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Escondido, CA 92025

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Graham Mitchell, City Manager  
Escondido City Hall, Second Floor  
201 North Broadway  
Escondido, CA 92025

August 4, 2016

Dear Mr. Mitchell:

Thank you for your reply. We are encouraged by your decision to direct City staff to only use the aforementioned email list to disseminate information about upcoming Planning Commission or City Council notices, and official City communication about the Safari Highlands Ranch (SHR) proposal. We remain troubled, however, that you fail to appreciate the problem with the original email.

As stated in our August 2<sup>nd</sup> letter, the City is expected to maintain a neutral position with regards to the applicant, Concordia Homes, and the project, Safari Highlands Ranch. Even the appearance of seeming to show favor towards a project/applicant is problematic. Furthermore, to assert that there is nothing concerning about the content and communication of the July 28<sup>th</sup> email from Mr. Helmer suggests that you believe there is no relevant distinction between using the City's email list to send out official communications about the SHR application process and using that same list to direct recipients to the online marketing campaign of the very developer whose project is actively under review by the City. That position is either disingenuous or uninformed.

There are laws that prohibit the use of public resources for commercial/private benefit. In sending out the email, directing recipients to the developer's website and promotional newsletters, the City has in fact used public resources (City employee/Consultant, City email address, City equipment, City server, City database of residents requesting to be notified, etc.) for the benefit of a commercial entity. Unlike a webpage that can be quickly updated or amended to address this type of error, once an email is sent, it is irretrievable so the only corrective action at this point would be to send a message to the original recipients of the July 28<sup>th</sup> email acknowledging the mistake and restating the City of Escondido's commitment to impartial dealings with respect to Concordia Homes, LLC and the SHR proposal going forward.

If the City maintains that they were simply providing a hungry public with another "possible source of information" on the SHR project, then the City of Escondido should be equally willing to disseminate information about our organization because we are similarly a source of information on the SHR proposal and strive to keep the public apprised of project developments as it proceeds through the review process. If the City wishes to proceed in that direction, we would be happy to provide a brief write-up about the San Pasqual Valley Preservation Alliance and a link to our website and newsletter as well. That said, we feel strongly that the more appropriate remedy is for the City to email a retraction of the July 28, 2016 email to all of the original recipients.

Regards,

Neysa L. Ely  
Chief Executive Officer, SPVPA