consideration, design controls, the relationship between compatible uses and/or whether further study would be required.

This material was overlaid with user demands and environmental data to determine impact and priorities.
FIGURE 35.

FACILITY	AREA SUITABILITY					FACILITY REQUIREMENTS										
	IMPACT POTENTIAL	RIPARIAN	HILLSIDE	LOWLAND	CANYON	ORIENTATION	AREA REQUIRED	PARKING	ELECTRICITY	GAS	WATER	SEWER	RESTROOMS	TELEPHONE	REVENUE GENERATOR	STAFF REQUIREMENTS
AMPHITHEATER	H					NS										
ARBORETUM	L					NS	50'x400'									
ARCHERY	M					NA										
ARTS & CRAFTS	M					NS	400'x100'									
BASKETBALL	M					NS	60'x100'									
BICYCLING	L					NA	8'-12'									
BOATING / SAILING	M					NA	4-8 miles									
CAMPING	M					NA										
CANOEING	L					NA	4-8 miles									
COMMUNITY CENTER	H					NA										
COMMUNITY SPORTS CENTER	H					NA										
CONCESSION AREA	H					NA										
DRIVING RANGE	M					N										
EQUESTRIAN AREA	H					NA										
EQUESTRIAN TRAILS	M					NA	6-10'									
FISHING	M					NA										
FOOTBALL	M					NS	200'x100'									
GOLF	H					NS	75-150 ac.									
GRASS SKIING	H					NA	1-1.5 miles									
HIKING	L					NS	10'x50'									
HORSESHOE	L					NA	2 miles									
JOGGING/EXERCISE COURSE	L					NS	150'x150'									
LAWN BOWLING	M					NA										
MINI RAILROAD	M					NA										
MOTO CROSS	H					NA	4 miles									
NATURE STUDY	L					NA	5 miles									
OBSERVATION	L					NA										
OPEN FIELD PLAY	M					NA	1-2 miles									
PETTING ZOO	H					NA	1 acre									
PICNICKING (GROUP)	H					NA										
PICNICKING (INDIVIDUAL)	M					NA										
PLAY AREAS	M					NE	50'x50'									
PRO SHOP	H					NA										
SKATE BOARD	M					NS	225'x360'									
SOCCER	M					NS	275'x475'									
SOFTBALL	M					NW										
SWIMMING BEACH	H					NS										
SWIMMING POOL	M					NS	60'x180'									
TENNIS	M					NS	275'x750'									
TRACK & FIELD	M					NA										
TROUT FARM	H															
WATERSLIDE	H															

Figure 35

USE TO USE ANALYSIS

LEGEND

COMPATIBLE: special design considerations normally not required (represented by a circle symbol)

LIMITED COMPATIBILITY (OR N/A): special design considerations required (represented by a square symbol)

NOT COMPATIBLE (represented by a triangle symbol)

KIT CARSON PARK
 Escondido, California
 Community Services Commission

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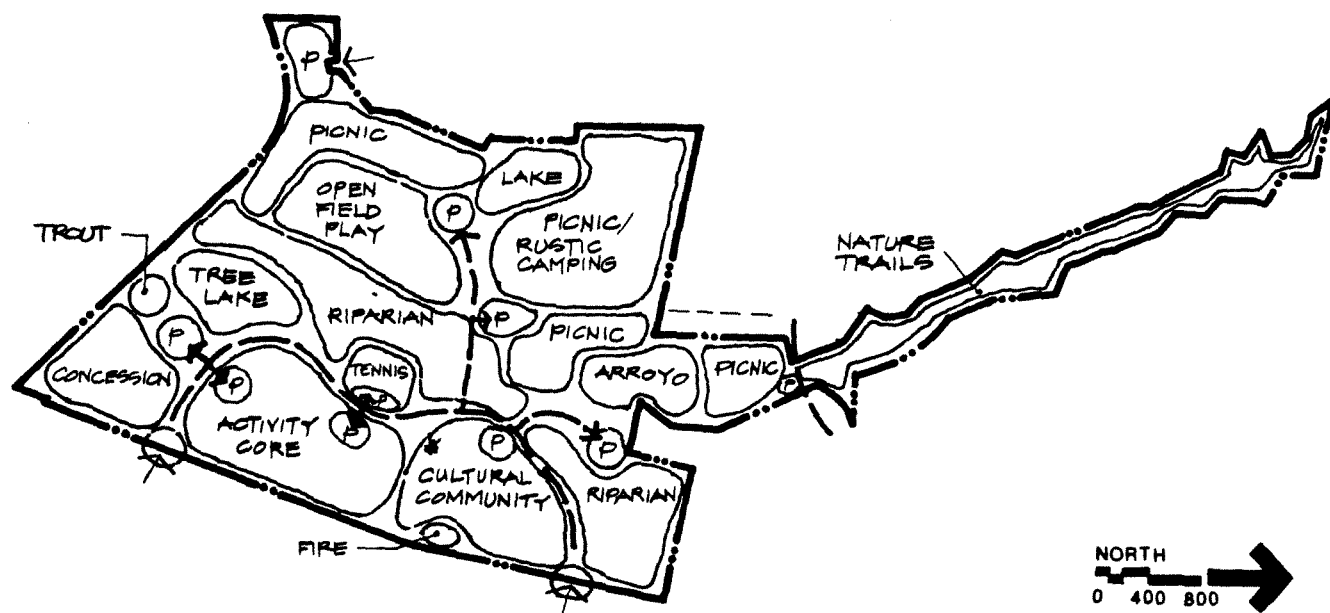
ALTERNATIVE SCHEMES

Alternative schematic studies were prepared for City and public review after completion of Phase 3. At this time, public opinion surveys were taken to determine preferred park uses and responses to the schematic plans.

SCHEME "A"

"A" maintained the eastern activity core, tennis complex, riparian area and a major portion of the existing roadway. Additionally, it called for concessions and hobby areas in the southeast corner and a Cultural and Community Center in the area of the

existing chimney and amphitheater. Also, relocation of the north entrance to align with Alamo Lane and the elimination of Casteneda Drive north of the Humane Society to Las Palmas Avenue. For the western portion of the park, in the low, relatively flat area, open field play was proposed with picnic, rustic camping, and interpretive trails planned for the balance. Tree Lake would be increased in size to approximately 5+ acres. An additional storage lake was proposed in the western canyon, an area previously used for water impoundment. FIGURE 36.



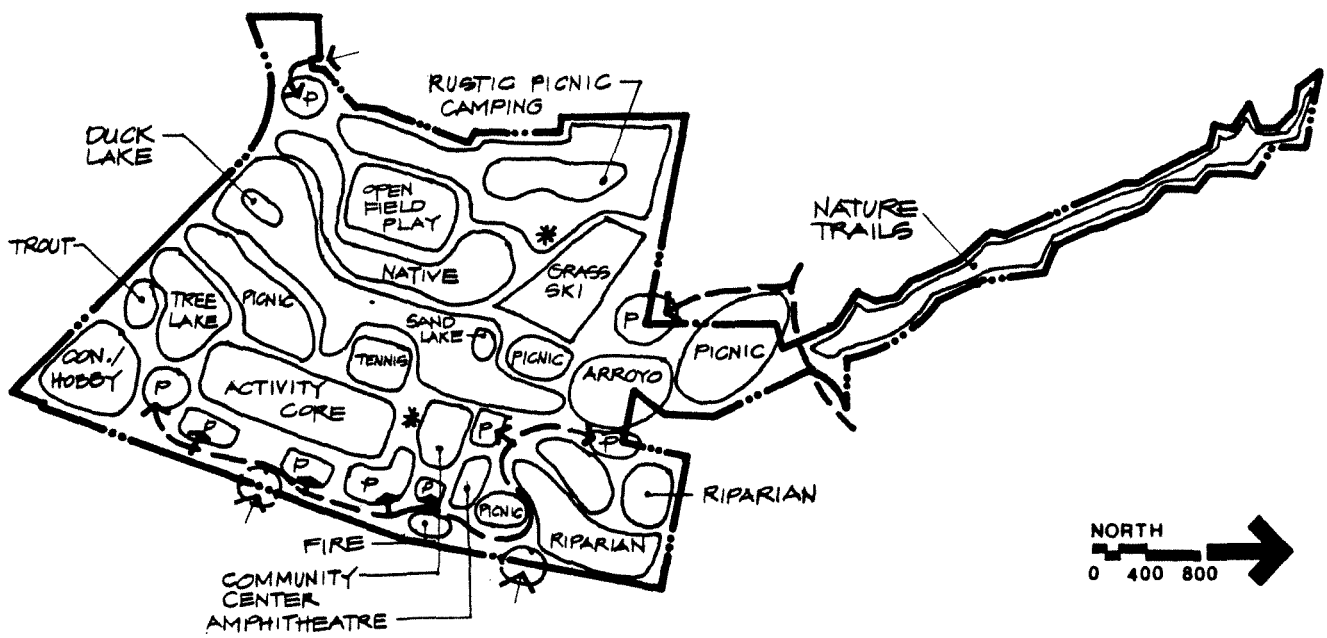
KIT CARSON PARK
SCHEME 'A'

Figure 36

SCHEME "B"

"B" proposed major layout changes, but uses remained relatively the same. Vehicular circulation and parking were shifted to a frontage road concept with expanded parking nodes adjacent to these facilities. Significant realignment of fields in the activity core was proposed. Additional picnic facilities and concession and/or hobby areas were also proposed for the east side. Rustic picnicking, camping, open field play and a grass ski facility were

proposed for the west portion, along with the preservation of a significant acreage of native vegetation as a buffer to the riparian habitat. Lakes and lake expansions were as proposed in Scheme "A". Access to the western portion of the site was gained through El-Ku Drive and off Las Palmas, west of the existing picnic area. FIGURE 37.

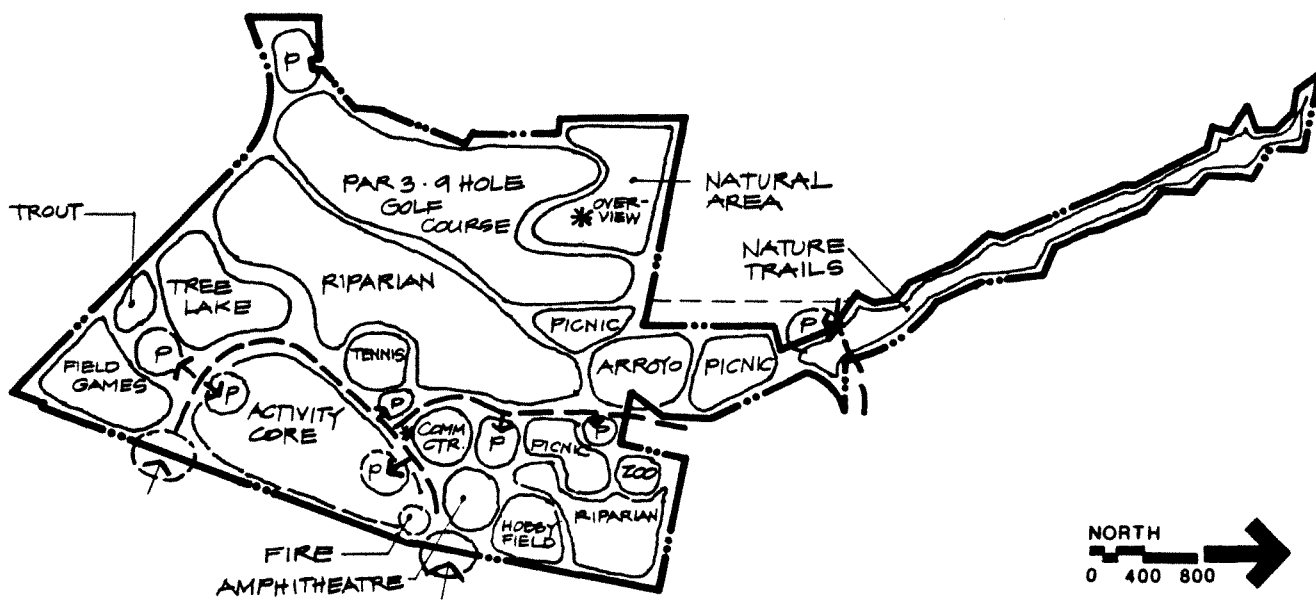


KIT CARSON PARK
SCHEME 'B'

Figure 37

SCHEME "C"

Proposed realignment of the existing roadway north of the existing tennis courts, additional picnic areas, and a Par 3 executive golf course west of the riparian area. The steeply sloped ridge that enters the main body of the park from the north would be maintained as a natural area with trails and observation points. Realignment of some of the fields in the activity core and field games area would be required. In conjunction with the Humane Society, zoo type facilities were proposed. FIGURE 38.



KIT CARSON PARK
SCHEME 'C'

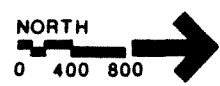


Figure 38

SCHEME "D"

With the elimination of through-circulation, significant realignment of activity fields, concession areas and relocation of existing parking areas proposed the most severe changes to the existing facilities. West of the riparian area, a nature center, open field play, picnic area, native vegetation preservation area and two lakes were proposed.

All schemes indicated a need to provide a landscape buffer along Bear Valley Parkway, maintaining the panhandle for nature trails and a pedestrian/bicycle link system.

The responses from both City and public preferred to have the western portion to be planned as a nature interpretive center and passive recreational uses. Scheme "A" reflected a preference to maintain the existing park improvements, i.e., restrooms and concession facilities much as they are. Some field realignment was acceptable. The north park entrance at Mary Lane was felt to be preferred as it is signaled. FIGURE 39.

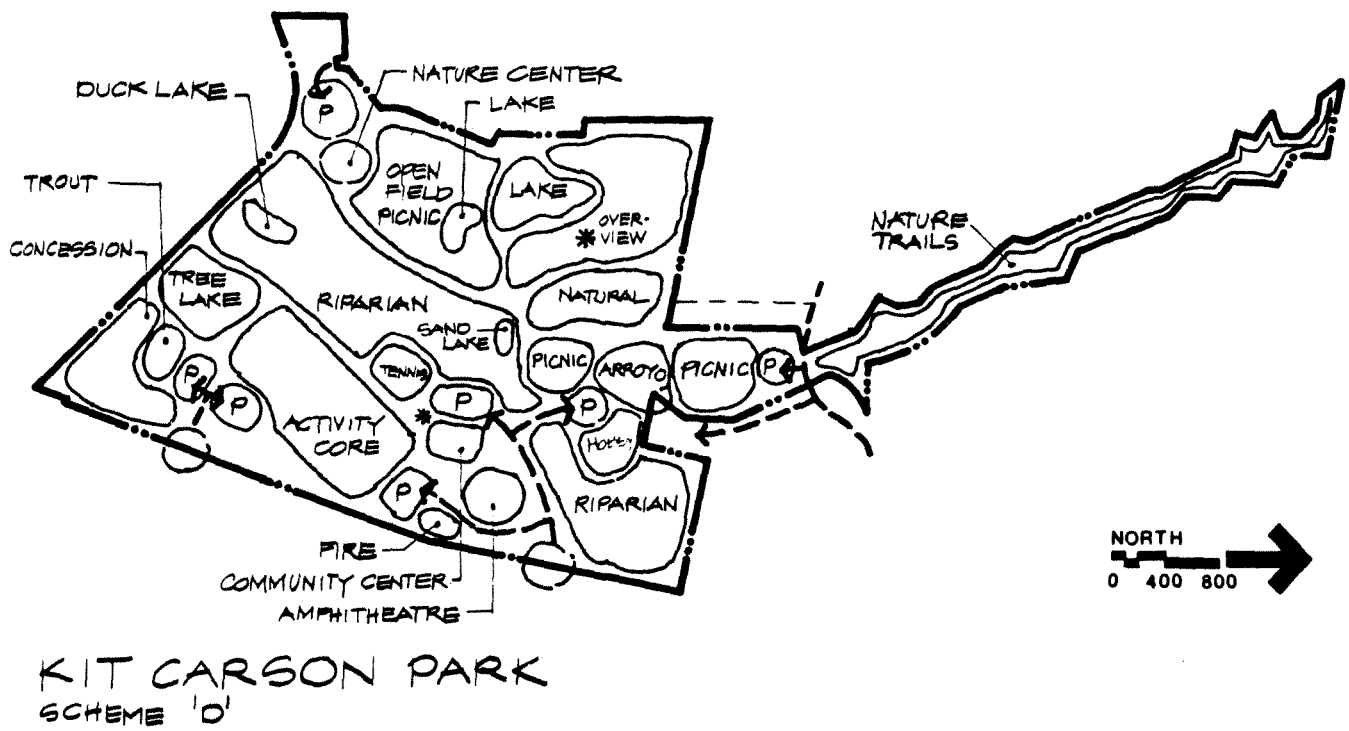


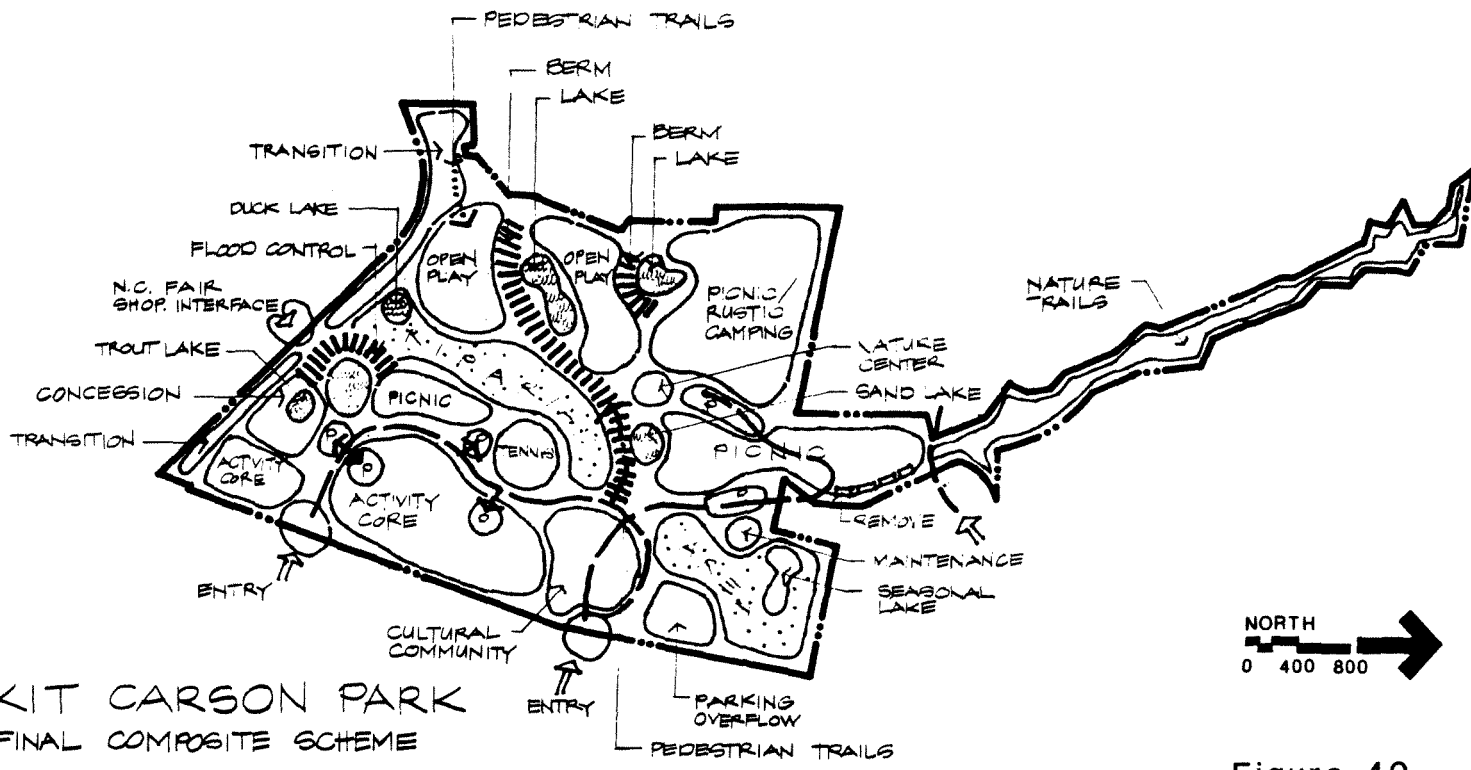
Figure 39

FINAL COMPOSITE SCHEME

FINAL

The final concept development plan shown in FIGURE 40 refines the initial program recommendations using input from the environmental data sections, E.I.R. process, City departments and community review process.

The Final Composite Scheme establishes specific use concepts for Kit Carson Park. The important step in the process was the cross referencing of specific site environmental resource information with potential uses and community needs to evolve the final plan.



KIT CARSON PARK
FINAL COMPOSITE SCHEME

Figure 40

MASTER PLAN IMPLEMENTATION

SPORTS AREA IMPROVEMENTS

INTRODUCTION

After the completion of Phase 4, a composite plan was prepared in Phase 5 illustrating and combining desirable elements of the alternatives and community feedback. The area relationship plan in FIGURE 40 illustrates diagrammatically the final approved plan for Kit Carson Park. This plan was then developed in detail with the following recommendations.

FIGURE 55.

RECOMMENDATIONS

The following recommendations establishes the parks theme and major facilities. They are divided into park zones, basically relative to the parks physical character and uses. For a summarized version, see the Summary Recommendations Section.

USERS

Community input and high user demands indicated a significant need for intensive use areas (field activities). Areas within Kit Carson that can compatibly accommodate this type of use are very limited, so multi-use programming of fields is recommended.

The overlapping of baseball/softball fields and soccer or football fields results in a savings of 40-50% of land required to accommodate these uses. This savings does not include the savings realized by the reduction of parking if the facilities were to be developed separately at individual sites.

SPORTS AREA

Currently (8) ball fields, (2) structured soccer fields and (5) unstructured soccer fields exist. Four of the (8) fields accommodate approximately a 250 foot radius. The balance fall in the 200 foot range. Realignment of two fields along Bear Valley Parkway will allow for the multi-use concept and provide the opportunity for buffering the uses from the roadway.

REALIGNMENT OF FIELDS

The realignment of ball fields in the central core will allow for (7) and possibly (8) fields. Orientation and size must be considered during detailed design development. FIGURE 41.

The present configuration of fields that are directly adjacent to the existing concession/restroom buildings will be maintained. Relighting of the field areas should be considered to achieve the following:

- 1) Provide more efficient and higher quality field lighting.
- 2) Reduce glare through the use of cut-off luminaires.
- 3) Provide a more aesthetic park environment.

The area south of the park road will be developed into (2) ball fields and (2) soccer/football fields. The total number of athletic fields for Kit Carson Park will be 9-10 ballfields and (7) soccer/football fields. Additional parking will be provided south of the park road for the expanded activity fields and adjacent uses. In addition to the development of the activity fields, satellite play areas, informal picnic areas, pedestrian and bicycle circulation, signage and fitness trails will be provided.

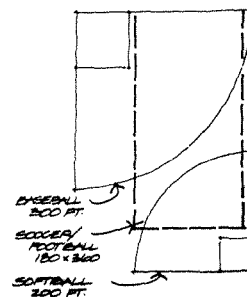
FIGURE 41.

TENNIS COMPLEX

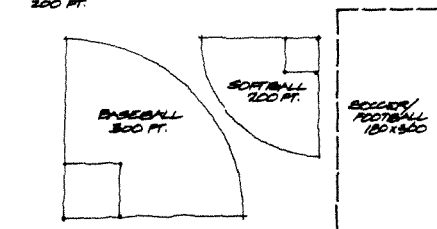
Full build out of the existing tennis court complex is proposed. In addition to the existing (7) tennis courts, (4-8) courts are to be added. These courts should provide for lighting at a later phase.

The (14) court complex should be complemented with the development of a pro shop, meeting/classroom and restroom facility. This building would also function to monitor court times and reservations and schedule tennis tournaments for private groups and schools.

MULTI-USE FIELDS



MULTI-USE FIELDS	
4.0A	1-BASEBALL 1-SOFTBALL 1-SOCCER/FOOTBALL
8.1A	2-SOFTBALL 1-SOCCER/FOOTBALL
SINGLE-USE FIELDS	
6.9A	1-BASEBALL 1-SOFTBALL 1-SOCCER/FOOTBALL
9.2A	2-SOFTBALL 1-SOCCER/FOOTBALL



SINGLE USE FIELDS

Figure 41

HYDROLOGY AND RIPARIAN HABITAT

INTRODUCTION

The proposed water management and flood control system involves a comprehensive and interfaced network between watershed, park ecology and recreational uses via a three-tiered system: (1) controlled release, (2) water impoundment, and, (3) re-charge through a lake system. Basically the proposal calls for utilizing water resources, including potential reclaimed water for irrigation and ecosystem balancing.

For example, reclaimed or groundwater can be used effectively to create or reclaim wetlands and lakes that are valuable assets and wildlife havens. Moreover, water discharged into these managed habitats can receive the equivalent of "tertiary treatment" through natural physical and biological processes in the ecosystem.

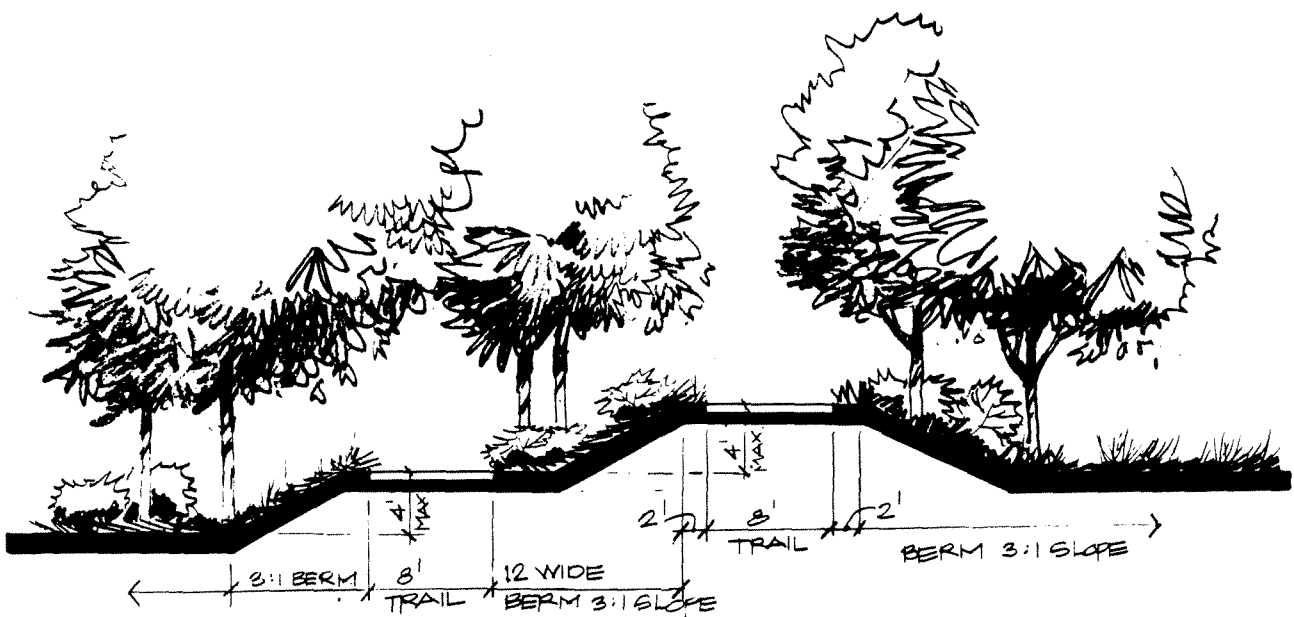
FLOOD CONTROL CONCEPT

The system would employ velocity dissipators, low profile berms and lakes for control and diversion of flood waters.

The function of the berm system concept is to prevent destructive and erosive floodwater run-off flows to damage the ecosystem. Its primary purpose is to manage the 50- and 100-year flood flows. Secondly, it will act as a seasonal water management system. The system would impound water flows during the winter months as run-off from the two converging drainage flows enter the park. Normal low flows will be able to pass through during a normal seasonal basis. This would maintain and improve the quality of the lakes and wetlands.

BERM

The main element in the system is a berm approximately 2 1/2 to 3 feet high and 30 to 35 feet wide. The berm proposed is a low profile berm designed to blend in and flow naturally with the topography of the site. (SEE FIGURE 42) This, plus revegetation, will blend the feature into the riparian landscape. The actual design of the berm will be developed through further engineering studies during preparation of construction documents.



FLOOD CONTROL BERM PEDESTRIAN & MAINTENANCE ACCESS

Figure 42

The berm will act as part of the circulation system within the park, providing pedestrian, bicycle and maintenance access to the western portion of the site.

DRAINAGE FLOWS

Two main drainage flows, one from the panhandle and the other east of Bear Valley Parkway, impact the park. The panhandle flow is 20 percent of the Bear Valley flow, but with higher velocities and silt which combine to be very erosive. To reduce the velocities, a series of drop structures is proposed from the Las Palmas bridge through the Arroyo picnic area to Sand Lake. These structures will reduce the velocities and their erosive forces.

SAND LAKE

Sand Lake is the first desiltation basin and is located adjacent to the proposed berm and service road. This will allow for easy maintenance. Water impounded by Sand Lake would then be released through the proposed water and wetlands management program.

During severe flooding periods, the berm concept would allow water to impound behind the berm moving and spreading westerly into the lowland towards Lower Lake. Upper Lake is fed by intermittent surface flows from Rancho Los Palmas to the north.

Once capacity is reached, flood waters would flow over the length of the berm at a low velocity with most of the silt having already dropped out. It then continues northerly towards Tree Lake and Duck Lake, terminating at North County Fair's flood control structure. The water continues its journey towards Lake Hodges under the shopping center.

NORTH COUNTY FAIR FLOOD CONTROL

The North County Fair's flood control and desiltation system should, by design, allow Tree Lake to function as a natural recreational water body during normal seasonal flows. Protection and interface with the fragile park ecological systems and proposed recreational development is absolutely necessary in order to preserve a natural lakeshore beauty.

LAKES AND PONDS

INTRODUCTION

The proposed lakes and ponds for Kit Carson Park can be divided into three categories: (1) those created by the construction of dams to impound water from springs, streams, or surface runoff; (2) those created by dredging; and, (3) those created by a combination of these methods. FIGURE 43. They can also be classified according to whether they are on-channel (constructed so that the stream flows through the impoundment), or off-channel (constructed so that the stream by-passes the impoundment) and according to whether their water supply is groundwater or surface water.

The development and management of lakes and ponds, whether they are natural or man-made, is a complex task and can cause many difficulties.

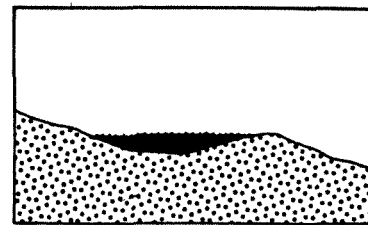
LAKE DESIGN

The design of the overall shape of lakes and their shorelines is most important for their future use and maintenance. Wind patterns, water flow patterns and suitability of the shoreline for various uses

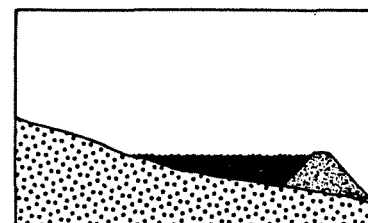
are all factors that need to be considered during the construction documents period. FIGURE 43.

The major problem of excavated lakes is obtaining an exact balance between water supply and losses from seepage and evaporation. The depth of an impoundment must be sufficient to offset seepage and evaporation. If seepage and other losses total more than three inches (3") per month, the depth should probably be increased.

Kit Carson is a semi-arid region in which a 10 to 12 foot water depth is recommended (source: U.S. Department of Agriculture). Since an excavated lake is a closed system, prevention of nutrient build-up (see section on wells) and other problems of water quality maintenance will require more attention and a special maintenance program.



Typical profile of a natural lake.



Typical profile of an artificial lake.

Figure 43

AQUATIC AND RIPARIAN VEGETATION

INTRODUCTION

Aquatic vegetation and riparian trees have an important role in the ecology of streams, lakes and ponds.

IMPORTANT FACTORS

- ° Lakes without riparian vegetation look unnatural and alien to the landscape.
- ° Riparian plants provide shelter for waterfowl and other forms of wildlife in the park.
- ° Shade from riparian trees lowers the water temperature, increases the amount of oxygen in the water, and reduces the evaporation rate.
- ° Vegetation may filter polluted runoff and cause the precipitation of sediments.
- ° Certain reeds and aquatic plants have been found to improve water quality by absorbing pollutants, utilizing nutrients and providing suitable habitat for micro-organisms that help to cleanse water.

RIPARIAN TREES

Riparian trees are affected by water level fluctuations. Short periods of flooding will usually not permanently damage the trees, but prolonged flooding will cause oxygen deficiency and inhibit root growth. Draw-down from the water table can reduce soil moisture levels and can lead to the death of trees if not managed properly. The primary objective of the proposed and fully networked water management system for Kit Carson Park is to prevent such an event.

AQUATIC PLANT LIFE

Aquatic plant life can assist in retarding sedimentation along with mechanical methods. Certain water plants, such as *Carex* and *Schoenoplectus*, can improve water quality and, when planted in feeder streams, may filter out large amounts of sediment. Artificial reed banks can be created at the point where feeder streams enter ponds by constructing a berm and planting reeds that extend into the shallows behind the berm, FIGURE 44. This is where the sediments will be deposited.

NATURAL PARK CONCEPT

The natural park system concept for Kit Carson Park proposes to balance recreational needs with nature systems. On the other hand, no ecosystem is completely stable. Some changes must necessarily occur and natural systems management must be aimed at guiding rather than eliminating those changes.

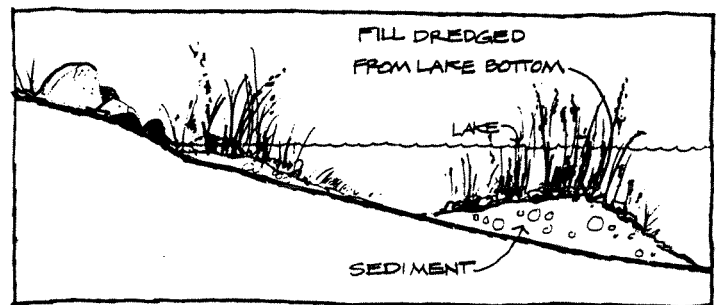
PLANTING THEME

The proposed planting concept calls for native plant species being used for lakeside planting. They are better adapted to the ecosystem. Exotic species are to be used only to create a desired ornamental effect and if there is no danger of upsetting the balance of native plant communities.

MAINTENANCE

The primary maintenance required will be in the removal of silt at Sand Lake. The frequency of maintenance in the Sand Lake area is directly related to yearly storm conditions and is generally unpredictable. However, based on current data, it is estimated that removal of sedimentation

materials would be required every 12 to 24 months. Minor siltation in the riparian area is a natural element in order to maintain the viability of the riparian system and will still occur. Periodic maintenance of waterways, lakes and ponds will be necessary for water quality and a balanced ecosystem.



STREAM PLANTINGS AT LAKE EDGES
Figure 44

LANDSCAPE THEME

INTRODUCTION

Kit Carson Park's "natural park" theme will be reinforced by the proposed landscape concept.

Planting of native and exotic plants will complement the natural setting and topography of the site. Plantings will be used to make strong statements to:

DESIGN THEMES

- 1) enhance vistas,
- 2) accent focal points,
- 3) buffer undesirable park edges, and
- 4) screen poor views while respecting adjoining properties.

LANDSCAPE BUFFER

A landscape buffer is proposed along Bear Valley Parkway. This screening will enclose the park user and reduce visual pollution as well as audible sounds. It will frame a pedestrian and bicycle circulation link between the athletic fields and Bear Valley Parkway, FIGURE 45.

Additional plantings for framing and screening the auto circulation and parking areas are

planned. The main entry at Mary Lane will have flowering shrubs and large native canopy trees in combination with architectural features to create a sense of entry and arrival.

One of the more important interface landscape zones is the treatment between the North County Fair Shopping Center and the Park. This area is basically divided into three transitions: (1) eastern transition at Bear Valley Parkway, (2) center transition at Tree Lake, and (3) southwestern riparian transition to I-15 corridor. FIGURE 46.

TRANSITION 1

Transition 1 will have a manicured appearance between multi-purpose fields, baseball fields and shopping center while respecting the existing wetland present there. It shall also have a strong enough identity to act as a secondary entrance and exit to the park.

TRANSITION 2

Transition 2 will have strong natural planting respecting the plant communities present. Special planting treatments, where desired effects are needed,

will be planted in and around Tree Lake. This will focus attention to the pedestrian linkage to the center and park.

TRANSITION 3

Transition 3 will combine the plantings of coastal sage scrub and screening materials to blend the shopping center's landscape berm into the park. A visual softening of the southwest corner of the park at El Ku Drive will result in completing this transition. The appropriate blending of landscapes will significantly lessen the visual impact of the center on the park.

NATURE CENTER

The Nature Center will expand the park concept of natural settings by further development of botanical communities to mix with recreational opportunities. Basically, the Nature Center will encompass four areas:

1. upland
2. lowland
3. riparian
4. Duck Lake

FIGURE 46

Each of these will be developed into its own microenvironment. This will expand and protect for observation, study and recreation, the natural phenomenon.

BUFFER ZONE

A buffer zone of approximately 250 feet will provide protection for the riparian habitat. This western portion will create and establish wildlife habitats and stabilize soil erosion. Plantings will provide nesting areas and food for various birds and animal life. Specific zones will be planned for camping, picnicking and nature observation. Limited single access points will only be provided in some areas (providing no loop trails).

Revegetation of the proposed flood control berm will be based on the material outlined in the biological section of the Appendix. FIGURE 46.

PLANTINGS

A large portion of the plantings will be along the property line and around buildings and structures, for screening and creating tree groves. The

majority of the internal open space is to remain open for long views, vistas and safety.

The Arroyo picnic area should be selectively thinned of existing materials to open the area up and regain visual continuity. FIGURE 47.

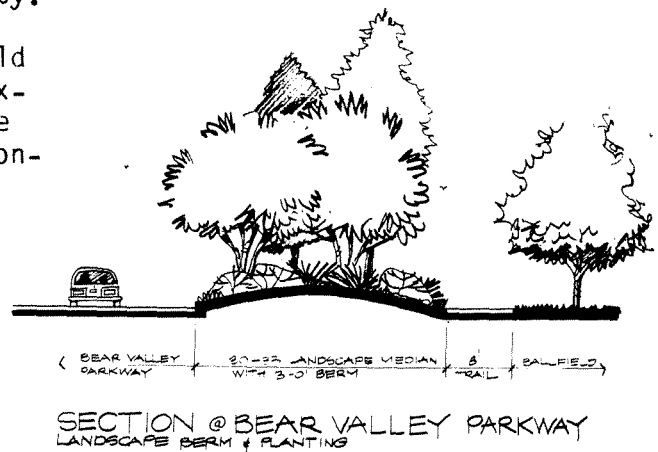


Figure 45

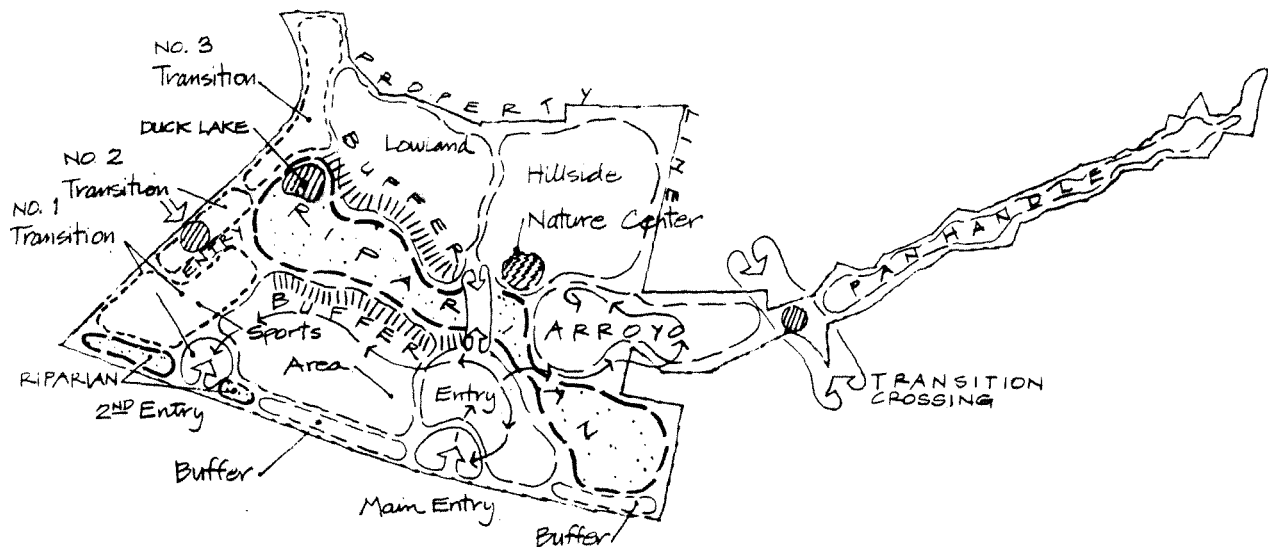


Figure 46

SUGGESTED PLANTINGS

The list of materials below are suitable for Kit Carson Park's location and design theme. Careful attention will have to be given during the final design development to arrange and use the materials to create the desired effect.

EXPOSURE: N = North slope
S = South slope or open site

- ° Can tolerate moderate irrigation

CHAPARRAL:

- S Cercocarpus minutiflorus
- S ° Eriodictyon crassifolium
- N Arctostaphylos glandulosa
var. crassifolia
- S ° Dendromecon rigida
- S Rhamnus californica
- S ° Rhus ovata
- S Yucca whipplei
- S Keckiella antirrhinoides
- N ° Keckiella cordifolia
- S Salvia clevelandii
- S ° Trichostemma lanatum
- S ° Penstemon spectabilis
- N Comarostaphylis diversifolia
- S ° Acalypha californica
- N ° Berberis pinnata
- S Ceanothus tomentosus
var. olivaceus
- S Ceanothus cyaneus
- N ° Styraax officinalis
var. californica

FIGURE 47

COASTAL SAGE SCRUB:

- S Mammillaria dioica
- S Simmondsia chinensis
- S ° Vigueria laciniata
- S Cneoridium dumosum
- S Ribes indecorum
- S Euphorbia misera
- S Bergerocactus emoryi

OAK WOODLAND: Native to open valleys and along creeks, valley slopes, typical of the Ramona area.

- Quercus agrifolia
- Quercus engelmannii
- Juglans californica
- Rhus integrifolia
- Rhus ovata

VALLEY GRASSLAND: Once wide ranging and loosely defined association found on level valley meadows and burned areas. Mostly succeeded in the wild by non-native pasture grasses.

- Stipa pluchra
- Stipa cernua
- Poa scabrella
- Aristida divaricata

COASTAL SAGE SCRUB: Alluvial Phase

- Artemisia palmeri
- Romneya coulteri
- Lupinus longiflorus
- Atriplex lentiformis
var. breweri
- Ribes Speciosa
- Juncus acutus

RIPARIAN:

Vitis girdiana
Alnus rhombifolia
Anemopsis californica
Carex spissa
Quercus agrifolia
Plantanus racemosa
Baccharis glutinosa
Salix (species)
Populus fremontii

FRESH WATER MARSH: Areas which are fairly large expanses of standing or sluggishly moving, shallow water, along creeks, sloughs, and river courses.

Typha spp.
Scirpus spp.
Carex spp.
Polygonum amphibium
Lemna spp.

PICNIC AREAS, TRANSITIONAL,
HIGH USE AREA PLANTINGS: Plants which lack stickers and prickles and can tolerate irrigation from an impact type sprinkler.

- Heteromeles arbutifolia
Heteromeles arbutifolia
var. cerina
- Rhus laurina
Rhus integrifolia
- Prunus ilicifolia
- Myrica californica
- Lavatera assurgentiflora
- Pinus torreyana
- Cupressus forbesii
- Libocedrus decurrens
Umbellularia californica

Partial List

Activity and sports areas,
special effects, entries and
use areas.

Abelia edward goucher
Agapanthus africanus
Arutus unedo compacta
Calliandra inequilatera
Cottoneaster (species)
Raphiolepis indica
Rosmarinus officinalis
Veronica (species)
Xylosma senticosa
Acacia (by species)
Ceanothus (species)
Melaleuca leucadendron
Eucalyptus (by species)
Liquidambar styraciflua
Metrosideros tomentosa
Pinus (species)
Pistacia chinensis
Schinus molle
Aloe
Elaeagnus pungens
Bougainvillea
Palo verde
Rhus lancia
Locust
Populus fremontii
Lysiloma thornberi
Cassia

FIGURE 47 cont'd

VEHICULAR CIRCULATION

INTRODUCTION

A comprehensive park circulation system must provide links through sensitive environmental areas of the site and include an expanded road system. FIGURE 50.

CIRCULATION ELEMENTS

The fundamental concept of the proposed circulation is to

1. link recreational facilities without creating physical and visual barriers,
2. improve safety and sight distance,
3. maximize access while keep roads to a minimum,
4. realign and strengthen internal traffic flows for ingress and egress,
5. redefine the park's entries,
6. expand parking facilities, and
7. provide access to the new western portion of the park.

CIRCULATION CONCEPT

Although the main patterns for traffic remain the same, several major changes are proposed.

During the environmental review period, the benefit of developing a transit facility serving both Kit Carson Park and North County Fair Shopping Center.

The potential concept does exist for a joint sharing of a single transit facility which would service both the North County Fair Shopping Center, Kit Carson Park and link up with other public transit facilities.

The location of such a facility would best serve both projects located on the southside of the landscape berm between the center and park. This would reduce route circuitry and increase transit efficiency.

1. MAIN ENTRY

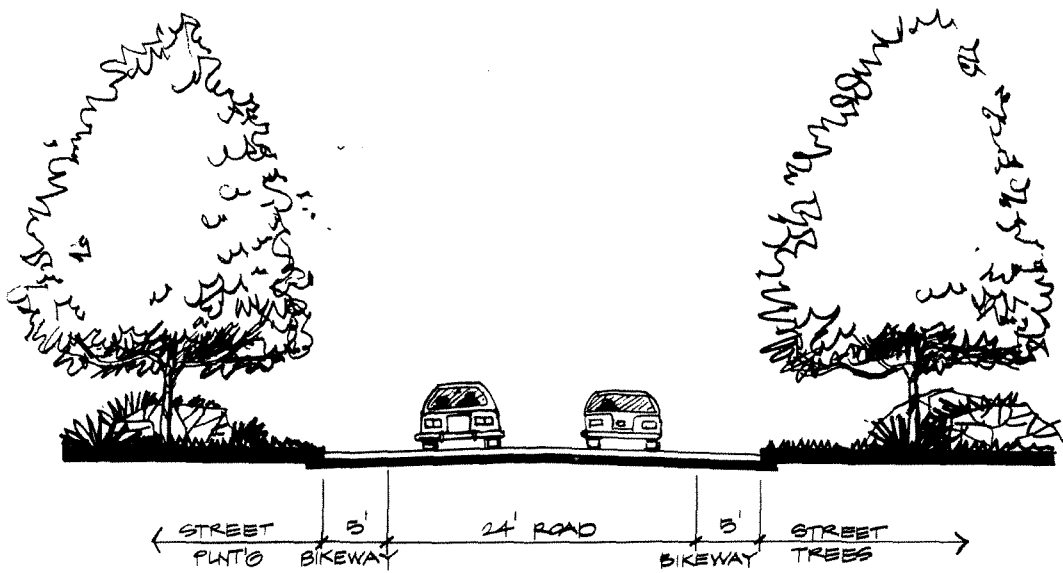
The main entrance road at the intersection of Mary Lane and Bear Valley Parkway will be enlarged and realigned. The road will be renamed "Kit Carson Way" and converge at a new intersection between Kit Carson Way, Casteneda Drive, and Amphitheater Drive. FIGURE 48-49.

2. AMPHITHEATER DRIVE

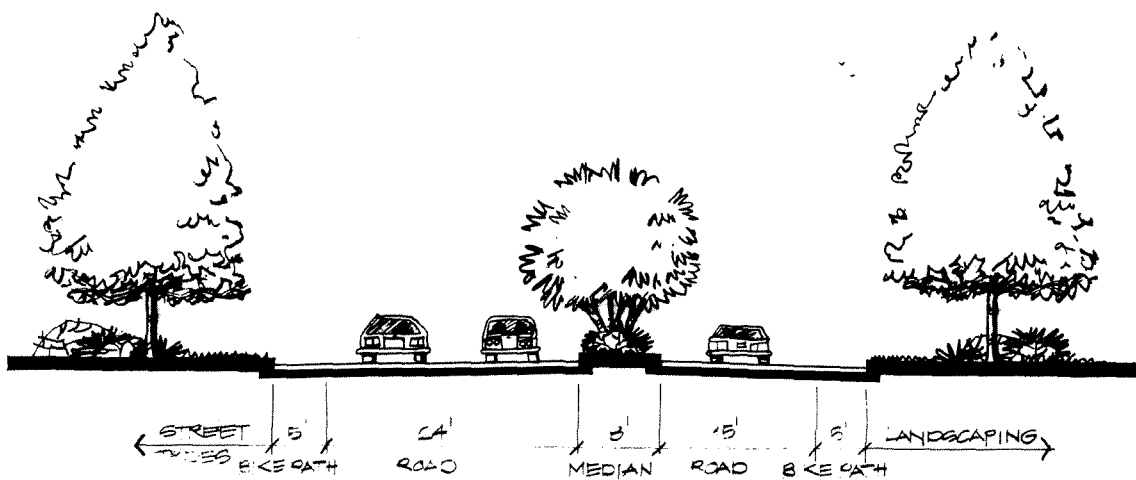
Amphitheater Drive will be realigned to allow for the redevelopment of several parking areas located to the north of the amphitheater. Amphitheater Drive will be a one-way road in an easterly direction. This will act as a loop road to provide traffic control during performances at the amphitheater. FIGURE 50.

3. CASTENEDA DRIVE

The through connection from Las Palmas and Casteneda Drive will be vacated and used for emergency access only. Casteneda will be realigned in a westerly direction crossing the northerly portion of the Arroyo picnic area to provide access to the park's Nature Center recreational area. The drive should be renamed to reflect its area to: "Arroyo Drive".



SECTION @ KIT CARSON WAY
Figure 48



MAIN ENTRY
AMPHITHEATRE DRIVE & KIT CARSON WAY

Figure 49

PARKING

INTRODUCTION

Existing parking facilities are being expanded to accommodate proposed facilities and existing ones. Under long-term plans, additional reserve parking areas can be added as the need arises. The tables illustrate the parking configurations.

AMPHITHEATER

The Amphitheater's 3,000 seat capacity creates a special problem for parking. This demand would be met within the park, but with a major impact to other park facilities. Since the theater operates periodically and on scheduled events, this problem can be managed by proper scheduling. Additional overflow parking areas to the one planned can be utilized.

Based on the generally accepted ratio of 2.5 persons per auto would travel to the event at any one time, the parking requirements for the amphitheater's 3,000 seat capacity would be 1,200 spaces. With the proposed plan, approximately 62%, or 744 parking spaces of the 1,200 required, will be available within an acceptable distance.

Of the 744 spaces, 350 spaces will be within a 600 foot radius and 394 spaces within a 1,000 foot radius of the amphitheater. Walking time would be between 5 to 10 minutes. The balance of the 456 required parking spaces will be found at other on-site parking areas, assuming no conflicting events would be scheduled for the same time period.

Total parking for the entire Park, including the amphitheatre's overflow area, will be 1,800 parking spaces. The Master Plan has provided for approximately 500 additional spaces for future needs by expanding the new lots.

PARKING DATA FOR ENTIRE PARK

Total Existing Parking	800
New Parking	710
Amph. New Overflow	<u>300</u>
Total New and Old	1800+

The total proposed parking facilities expands the park's existing lots by 125% with potential for additional overflow provisions.

BICYCLE AND PEDESTRAIN CIRCULATION

INTRODUCTION

To enhance the user's experience, a certain element of challenge in the trail and bike circulation system has been planned. However, this is not the case with the interpretive trails. These trails are proposed to (1) provide an enjoyable and meaningful experience and (2) protect the resources by minimizing the effects of use. Most important is the quality of the interpretation of the trail systems natural and cultural elements. FIGURE 50.

MAJOR LINK

A major pedestrian circulation link is provided across the riparian habitat via the flood control berm. Its location is at the narrowest point in the riparian zone and loops around the western portion and back across the Arroyo picnic area.

ACCESS POINTS

Bicycle and pedestrian access points, in addition to the one from North County Fair, will occur at the following points:

- a. Las Palmas Avenue at abandoned north entrance.

- b. Mary Lane and Bear Valley Parkway.
- c. Southeast corner in public R.O.W.
- d. El-Ku Drive.

Additional multi-use bike and pedestrian paths will interlink use areas within the park.

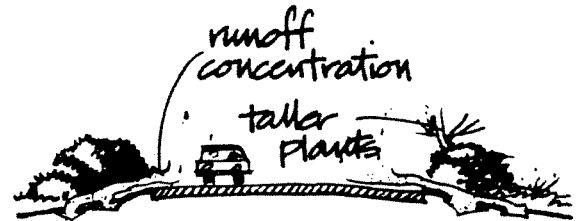
TRAILS

Some trails within the park will be designated only for bikes and others only for pedestrian use. Grade constraints within the panhandle will only permit the development of pedestrian trail(s).

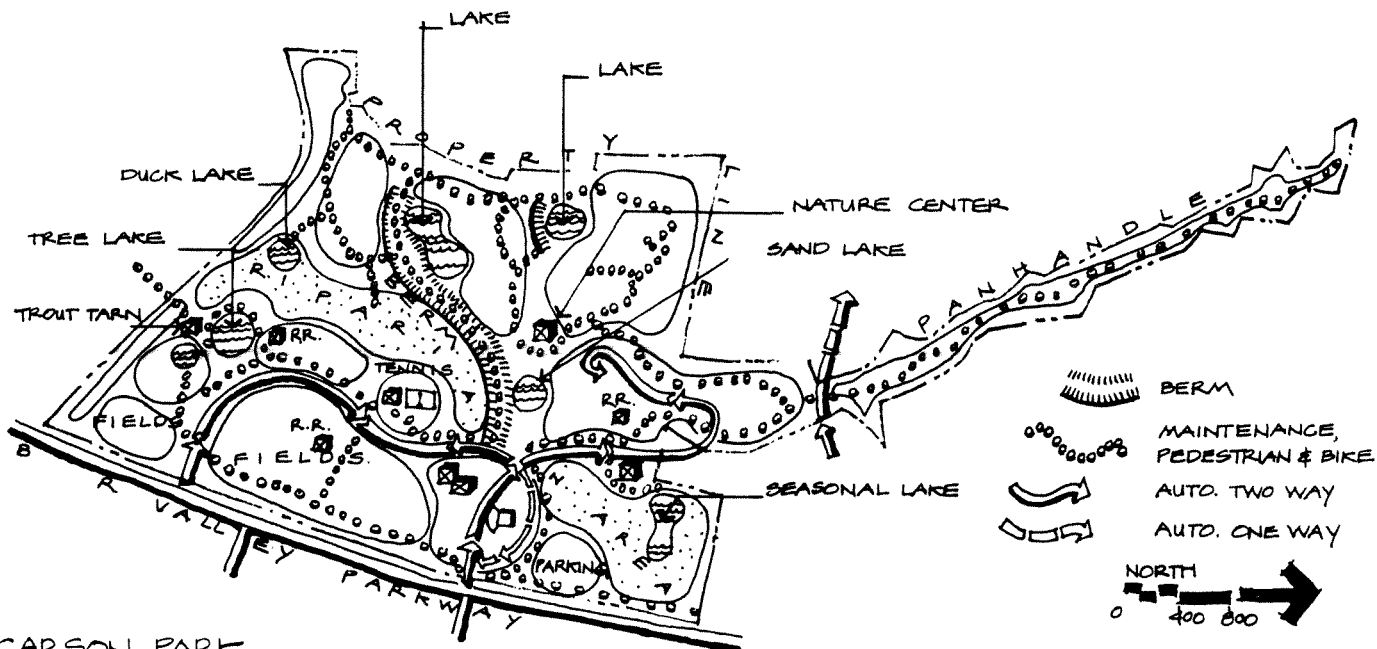
Bike and service vehicle trails will be constructed of asphalt; whereas nature trails through the western portion of the site will be asphalt, wood chips or decomposed granite depending on the service level of the trail. Fitness trails and exercise stations are proposed in the eastern portion of the site generally adjacent to the pedestrian/ bike path. Nature trails will be laid out in the field to provide for alignment that is sensitive to (1) the environment, (2) the nature center's educational needs and (3) the overall program needs of the western portion of the site. FIGURE 50.

As California Department of Fish and Game requirements are met for Duck Lake, it may be determined that a nature trail spur will require special treatment for ecological interpretation.

Bike and pedestrian crosswalks will be provided at several locations along Park Road, Entrance Road and realigned Casteneda Drive. Proper site distances and safe clearances will be maintained along internal roads at all crosswalks and vehicular intersections.



ROAD IMAGE



KIT CARSON PARK
CIRCULATION SYSTEMS DIAGRAM

Figure 50

COMMERCIAL CENTER INTERFACE

PROPOSED INTERFACE

As part of the North County Fair development, access to the Park for bicycles and pedestrians will be provided. Current North County Fair plans call for a pedestrian boardwalk to enter the park approximately in line with Tree Lake. The boardwalk will continue into the park at grade level in the vicinity of the proposed Trout tarn. At the point where the boardwalk and the pedestrian/bicycle path intersect, an area with an information kiosk, seating and a Tree Lake overlook will be developed.

This area will receive detailed design consideration in the design development phase as this is the first significant pedestrian level interest point into Kit Carson Park from the center. FIGURE 46.

LANDSCAPE BERM

A bike path is proposed along the top of the landscaped berm separating the shopping center from the park running the full length of the southern park edge and extending across to I-15. The landscape development on the berm, as identified in the landscape theme section, will also serve as an interface element. FIGURE 46.

PROPOSED AND EXISTING UTILITIES

INTRODUCTION

The existing utilities available will adequately accommodate proposed park improvements as recommended in this Master Plan. FIGURE 51.

ELECTRICAL

As part of the North County Fair project, the existing on-site 12-KV electrical service line will be placed underground on the southwest portion of the site only. All future utility installations will be placed underground as new recreational facilities are constructed.

SUMMARY

The following is a summary of schematic utility extensions and should be reviewed and adjusted accordingly based on final design development and a facilities program.

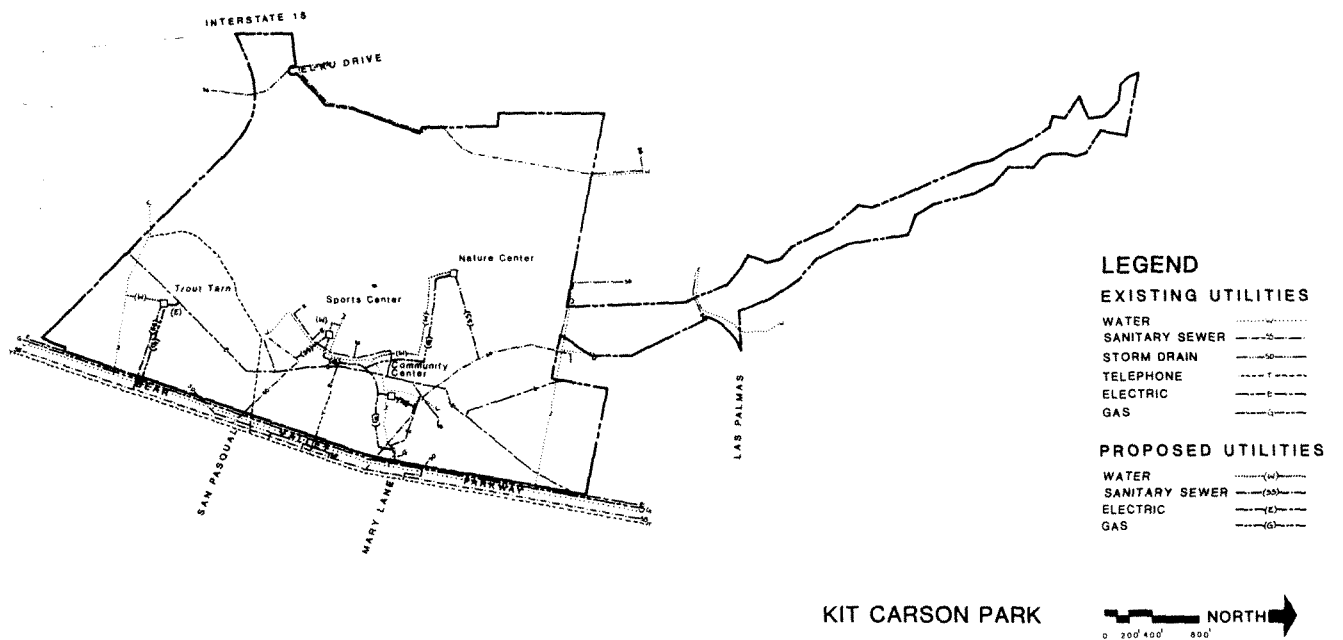
- A. Tree Lake Concession/Restroom
1. water - 1" 350-400 ft.
 2. electric - 110/220 v
200 AMP 250-300 ft.
 3. sewer - 6" 800-850 ft.
 4. gas - 800-850 ft.

- B. Tennis Complex
1. water - 1" 100-150 ft.
 2. electric - 110/220 v
200 AMP 100-150 ft.
 3. sewer - 6" 200-250 ft.
 4. gas - 100-150 ft.

- C. Community Center
1. water - * 100-150 ft.
 2. electric - 110/220 v
600 AMP 350-400 ft.
 3. sewer - 6" 250-300 ft.
 4. gas - 100-150 ft.

* size will depend on final program, 2" minimum.

- D. Nature Center
1. water - 2" 1400-1500 ft.
 2. electric - 110/100 AMP.
1300-1400 ft.
 3. sewer - Ejector station
required 4" force main
800- 850 ft.
 4. gas 1400-1500 ft.



utilities

Figure 51

ARCHITECTURAL GUIDELINES AND CONTROLS

In order to develop, maintain and preserve the Kit Carson Park Master Plan theme and the surrounding area, specific design criteria and elements will be followed.

RESOLUTION NO. 4679

On June 17, 1970, the City of Escondido adopted Resolution No. 4679, to create a specific plan pertaining to Kit Carson Park and surrounding area.

The purpose of the specific plan was to retain and preserve the area's character and theme as well as promote orderly development.

FUTURE DEVELOPMENT

Any future design and development within this specific planning area will adhere to Resolution No. 4679, and the guidelines stated in the Kit Carson Master Plan report. (Refer to Resolution No. 4679 details.)

GUIDELINES

The following are additional policies and guidelines to establish primary design priorities when developing architectural and site amenities within Kit Carson Park.

1. Energy conservation.
2. Close integration into the park, emphasizing the park's character and naturalistic setting.
3. Maximum accessibility.
4. Ease of circulation within.
5. Efficiency of area relationship.
6. Minimization of maintenance requirements.
7. Flexibility, allowance for maximum kinds of expansion.
8. Use materials that will minimize vandalism damage and reduces weather and sun damage.
9. Design elements shall follow a rustic and early California theme.
10. Design elements shall blend and be in harmony and scale within each use area's environmental image.
11. Capture the individual character and function of the park's recreational areas.

GRAPHIC CONCEPT

INTRODUCTION

The graphic concept will coordinate directional and identification signage throughout the park to reinforce the parks natural image. Colors, letter style and materials of signboards will be standardized, with varied mountings or supports to relate to the park use areas. Character signage will also conform and relate to the architectural theme.

GRAPHIC LEVELS

Five levels of graphics or signage are proposed within the park: (FIGURE 52)

1. Entry Monumentation
2. Vehicular Regulatory and Directional
3. Bike/Pedestrian Regulatory and Directional
4. Nature Interpretive
5. Facility Identification

Informational kiosks (2 or 3) will be strategically located to inform the park user of facility location and upcoming scheduled events.

Consistent use of materials and graphic design standards will add unity and continuity to the sign program.

ENTRY MONUMENTS

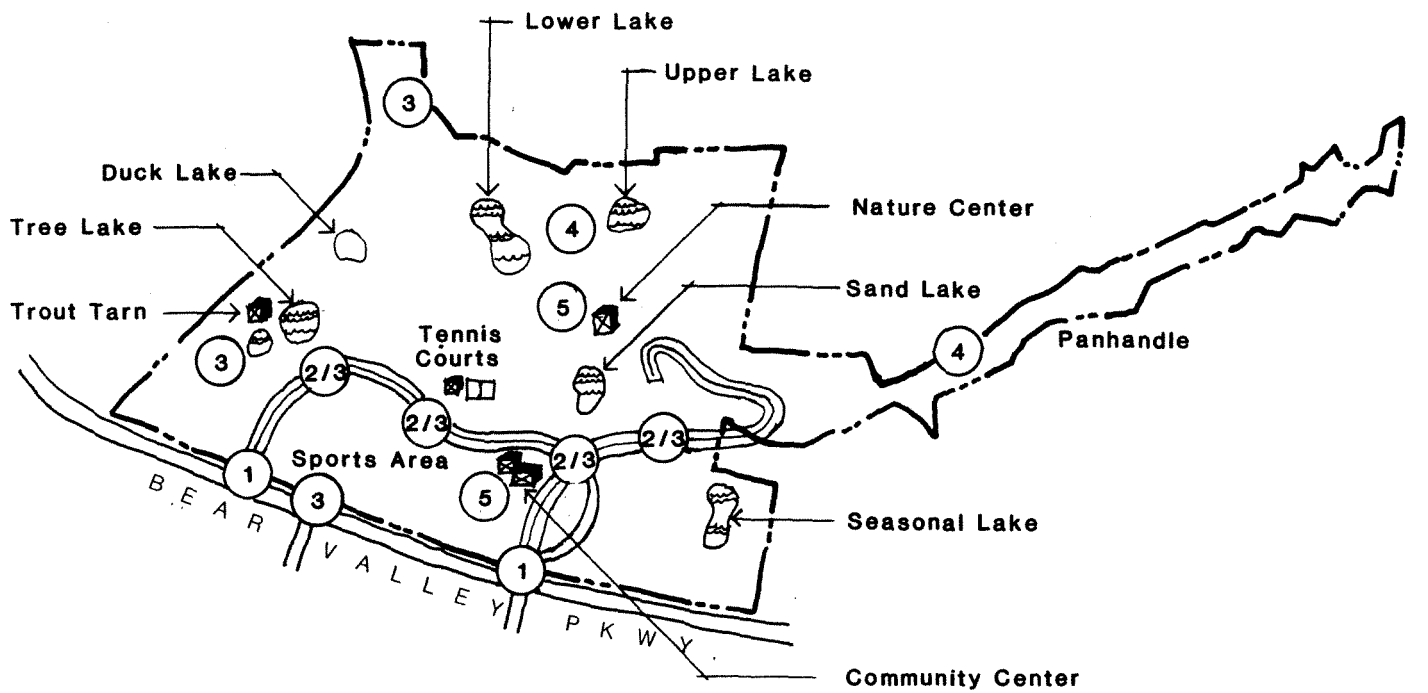
Entry monumentation will be developed at the south entrance and at Mary Lane. The concept will be to provide a sense of arrival to the park and allow for safe ingress and egress for vehicles, bikes and pedestrians.

The entry development will set the tone throughout the park by providing unifying design features through the use of similar tree and shrub plantings, architectural and landscape architectural styles and detail treatments.

TRAFFIC SIGNS

Traffic regulating and direction signs will be of the same material with the use of standard traffic symbols and directional signage.

Bike and pedestrian-level signage will be reduced in scale to reflect the scale of the observer.



KIT CARSON PARK



sign locations

Figure 52

REVENUE GENERATORS

INTRODUCTION

In addition to funds received from the North County Fair lease agreement, other on-site means of generating revenues should be considered by the city. In order for the city to provide the high level of recreational facilities that the community and general public demand, additional funds can be generated from alternative on-site revenue.

EXAMPLES

The following is a list of potential revenue generators that may be implemented. They must, like every plan or recommendation, be reviewed and evaluated prior to implementation.

1. Parking meters - it is estimated that an initial investment would require two years to pay off. Beside the benefit of additional revenues, it could potentially reduce one-person-per-car situations, thereby lessening potential parking deficiencies during special events, i.e. tennis courts and community center.
2. Trout tarn - lease an area in the vicinity of Tree Lake that would provide trout fishing via rental of fishing equipment, paddle-boat type equipment, and other fishing related materials, equipment and supplies.
3. Amphitheater - increased events, plays, musical performances, special events.
4. Rental of group picnic facilities for outdoor breakfasts or dinners for fund-raising groups.
5. Lighted tennis courts - fees could be charged for nighttime use of tennis courts. Four of the courts could be lighted. An evening curfew is suggested.
6. Tennis Pro Shop - in conjunction with the tennis courts, a facility that would include a tennis pro shop and restrooms could be built and leased. Or, the land could be leased with the tenant building the structure.

7. Baseball/Softball with a full tournament-type facility constructed for major tournaments or special sport events.
8. Tree & Native Nursery - could be developed for supplying trees to the city and for sale to the general public.
9. Rental of equipment such as skates, bicycles, charts, play equipment, etc.
10. User fees - User fees could be charged for use of park facilities including:
 - ° nature center meeting rooms
 - ° community center meeting rooms
 - ° exercise facilities in the community center
 - ° swimming pool
 - ° swimming lessons and events
 - ° scuba lessons
 - ° recreation activity classes, etc.

The above is only a partial list of potential revenue generating ideas that should be explored.

SUMMARY OF PHYSICAL IMPROVEMENTS AND COSTS

INTRODUCTION

The method applied to develop the cost estimate consisted of quantitative and cost analysis for implementation of the Master Plan on present-day labor and material costs. All costs are in 1983 dollars. 1-10 year development costs are based on a five stage phasing program reflecting logical sequence for construction of improvements.

COST ANALYSIS

To assist in this evaluation, estimates were made for major improvement items, although the project categories are at a conceptual level and will be subject to more exact estimation when final design and construction documents are completed.

As a result of approving the leasing of 75 acres for commercial development, revenues from the lease will be made available for proposed Master Plan improvements starting in 1983.

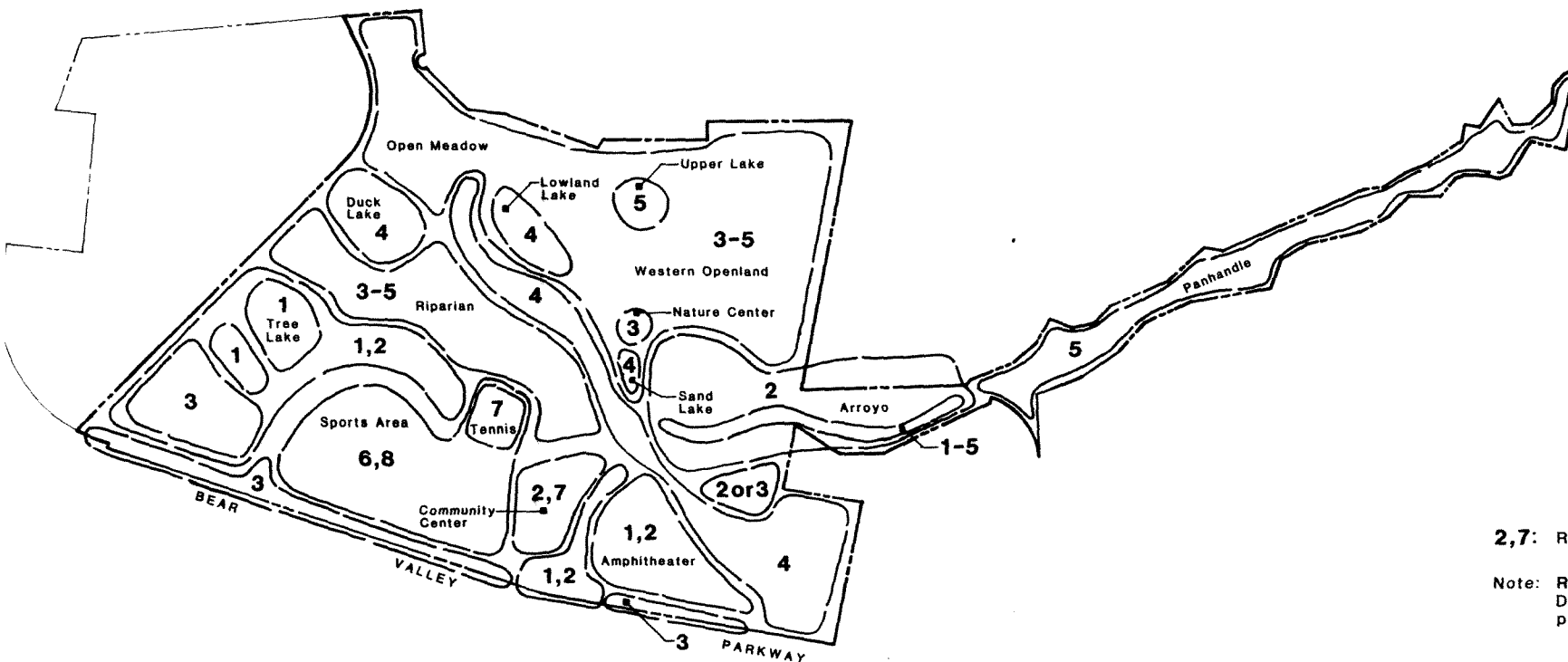
PHASING STUDY

The following chart, FIGURE 53, indicates a logical sequence of park construction elements. It also divides each element into a workable number of increments. Certain items must be completed before others, based on a logical construction sequence, necessary prerequisites, or priorities. The recommended sequence is flexible, offering various options to be selected based on community priorities at the time funds become available.

The map, FIGURE 54, diagrammatically illustrates the zones located within the park that would be constructed in phases. There are five major phases, arranged in an order to maximize funds and provide for construction scheduling. For example, FIGURE 54 shows the relationship between the chart phasing, the facilities location, and the park site. Those areas numbered with a (1) will be constructed during the first phase. Those areas with two numbers would be constructed during two separate phases, i.e., 2-3 or 4-5 and so on.

PHASE PROGRAM AND DEVELOPMENT COSTS						
FACILITIES & IMPROVEMENTS	PHASES (1-2 years per phase)					COST PER ITEM*
	1 PHASE 1	2 PHASE 2	3 PHASE 3	4 PHASE 4	5 PHASE 5	
CIRCULATION						
realignment of entry drive	200					200
additional parking spaces	150	250		50		450
bicycle trail system		100	75			175
pedestrian trail system		100	25			125
road landscaping, etc.		50	150			200
road and entry graphics		25	20			45
Bear Valley landscape plantings			100			100
Casteneda stream crossing				200		200
WATER MANAGEMENT						sub-total 1495
N.C.F. flood project						(not a part)
park flood control project	250	150	100			500
pump and irrigation system		50				50
water monitoring system		20				20
NATURE CENTER						sub-total 570
re-established habitats	50	50	50	20		170
interpretative trail system		50				50
trail facilities			100			100
arboretum, native plants			25	25		50
nature center building				50	50	100
PARK FACILITIES						sub-total 470
utility improvements	50	25	25	25		125
re-established trout tarn	200	By Concession Operator				200
expanded sport facilities	75					75
public restrooms		50	50	50	70	220
expanded picnic areas		40				40
additional sport facilities		20	70	100	50	240
additional picnic areas			100	20	20	140
tot-lots/open play areas			100	200		300
maintenance service yard				50	20	70
COMMUNITY CENTER						sub-total 1410
amphitheatre parking/landscape	15	10				25
community center building				200	450	650
community & historical plaza					80	80
community swimming pool					250	250
						sub-total 1005
* costs are shown in thousands						TOTAL PROJECT COST \$4,950,000

Figure 53



2,7: REPRESENTS PHASE

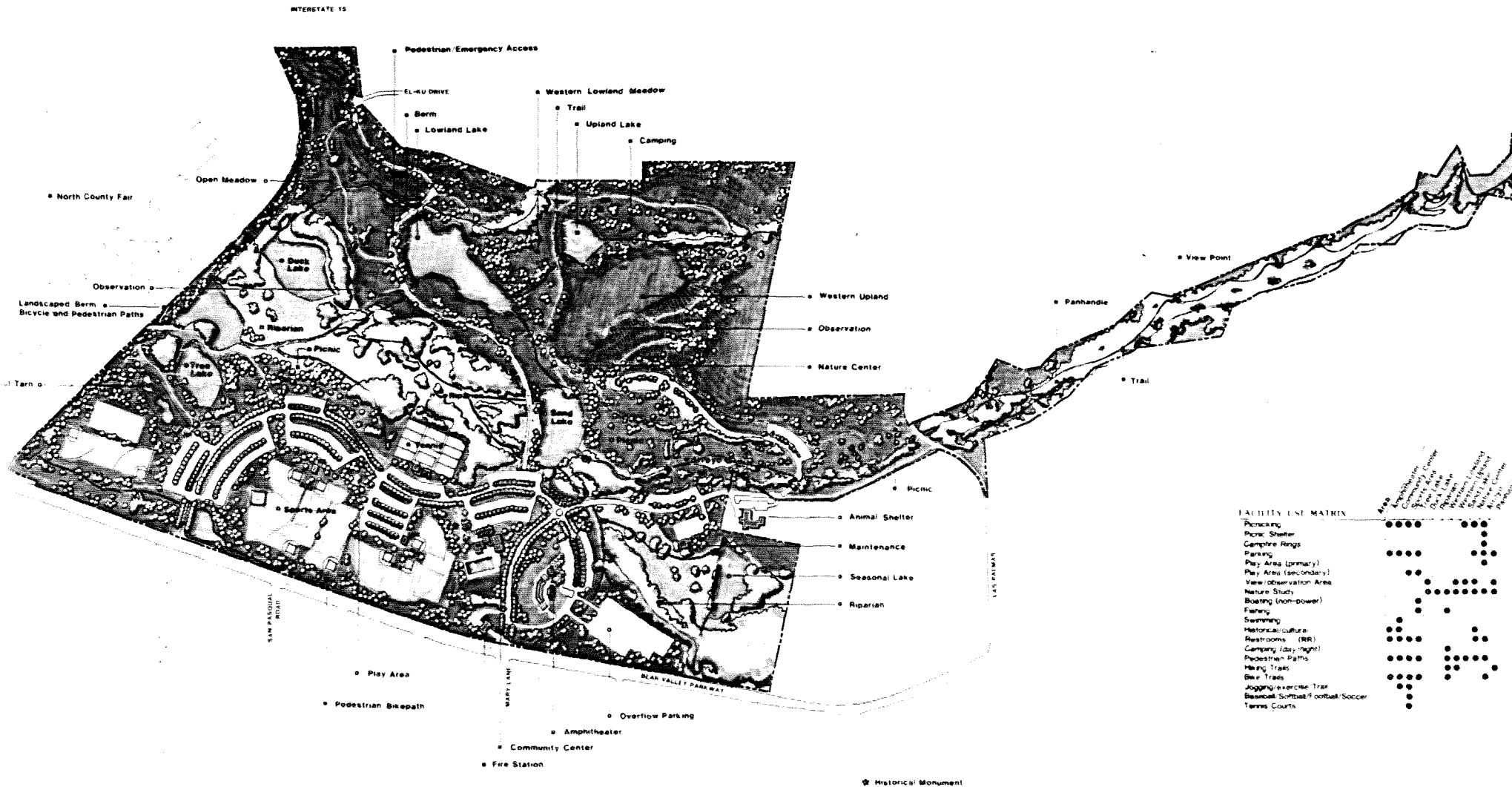
Note: Refer to "Phase Program and Development Costs" chart for phasing details.

KIT CARSON PARK



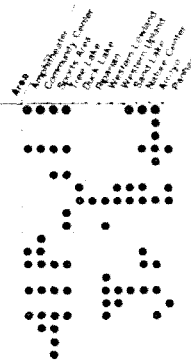
**construction
phasing**

Figure 54



FACILITY USE MATRIX

Picnicking
Picnic Shelter
Campfire Rings
Parking
Play Area (primary)
Play Area (secondary)
View/observation Area
Nature Study
Boating (non-power)
Fishing
Swimming
Historical/cultural
Restrooms (RR)
Camping (day/night)
Pedestrian Paths
Hiking Trails
Bike Trails
Jogging/exercise Trail
Baseball/Softball/football/Soccer
Tennis Courts



KIT CARSON PARK

ILLUSTRATIVE MASTER PLAN

Community Services Commission
Escondido, California

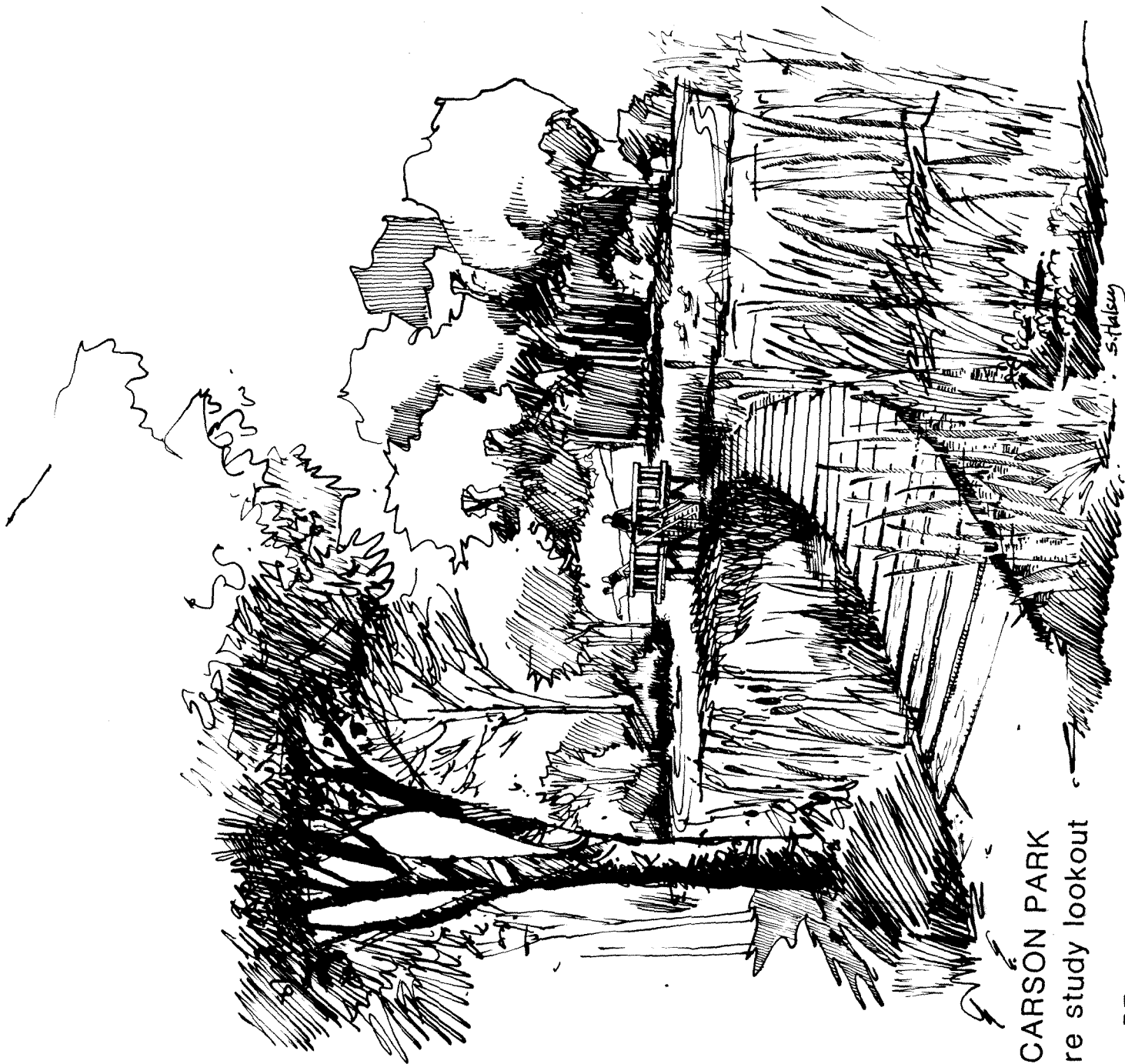


Figure 55



KIT CARSON PARK
Looking southwest toward tennis complex

Figure 56



KIT CARSON PARK
Nature study lookout

Figure 57

S. Halsey



KIT CARSON PARK

Looking east across tree lake

Figure 58

Attachment L –
Minutes for Resolution 84-60 Adopting
“Master Plan Development Report Kit
Carson Park” (April 1984)

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL, WEDNESDAY,
APRIL 11, 1984

The regular meeting of the City Council of the City of Escondido was held on Wednesday, April 11, 1984, at 8:00 a.m. with Mayor Jim Rady presiding.

The following Council members answered roll call: Best, Cowan, Harmon, Thurston and Rady. Quorum present.

Also present were Vernon Hazen, City Manager; Rolf Gunnarson, Community Development Director; Dennis Wilson, Director of Public Works; David Chapman, City Attorney; and Jeanne Bunch, Deputy City Clerk.

Mayor Rady introduced Edith Wheeler and Yolanda Fleet from the League of Women Voters and Phil Williams from the Escondido Fire-fighters' Legislative Activity Group.

Mayor Rady proclaimed the week of April 8-14, 1984 as National Library Week. Marta Palmerton, Member of the Library Board of Trustees accepted the proclamation with thanks.

CONSENT CALENDAR

Mayor Rady said unless members of the Council, staff or public request specific items to be discussed and/or removed for separate action, all items listed will be adopted by one motion. Is there Council discussion? If anyone wishes to speak with Council about any Consent Calendar matter, please come forward.

Councilmember Harmon asked that Item A-8, REQUESTS FOR EXTENSIONS OF TIME, be pulled for discussion.

Councilmember Thurston questioned the locations of the sidewalks to be repaired under Item A-10, AWARD OF BID - Sidewalk Repair Program. She was assured they were not included in the downtown study area; they were primarily located in residential areas.

Moved by Best the City Council approve the following items on the Consent Calendar:

1. APPROVAL OF MINUTES - Regular Meeting of 4/4/84 (A.M.)
Regular Meeting of 4/4/84 (P.M.)
2. KIT CARSON PARK MASTER PLAN
✓ RESOLUTION NO. 84-60
- ✓ 3. ESCONDIDO TRACT NO. 335 - Notice of Completion - Located at the northwest corner of Ash Street and Sheridan Avenue
- ✓ 4. NOTICE OF COMPLETION - Escondido Boulevard 12" A.C.P. waterline between 15th Avenue and Felicita Avenue
- ✓ 5. PLANNED UNIT APPROVAL - for 11 units on 2.1 acres and a 12 lot tentative subdivision map addressed as 1115 West 13th Avenue
✓ RESOLUTION NO. 84-81 - Case No. 84-12-PUA
✓ RESOLUTION NO. 84-82 - Escondido Tract No. 573
- ✓ 6. TRAFFIC SIGNALS AND STREET IMPROVEMENTS AT ESCONDIDO BOULEVARD AND 13TH AVENUE - Program Supplement No. 7 to Local Agency Agreement No. 11-5081
✓ RESOLUTION NO. 84-83

4/11/84

- ✓ 7. TRAFFIC SIGNALS AND STREET IMPROVEMENTS AT LINCOLN AVENUE AND FIG STREET - Program Supplement No. 8 to Local Agency Agreement No. 11-5081
 / RESOLUTION NO. 84-84
- ✓ 9. RENEWAL OF AGREEMENT WITH FELICITA FOUNDATION FOR CULTURAL ARTS ACTIVITIES
- ✓ 10. AWARD OF BID - Sidewalk Repair Program
 / RESOLUTION NO. 84-91
- ✓ 11. NOTICE OF COMPLETION - El Norte Parkway and I-15 Shopping Center - Addressed as 1800 W. El Norte Parkway
- ✓ 12. ESCONDIDO TRACT NO. 580 - A 12 lot single family subdivision on 9.3 acres in the R-1-10 zone, located on the west side of Boyle Avenue, south of Oak Hill Drive, addressed as 737 Boyle Avenue
 / RESOLUTION NO. 84-92
- ✓ 13. ESCONDIDO TRACT NO. 581 - Tentative Map of 13 lot residential subdivision on 3.98 acres addressed as 2261 Glenridge Road
 / RESOLUTION NO. 84-93
- 14. APPROVAL OF WARRANT REGISTER

Motion carried unanimously.

Moved by Best the City Council approve the following item on the Consent Calendar:

- ✓ 8. REQUESTS FOR EXTENTIONS OF TIME
 - ✓ a. Escondido Tract No. 500 - RESOLUTION NO. 84-85
 - ✓ b. Escondido Tract No. 517 - RESOLUTION NO. 84-86

Ayes: Best, Cowan, Thurston and Rady. Noes: Harmon. Absent: None. Motion carried.

CURRENT BUSINESS

✓ APPROVAL OF PERMIT PARKING ON CITY PROPERTY

Gene Ervin, Deputy City Manager, reviewed the staff report which presented the Vehicle Parking District Commission recommendation as follows:

RECOMMENDATION: The Vehicle Parking District Commission recommended the City Council approve improving the lot at the northwest corner of Valley Parkway and Broadway, and direct that it be offered on a monthly lease basis to individuals in the area. The staff recommends the lease rate be \$10.00 per month.

The City lot at the southeast corner of Maple Street and Broadway (Ed's Tires) be barricaded to preclude parking therein.

Mr. Ervin said if Council accept the recommendation, staff would recommend that \$1,725.00 be appropriated from the General Fund.

Council discussed barricading the lot at the southeast corner of Maple Street and Broadway (formerly Ed's Tire Service) and asked staff how much it would cost to improve this lot for lease parking also. Mr. Ervin said it would cost approximately \$3,800.00.

4/11/84

After discussion by Council with staff, it was concurred to also improve the parking lot at the southeast corner of Maple Street and Broadway for lease parking and appropriate \$3,800 for this improvement.

Moved by Harmon the City Council approve the following:

- a. Appropriate \$1,725 from the General Fund to improve the city lot at the northwest corner of Valley Parkway and Broadway to lease for all day parking (the former Quality used car lot);
- b. Appropriate \$3,800 from the General Fund to improve the city lot at the southeast corner of Valley Parkway and Maple Street to lease for all day parking (the former Ed's Tire Service).

Motion carried unanimously.

✓ APPROPRIATION OF FUNDS FOR RELOCATION ASSISTANCE - San Diego
Check Cashers (158 W. Valley Parkway)

Mr. Chapman presented the staff report regarding relocation assistance for San Diego Check Cashers, 158 W. Valley Parkway, for the future location of the City Hall/Civic Center.

RECOMMENDATION: It is recommended that City Council approve the tenant relocation assistance payment of \$19,147.15 to San Diego Check Cashers and appropriate said payment from the Civic Center Fund.

Moved by Best the City Council approve staff recommendation.
 Motion carried unanimously.

ORDINANCES

✓ ORDINANCE NO. 84-31 - Change of Zone - 2068 El Norte Parkway

ORDINANCE NO. 84-31 was presented on second reading and the title read by Mr. Chapman. Moved by Best further reading be waived. Motion carried unanimously. Moved by Best Ordinance No. 84-31 be passed and adopted. Motion carried unanimously.

ORDINANCE NO. 84-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, REZONING CERTAIN PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF EL NORTE PARKWAY, WEST OF REES ROAD AND ADDRESSED AS 2068 EL NORTE PARKWAY FROM RE-20 to R-1-7

Planning Case No. 84-14-CZ

Ordinance No. 84-31 is on file in the City Clerk's office.

✓ ORDINANCE NO. 84-32 - Change of Zone - 204 W. 9th Avenue

ORDINANCE NO. 84-32 was presented on second reading and the title read by Mr. Chapman. Moved by Best further reading be waived. Motion carried unanimously. Moved by Best Ordinance No. 84-32 be passed and adopted. Ayes: Best, Cowan, Thurston and Rady. Noes: Harmon. Absent: None. Motion carried.

ORDINANCE NO. 84-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, REZONING CERTAIN PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF 9TH AVENUE AND MAPLE STREET AND ADDRESSED AS 204 W. 9TH AVENUE FROM R-1-6 to R-2-12

Planning Case No. 84-15-CZ

4/11/84

Ordinance No. 84-32 is on file in the City Clerk's office.

Mayor Rady said the hearing on the appeal for disciplinary action regarding Randy Cox is scheduled for 8:30 a.m. Since it is now 8:15, Council will moved to Item E - DISCUSSION, on the agenda.

DISCUSSION

Mr. Wilson asked if Council had any questions regarding Item I-3 - SEWER OUTFALL STUDY.

Mr. Wilson reviewed Item I-1 - REQUEST FOR EXTENTION OF TIME - Osbrink property (Case No. 81-68-CZ/81-69-PD). He said since this tentative map was approved in 1981, plans for the extension of Ash Street have changed due to some increases in density (i.e. Zellner, Mr. Shakespeare's property next to Zellner, potential of other increases in density in the area). Some of the streets in the area (Broadway, Country Club, Village) are approaching their capacity, therefore the need for the extension of Ash is necessary. The increases in density will further impact Broadway. Future traffic increased on Vista will also impact Broadway. He said since they are asking for an extension, he felt consideration should be given to putting Ash back through to Rincon.

Councilmember Cowan said if a public hearing would have to be held to extend Ash to Rincon. Mr. Gunnarson said if the extension is not granted, they would have to come back at a later time. To reconsider the project, a public hearing would be held.

Councilmember Cowan questioned the timing on the Ash and El Norte realignment. Mr. Wilson said they are hoping to accomplish this within a year.

Mayor Rady called a ten-minute recess at this time (8:20 a.m.).

Council reconvened at 8:30 a.m. with all members present.

HEARING

✓ APPEAL OF DISCIPLINARY ACTION TERMINATING EMPLOYMENT - Randy Cox, Appellant

Christopher Ashcraft, representative for Mr. Cox, spoke regarding the decision of the Personnel Board of Review issued August 19, 1983. He addressed findings of the Personnel Board of Review and spoke concerning each finding. He suggested to Council that the evidence presented is not sufficient to call for the discharge of Officer Cox and the findings and decision of the Personnel Board of Review fully failed to set out that they have appropriately reviewed the evidence before them.

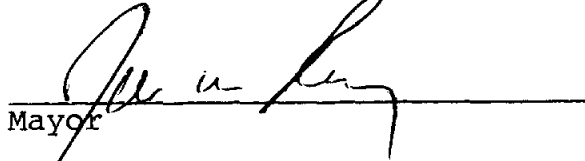
Mr. Chapman said staff has considered the record more than adequately and would support the findings and decision of the both the Police Department and the Personnel Board of Review and would recommend Council adopt those findings.

Moved by Best the City Council uphold the decision of the Personnel Board of Review. Motion carried unanimously.

CLOSED SESSION - Litigation

Mayor Rady adjourned the meeting to closed session at 8:50 a.m. for purpose of litigation. Council reconvened into regular session at 9:20 a.m. with all Council members present. Mayor Rady announced no action was taken.

Mayor Rady adjourned the meeting at 9:30 a.m. to 6:00 p.m. in the Turrentine Room of the Public Library.


Mayor


Deputy City Clerk

MINUTES OF THE REGULAR ADJOURNED
MEETING OF THE CITY COUNCIL
WEDNESDAY, APRIL 11, 1984.

The regular adjourned meeting of the City Council of the City of Escondido was held on Wednesday, April 11, 1984, at 6:00 P.M. in the Turrentine Room at the City Library. Mayor Rady presided.

— The following Council members were present: Best, Cowan, Harmon, Rady, Thurston. Absent: None. Quorum present.

The following members of the Civic Center Committee were present: Ken Lounsbery, Chairman, John Dailey, Mike Gillespie, Joe Ovies, Keith Hutchens, Ed Cichowitz.

The affidavit of posting notice of meeting was presented. Moved by Harmon the affidavit be received and filed. Motion carried unanimously.

The Mayor stated this is a combined meeting with the members of the Civic Center Committee to discuss the Civic Center Service Program.

— Ken Lounsbery, Chairman of the Civic Center Committee, reported on two of their meetings. He stated they had received two volumes from the Hope Consulting group, and were expecting a third. He stated in addition to the three volumes it has been suggested that there be an executive summary. He stated the advisor to their committee, Tom Tucker, presented a four-page review that was the product of his having gone through the report, and after discussion it was suggested that more work be done on the report, particularly in drawing together the data contained in the report. He stated this data has not yet been brought to a conclusion. He stated no executive summary has been prepared. He stated some of the members felt what they saw in the report was not what they expected, but this is not necessarily the fault of the consultant, but the expectations of the committee.

He stated they expected a Master Plan that would show the location of the buildings, identify their size, parking, ingress and egress, inter-relationships between departments, and now he understands that will be a part of the design competition.

He stated the committee, with the help of the staff, concluded that the consultant, the staff, and Mr. Tucker should meet and reduce to writing what needs to be done to finalize the report, and to prepare the executive summary. Once it is finalized it would go back to the committee for review and then to Council with a recommendation. He stated their questions relating to the completeness of the report have been referred to staff.

Jerry Brewer, Hope Consultants, stated the Master Plan and executive summary are the same. He described the procedures they used and stated perhaps they should sit down with the staff, and the advisor, Mr. Tucker, and agree on exactly what is requested and desired of this particular site, and they are willing and open to do that. He stated they will provide whatever additional information is needed.

— Council members indicated there are some critical issues that have to be determined before the document goes out to the design competition. It was pointed out that the civic center site has been expanded to the north side of the flood control channel, and perhaps that is not acceptable.

The City Manager stated the program elements have been before the Council on more than one occasion and were approved by Council.

Council questioned the sufficiency of the report, the specificity, and details relating to utilities, the history (its proximity to downtown which was the main reason the site was chosen), and the ability to provide parking to downtown, and for that reason the parking should be on the south side.

The Mayor recommended that the interests of the Downtown Revitalization Committee be incorporated into any further meetings.

Mr. Tucker indicated if there are specifics they should be put into the program.

Discussion was held on parking facilities for employees and visitors, traffic patterns, access, etc., and discussed the information they will have to have available for the architectural competition. The City Manager indicated a Council policy statement will be needed.

Discussion was held on the draft policy statement, the information that has been presented to Council by the committee, the need to specify the space allocation and the need to correlate all of this information and the supporting data on each of the elements for Council consideration.

Council discussed meeting with the committee to review all of the elements, to have further input from the committee members, and to discuss in detail each aspect of the program. They indicated the meeting would last four hours or more.

Lucy Berk, a member of the Historical Society, asked that the bandstand in Grape Day Park be preserved, also that the row of Washington palms, and the two palms near the Lime Street School be preserved. She stressed the importance of the bandstand, which was built through the WPA program in 1936, to the history of this area. She stated the two palms are in a photograph showing the burning of the bonds located in the museum.

The committee agreed not to meet on April 19th as planned, and to reschedule their meeting for April 25th at 8:00 a.m.

City Council to meet with the committee on Wednesday, April 25, 1984, at 8:00 a.m. in the Library.

Meeting was adjourned at 6:55 p.m.

Mayor

City Clerk

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL, WEDNESDAY,
APRIL 11, 1984

The regular meeting of the City Council of the City of Escondido was held on Wednesday, April 11, 1984, at 7:30 P.M. with Mayor Rady presiding.

The invocation was given by Merwin Munson, and the Mayor led the Flag Salute.

The following Council members answered the roll call: Best, Cowan, Harmon, Rady, Thurston. Absent: None. Quorum present.

Also present were Vernon Hazen, City Manager; Dennis Wilson, Director of Public Works; Rolf Gunnarson, Community Development Director; David Chapman, City Attorney; and Lina Hill, City Clerk.

The Mayor introduced David Bolick, Chamber of Commerce; Rod Card, Board of Realtors; Margaret Kocol, League of Women Voters; and Steve Mandich, Escondido Firefighters' Legislative Activity Committee.

AFFIDAVITS OF PUBLICATION & MAILING

The affidavits of publication and mailing for hearings listed as Agenda items H-1 and H-2 were presented. Moved by Harmon the affidavits be received and filed. Motion carried unanimously.

✓ HEARING - COMMUNITY DEVELOPMENT BLOCK GRANTS - Recommendation of priorities for all proposals submitted for funding

The staff report was presented by Don Anderson, Assistant Community Services Director, and he described the rating procedure used by the department, and the criteria.

He presented the following list of proposed activities:

1. Residential Rehabilitation	\$140,000
2. Nicolaysen Pool for the handicapped	\$100,000
3. Alzheimers Disease Day Care Center	\$130,000
4. Boys' and Girls' Club Facility	\$200,000
5. Ninth Street Improvements	\$ 98,000
6. Downtown Revitalization Study, Phse II	\$ 90,000
7. Administration	\$ 40,000
8. Contingency Reserve	\$ 35,000
	\$833,000

Mr. Anderson pointed out that approximately \$40,000 remains in unobligated funds carried over from Fiscal Years 80-83, and it is proposed that these funds be allocated for street improvement projects.

RECOMMENDATION: That the City Council accept the Draft Statement of Community Development Objectives and list of Proposed Activities and authorize the Draft Statement to be published.

The Mayor stated that Council would consider the projects as they are listed in the staff report and would hear everyone wishing to speak on their request in that order.

1, 2, & 3: Planning, Administration, Contingency and Housing Rehabilitation presented by staff.

4. St. Clare's Home for Unwed Mothers (\$262,408): (Acquisition and maintenance of two houses to assist unwed mothers and children).

Sister Claire Frawley spoke in behalf of their request.

Carl Wennenberg distributed a letter from the North County Inter-faith Council, Inc., endorsing the request.

Richard Moreno; Margaret Hanway, Director of Sims' School; Dr. Pederson, a Psychotherapist, and a volunteer at the present home,

Art Devine, 701 Howard Avenue; Tom De Mitor, 406 N. Hickory; John Abernethy, 1531 Russell Place; Dr. Patricia Royce, a volunteer; and Dr. Wm. Roach spoke in favor of the request.

5. Boys' and Girls' Club (Purchase and development of a satellite site and facility) (\$200,000); Craig Timmons, Executive Director of the Club, reviewed their request.

6. Alzheimers Disease Day Care Center (Acquisition of a residential dwelling of approx. 2,000 square feet to provide day care for 30 participants. Also funding for first year administrative operation). (\$170,000).

Dr. George Glenner, Professor, San Diego University, La Jolla; Luna Odlund, 1630 Oak Hill Drive; Pam Ware, a Social Worker in north county; Judy Cantebery, Executive Director of the Center in San Diego; and Joy Glenner, Operations Director of the Center in San Diego; spoke in behalf of their request.

7. Santa Fe Railroad Restoration (Fund to be used to complete restoration of major historical building to be located in Grape Day Park) (\$40,000). No one spoke in behalf of the request.

8. Share Housing Project (Provide physical sharing of a dwelling unit by two or more unrelated individuals) (\$9,746).

Shirley Cole, Director of Lifeline Community Services spoke in behalf of their request.

9. Joslyn Senior Center Expansion (Interior remodel to consolidate service areas, entry, etc.) (\$150,000). No one spoke.

10. Nicolaysen Pool for the Handicapped (Build swimming pool and related facilities on school land. To be used by handicapped children/adults) (\$198,000).

Pamela Boeger, 1490 Manzanita Avenue, Chairman of the Nicolaysen Pool Committee; Dr. Nicolaysen; Katie Moyer, 2109 Sunset Drive; and Pat Donehue, Supervisor, San Diego Regional Center; spoke in behalf of the request.

11. Mothers Against Drunk Drivers (MADD) (Victim support program - admin.) (\$20,000). No one spoke.

12. Veterans Assistance (Aid for veterans in financial distress) (\$25,000).

Mr. Evans spoke in support of his letter requesting funding. (Ltr. not on file).

13. Downtown Revitalization (Phase II Downtown Revitalization Planning Study) (\$90,000).

David Ferguston, 402 So. Escondido Blvd., a member of the Downtown Revitalization Committee, spoke in behalf of their request.

14. Westside St. Improvements (Continuation of improvements to existing streets begun in 1979) (\$35,000 per block).

Ninth Street Project - Dennis Wilson, Director of Public Works, spoke on the improvements. He stated there is \$250,000 available from last year's allocation, and approximately \$300,000 will be needed to install the interim improvements. He stated they are recommending Council allocate \$50,000 for this purpose, and the balance of the proposed allocation of \$98,000 be used to continue on with the Westside Street Improvements. He indicated that with favorable bids it may be possible to install the Ninth Street Improvements for less than the \$300,000 estimated.

The Mayor asked if anyone else wished to speak on any of the requests. No one asked to be heard.

All persons having been heard the Mayor declared the hearing closed.

Council discussed funding for Housing Rehabilitation in the amount of \$140,000 and it was the consensus of the Council that it be approved.

— Council discussed the Administration and Contingency allocations, and it was pointed out that they are required by HUD. A majority of the Council members agreed to allocate the \$75,000 for those two items.

Council discussed funding for St. Clare's Home for Unwed Mothers at great length, and questioned the staff on several points. It was the consensus of a majority of the Council that \$130,000 be allocated to them.

Council discussed funding of street improvement projects and it was moved by Harmon the Council not use any of these funds for street improvement projects this year. Ayes. Harmon. Noes. Best, Cowan, Rady, Thurston. Absent: None. Motion lost.

Moved by Best the City Council approve allocating \$200,000 for the Boys' and Girls' Club. Motion carried unanimously.

Council discussed funding for the Nicolaysen pool.

Howard Wilson, 1773 Macero St., stated if Council allocates \$100,000 for the pool they will do everything they can to build it for that amount.

— Council discussed the allocation and questioned the staff on several points. It was pointed out by staff that the \$40,000 balance from last year can be added to the \$833,000 making a total of \$873,000 to be allocated.

✓ Moved by Rady the City Council allocate \$90,000 for the Downtown Revitalization Study. Ayes: Best, Cowan, Rady, Thurston. Noes: Harmon. Absent: None. Motion carried.

✓ Moved by Rady Council allocate \$50,000 for the Ninth Avenue street improvements. Ayes: Best, Cowan, Rady. Noes: Harmon, Thurston. Absent: None. Motion carried.

Council discussed funding for the Nicolaysen pool. The Mayor stated that the Downtown Revitalization project was funded over a two-year time period and he would suggest that the Nicolaysen pool be funded in the same manner, rather than to give them an insufficient amount to complete the project. He recommended that the committee also raise some funds with the understanding that this project will be given priority in next year's allocations.

✓ Moved by Rady the City Council allocate \$130,000 for St. Clare's Home for Unwed Mothers, \$130,000 for the Alzheimers Disease Day Care Center, and the balance of \$58,000 be allocated to the Nicolaysen pool, with the commitment that their project will be given priority next year because this is a two-year project. Ayes: Harmon, Rady, Thurston. Noes: Best, Cowan. Absent: None. Motion carried.

The Mayor declared a ten-minute recess. Council reconvened into regular session at 10:25 p.m.

✓ HEARING - UNDERGROUND UTILITY CONVERSION DISTRICT - Ash Street from Grand Avenue to the Flood Control Channel

The staff report was presented by Mr. Wilson. RECOMMENDATION: That the City Council adopt Resolution No. 84-87 establishing an Underground Utility District on Ash Street between Grand Avenue and the Escondido

Flood Control Channel and direct the City Clerk to have said Resolution recorded in the Office of the County Recorder.

There were no written or oral protests and no one asked to speak on the matter in any way.

All persons having been heard who wished to be heard the Mayor declared the hearing closed.

Moved by Best the City Council approve the staff recommendation. Motion carried unanimously.

✓ RESOLUTION NO. 84-87 was presented and title read by Mr. Chapman. Moved by Best further reading of Resolution No. 84-87 be waived. Motion carried unanimously. Moved by Best Resolution No. 84-87 be passed and adopted. Motion carried unanimously.

RESOLUTION NO. 84-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ESTABLISHING AN UNDERGROUND UTILITIES CONVERSION DISTRICT INCLUDING BOTH ELECTRIC AND TELEPHONE FACILITIES ON ASH STREET BETWEEN GRAND AVENUE AND THE ESCONDIDO FLOOD CONTROL CHANNEL.

Resolution No. 84-87 is on file in the City Clerk's office.

CURRENT BUSINESS

✓ REQUEST FOR EXTENSION OF TIME - Osbrink Property (Case No. 81-68-CZ/81-69-PD)

The staff report was presented by Mr. Wilson, and he pointed out the area on the exhibit. He stated this project consists of a Rezone and Preliminary Development Plan for a 265 unit residential project on the present site of the Osbrink Golf Course, and a one-year extension of time for submittal of the Master Development Plan has been requested by Mr. Osbrink.

Mr. Wilson stated when the project was originally considered and approved, the extension of Ash Street was eliminated from the Circulation Element to accommodate the development, and the Engineering Department is requesting that Ash Street be reinstated on the Circulation Element through the project.

STAFF RECOMMENDATION: That City Council endorse the addition of Ash Street through the project as a Collector Street and require the applicant to submit a revised preliminary plan to accommodate the roadway.

The Planning Commission considered this matter on March 27th and denied the request by a tie vote.

Bob Osbrink, 2241 Silk Tree, Tustin, spoke in behalf of the request. He stated the property is in escrow, and he would like to request the extension to allow them to progress in an orderly fashion.

Barry Bender, 365 So. Rancho Santa Fe, San Marcos, showed exhibits of the area.

Jack Gottmen spoke in behalf of the request.

Council discussed the matter and questioned the staff on several points.

Moved by Best the City Council approve the one-year extension as requested and direct that the Master Development Plan incorporate a plan for the extension of Ash Street. Motion carried unanimously.

✓ 1983-84 TRAFFIC SIGNAL IMPROVEMENT PROGRAM - Annual priority review

The staff report was presented by Phil Broughton, Traffic Engineer. TRAFFIC COMMISSION RECOMMENDATION: That the City Council approve the 1983-84 Traffic Signal Improvement Program recommended by staff and the City Traffic Commission as shown on Attachment A to the staff report.

— Mayor Rady stated one of the traffic signals will help his business and asked whether or not he should abstain. The City Attorney advised him to abstain. Councilman Cowan asked whether or not he should abstain as one of the signals is near his place of business, and the City Attorney advised him if there is a benefit of \$1,000 or more to his business he should abstain.

Moved by Best the City Council approve the Traffic Commission recommendation. Ayes: Best, Cowan, Harmon, Thurston. Noes: None. Abstain: Rady. Motion carried.

✓ SEWER OUTFALL STUDY - Engineering agreement for joint City of Escondido/County of San Diego study of future sewer outfall needs

The staff report was presented by Mr. Wilson. RECOMMENDATION: That \$32,000 be appropriated from the Sewer Fund for a joint study by the City of Escondido and the County of San Diego for current and future needs of the sewer outfall.

Moved by Best the City Council approve the staff recommendation. Ayes: Best, Cowan, Rady, Thurston. Noes: Harmon. Absent: None. Motion carried.

✓ RESOLUTION NO. 84-89 was presented and title read by Mr. Chapman. Moved by Best further reading of Resolution No 84-89 be waived. Motion carried unanimously. Moved by Best Resolution No. 84-89 be passed and adopted. Ayes: Best, Cowan, Rady, Thurston. Noes: Harmon. Absent: None. Motion carried.

RESOLUTION NO. 84-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PUBLIC WORKS AND CITY CLERK TO EXECUTE AN AGREEMENT WITH NESTE, BRUDIN & STONE OF RANCHO BERNARDO AN AGREEMENT FOR WORK IN PREPARATION OF A SEWER OUTFALL SYSTEM.

Resolution No. 84-89 is on file in the City Clerk's office.

CIVIC CENTER SERVICE PROGRAM & PROJECT

No action. To be discussed at joint meeting with the Civic Center Committee at 8:00 a.m., Wednesday, April 25, 1984 at the Library.

ORAL COMMUNICATIONS

✓ Art Devine, 701 Howard Avenue, suggested that the City Council impose an additional 1¢ sales tax as approved via an advisory vote several years ago to be used to fund various projects and not accept money from the federal government such as the block grant funds, etc.

✓ Laura Jacobs, 1203 Borden Road, Space #56, asked about grading on Avocado Street being done without a permit, and staff was asked to look into that. She also asked what would happen to the owls, she was told by the Fish and Game Department it is illegal to harm them. She asked who she could contact to get them out of there.

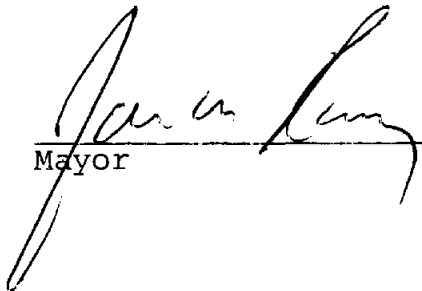
✓ Robert Eichman, 603 N. Midway, asked why there are so many police cars parked behind the police station, that it was his understanding that the officers would be taking them home.

Council directed staff to give them a report on the system and how it is working.

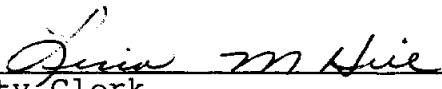
Councilman Cowan stated he would be absent next week.

- ✓ Councilman Harmon questioned the status of the street improvements at El Norte Parkway and Ash Street. Mr. Wilson said he would prepare a written report and submit it to Council regarding these improvements as they related to the planned unit approval project approved for this area. Councilman Harmon was concerned because part of the project was complete and the improvements were not in. Mr. Wilson said the improvements at the intersection occur during the second phase of the project. Councilman Harmon was concerned a request in density may be requested for the triangular piece of property not yet developed. Mr. Wilson said the City has the bonding and the full improvements will be put in.
- ✓ Mayor Rady asked Mr. Chapman to research the law relative to the paramedic units and how they might relate to a trauma center at Tri-City and/or Palomar Hospitals in the event we are asked to participate. Councilman Cowan suggested the Attorney research our legal position if there is a requirement we participate in the County plan and whether or not we have any leverage preventing our paramedics from going to San Diego. Mr. Chapman said he would research this item and return to Council.

Mayor Rady adjourned the meeting at 11:07 p.m.



Mayor



City Clerk