



DATE: December 16, 2009

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **APPROVAL TO ACCEPT \$60,998 IN GRANT FUNDS FROM SAN DIEGO ASSOCIATION OF GOVERNMENTS AND APPROPRIATE THESE FUNDS TO THE MYERS PROPERTY HABITAT RESTORATION ACCOUNT**

SYNOPSIS

Staff recommends that the City Council accept \$60,998 in grant funds from San Diego Association of Governments (SANDAG) awarded to the City of Oceanside, appropriate these funds to the Myers Property Habitat Restoration account for additional remediation, restoration and access control for the Myers Property Habitat Restoration Program, and authorize the City Manager to execute the grant agreement and any supporting documents.

BACKGROUND

In 2001, the City Council authorized the acquisition of a 35-acre parcel located west of El Camino Real and south of Loma Alta Creek through the San Diego County Water Authority ("SDCWA"), which real property is commonly known as the Myers Property. The SDCWA, through the State Water Resource Control Board (SWRCB) and the State of California Department of Fish and Game, provided funds for the purchase of the Myers Property as part of the mitigation obligation for SDCWA's Emergency Storage Project. The City's acquisition of the Property added a key open space parcel to the City's proposed "Wildlife Corridor Planning Area" as described in the draft Multiple Habitat Conservation Program and the City's draft Subarea Plan.

As a condition of the acquisition of the Myers Property by the City, the City agreed to be responsible for the restoration and management of the site as natural open space pursuant to an approved habitat management plan. In September 2004 the City Council accepted a \$445,245 grant from the SWRCB and adopted a budget resolution in the amount of the state grant and the City's required grant matching fund total of \$67,430 for the Myers property and adjacent creek habitat restoration and management.

The habitat restoration project was completed in May 2007 and the SWRCB accepted the project and issued the Notice Of Project Completion. Council accepted the project and Notice Of Project Completion in June 2007.

The City is responsible for the remediation, restoration success and access control for the Myers property.

The *TransNet* Extension Ordinance and Expenditure Plan include an Environmental Mitigation Program (EMP). The EMP is a funding allocation category for the costs to mitigate habitat impacts for regional transportation projects. The EMP is a unique component of the *TransNet* Extension in that it goes beyond traditional mitigation for transportation projects by including a funding allocation for habitat acquisition, management, and monitoring activities as needed to help implement regional habitat conservation plans. SANDAG authorized \$1.63 million in FY 2009 funding for *TransNet* Extension projects.

The City applied for and was awarded FY 2009 grant funds for maintenance and improved access control of the Myers property.

ANALYSIS

This is a one-time grant that the City proposes to use to install additional fencing along the western and northern property lines to further restrict unauthorized pedestrian, domestic animal, and two-wheel-vehicle accesses; remove any invasive species and repair and reseed areas that have been damaged through unauthorized access and repair and/or replace erosion-control devices.

A condition of the grant agreement is that the City commits to enforcing access control to the property to contain unauthorized activities on the property.

FISCAL IMPACT

Staff recommends that the City Council accept \$60,998 in grant funds from San Diego Association of Governments (SANDAG) awarded to the City of Oceanside and appropriate these funds to Property Management account 320000101.5320 for the additional Myers Property remediation, restoration and access control.

Council adopted a budget resolution in September 2004 to create a Myers Property Habitat Restoration account that included the \$445,245 state grant and the City's matching contribution of \$67,430 to fund the implementation of the grant agreement. In June 2007 Council approved a budget transfer in the amount of \$17,000 from the Unallocated General Fund to the Property Management account for on-going maintenance and monitoring. In addition to the property improvements, accepting the grant will fund the City's required property maintenance through the end of this Fiscal Year.

Including the proposed grant, the City will have spent \$590,673 to purchase, restore and maintain the Myers Property through the end of FY 2009. This will exhaust the Myers Property Habitat Restoration account. Until finalization of the City's Subarea Plan, upon which management and monitoring activities for the Myers Property will be incorporated into the Subarea Monitoring Program, the cost to the Unallocated General

Fund for the state mandated management and monitoring activities for the Myers Property will be approximately \$25,000 per year.

INSURANCE REQUIREMENTS

Does not apply.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council accept \$60,998 in grant funds from San Diego Association of Governments (SANDAG) awarded to the City of Oceanside, appropriate these funds to the Myers Property Habitat Restoration account for additional remediation, restoration and access control for the Myers Property Habitat Restoration Program, and authorize the City Manager to execute the grant agreement and any supporting documents.

PREPARED BY:

SUBMITTED BY:



Gary P. Gurley
General Services Manager



Peter Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Joseph Arranaga, Deputy Public Works Director

Douglas E. Eddow, Real Estate Manager

Teri Ferro, Financial Services Director








