



CITY OF OCEANSIDE

JOINT MINUTES OF THE:

CITY COUNCIL SMALL CRAFT HARBOR DISTRICT BOARD OF DIRECTORS COMMUNITY DEVELOPMENT COMMISSION

FEBRUARY 18, 2009

REGULAR MEETING 4:00 PM COUNCIL CHAMBERS

**4:00 PM - OCEANSIDE CITY COUNCIL (COUNCIL),
HARBOR DISTRICT BOARD OF DIRECTORS (HDB), AND
COMMUNITY DEVELOPMENT COMMISSION (CDC)
- REGULAR BUSINESS**

**Mayor
HDB President
CDC Chair**
Jim Wood

**Deputy Mayor
HDB Vice President
CDC Vice Chair**
Vacant

**Councilmembers
HDB Directors
CDC Commissioners**
Jerome Kern
Jack Feller
Esther Sanchez
Rocky Chavez

**City Clerk
HDB Secretary
CDC Secretary**
Barbara Riegel Wayne

Treasurer
Gary Felien

**City Manager
HDB Chief Executive Officer
CDC Executive Director**
Peter Weiss

**City Attorney
HDB General Counsel
CDC General Counsel**
John Mullen

For this regular and joint meeting, the Council sat as all 3 governing bodies [Council, HDB and CDC] simultaneously but took action as the respective agency for the jurisdiction covered by each item. Council titles only will be used for brevity throughout the entire meeting.

4:00 PM - ROLL CALL

The meeting was convened at 4:00 PM. Present were Mayor Wood and Councilmembers Feller and Kern. Councilmember Sanchez arrived at 4:02 PM. Councilmember Chavez arrived at 4:03 PM. Also present were City Clerk Wayne, City Attorney Mullen and City Manager Weiss.

CITY COUNCIL, HDB, and CDC CLOSED SESSION ITEMS

Closed Session to discuss litigation, property acquisition, labor relations and personnel matters

CITY ATTORNEY MULLEN titled the items to be heard in closed session: 2 A) and 2 B).

[Closed session and recess were held from 4:01 to 5:00 pm]

- 1. **CONFERENCE WITH LABOR NEGOTIATOR ON STATUS OF NEGOTIATIONS PREVIOUSLY AUTHORIZED IN OPEN SESSION (SECTION 54957.6)**

**NOT OFFICIAL
UNTIL APPROVED AT SUBSEQUENT
MEETING BY CITY COUNCIL**

[CONFERENCE WITH LABOR NEGOTIATOR – Negotiator: City Manager; employee organizations: Oceanside Police Officers’ Association (OPOA), Oceanside Firefighters’ Association (OFA), Oceanside Police Management Association (OPMA), Management Employees of the City of Oceanside (MECO), Oceanside City Employees’ Association (OCEA), Oceanside Fire Management Association (OFMA), Western Council of Engineers (WCE), and Unrepresented]

No closed session was held.

2. **LITIGATION OR OTHER ADVERSARY PROCEEDING** (E.G., ADMINISTRATIVE HEARING, ARBITRATION) (SECTION 54956.9)

A) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** (SECTION 54956.9(a))

Tingzon et al. v. City of Oceanside, Superior Court Case No. GIN044820

Discussed; no reportable action.

B) **CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION** (SECTION 54956.9(c))

Initiation of litigation by City pursuant to Subdivision (c) of Section 54956.9:
One case

In closed session, Council by a 5-0 vote authorized execution of a tolling agreement with the County of San Diego regarding legal claims about property tax administration fee for 2008-09. (**Document No. 09-D0096A-1**)

5:00 P.M. – ROLL CALL

The regular and joint meeting of the Oceanside City Council (Council), Small Craft Harbor District Board of Directors (HDB) and Community Development Commission (CDC) was called to order at 5:02 PM, February 18, 2009 by Mayor Wood.

Present were Mayor Wood and Councilmembers Feller, Chavez, Sanchez and Kern. Also present were City Clerk Wayne, City Manager Weiss, City Attorney Mullen and City Treasurer Felien.

INVOCATION – Pastor Carl Souza

PLEDGE OF ALLEGIANCE – Parks & Recreation basketball team members

PROCLAMATIONS AND PRESENTATIONS

Proclamation – 2009 America Saves Week

Proclamation – Spay Day USA

Presentation – Mayor’s Youth Sports Recognition and Appreciation Award – P & R Youth Basketball

The above presentations were made.

CLOSED SESSION REPORT

3. **Closed Session report by City Attorney**

CITY ATTORNEY MULLEN reported out the items heard in closed session. See Items 2(A) and 2(B) above for reports.

PUBLIC COMMUNICATIONS ON OFF-AGENDA ITEMS

No action will be taken by the City Council/HDB/CDC on matters in this category unless it is determined that an emergency exists or that there is a need to take action that became known subsequent to the posting of the agenda.

Advance written request to reserve time to speak: None

4. **Communications from the public regarding items not on this agenda**

ANNE CHRISTIAN, 4769 Westridge Drive, spoke on her dog adoption and the benefits of spaying/neutering.

DOROTHY McCORKLE, 4610 Bristlecone Court, reviewed the Humane Society of the United States' information/website. Due to economics, will Council be able to contribute as much/more to the Humane Society due to the increase in animals at the shelter?

CATHY NYKIEL, MainStreet Oceanside, reviewed events and announcements.

JIMMY KNOTT, 127 Sherri Lane, spoke on the City Treasurer position, stating that Mr. Felien promised to sunshine the office. Therefore, Mr. Knott will give his full cooperation and support.

CONSENT CALENDAR ITEMS [Items 5-8]

All items listed on the Consent Calendar are considered to be routine matters or formal documents covering previous City Council/HDB/CDC instructions. The items listed on the Consent Calendar may be enacted by a single vote. There will be no separate discussion of any Consent Calendar items unless requested by members of the City Council/HDB/CDC or the public through submittal of Request to Speak form prior to the commencement of this agenda item.

The following Consent Calendar items 5-8 were submitted for approval. Councilmember Chavez removed Item 8 from the Consent Calendar for discussion.

5. Council/Harbor/CDC: Approval to waive reading of the text of all ordinances and resolutions considered at this meeting and provide that ordinances shall be introduced after a reading only of the title(s)
6. Council: Adoption of **Resolution No. 09-R0096-1**, "... approving the Final Mitigated Negative Declaration for the Mission San Luis Rey Waterline project" located between Peyri Drive and Mission Avenue; approval of plans and specifications for the project; and authorization for the City Engineer to call for bids
7. Council: Adoption of **Resolution No. 09-R0097-1**, "... establishing certain traffic controls within the City of Oceanside (Stop control on Corona Drive at Alamosa Park Drive)" a stop control on Corona Drive at Alamosa Park Drive
8. **Removed from the Consent Calendar for discussion**

COUNCILMEMBER SANCHEZ moved approval of Consent Calendar Items 5-7; **COUNCILMEMBER CHAVEZ seconded** the motion. **Motion was approved 5-0.**

6:00 P.M. – PUBLIC HEARING ITEMS – None

GENERAL ITEMS

9. **Council: Approval of the Redevelopment Advisory Committee FY 2008-09 Workplan**

With Committee Chair Greg Force absent, **KATHY BAKER**, Redevelopment Manager, gave an overview of the Redevelopment Advisory Committee's goals and workplan. Specific goals are to continue to review development projects, pursuing issuing another Request For Proposals on Parking Lot No. 23. They are bringing forward some of the waterfront improvements that were recommended over a year ago. They are also working on a walkable communities plan – phase 2, working on Mission Avenue improvements from Horne Street to Coast Highway. They will continue to look at different land use and zoning policies and what should be done to change some of our parking and signage issues; continue to increase business and economic growth; continue the commercial façade program and possibly modifying that program. The 2 subcommittees, the residential design guidelines will hopefully be coming forward soon; the landscape committee meets occasionally. She reviewed the workshops they are planning: parking issues in the coastal zone; signage amendments; undergrounding of utilities; construction phasing; and low/moderate housing.

COUNCILMEMBER CHAVEZ moved approval of the workplan [Document No. 09-D0099-1]; **COUNCILMEMBER KERN seconded** the motion.

Motion was approved 5-0.

10. **Council: Approval of a five-year Installation and Use Software Contract with CRW Systems, Inc., of San Diego in the amount of \$309,690 for the purchase of a Permit and Code Enforcement Tracking System to be used by Development Services, Fire Prevention, Water Utilities, and Code Enforcement; approval of a loan in the amount of \$55,500 from the Unallocated Public Facilities Fund 503 to the Code Enforcement Division of the Neighborhood Services Department for its share of the program; approval of a budget appropriation in the amount of \$50,000 from Fund 503 to complete the funding for the purchase of the System and related hardware necessary to host the program; authorization for Information Technologies to purchase the required hardware; and authorization for the City Manager to execute the contract**

GEORGE BUELL, Development Services Director, gave the staff report to purchase an automated computer system to bring Development Services and Code Enforcement into the 20th century. Since the late 1980s it has been commonplace for municipalities to issue permits through a computer system. We are still issuing building permits on paper. In 2006 there was contemplation for purchasing such a system with the price at \$1,500,000. Last fall we looked into new technologies with a host of vendors, and we have concluded with the report being presented tonight. The selected vendor is CRW, and we followed every policy that is established in the City's procurement policy.

He outlined the benefits of a computer-based permitting system and code enforcement tracking program: a common portal for multiple departments of Development Services [i.e. Building, Planning & Engineering], Code Enforcement, Water Utilities and Fire Prevention; a significant improvement in communication and project coordination; saves time for customers and staff; automatically calculates permit fees and automatically archives permit data, staff reports and submittal information. It is friendly and fast technology allowing increased transparency and accountability with information on the website; gives new capability to do business with the City via internet such as application submittal, building inspection requests, and tracking progress on line, meaning fewer trips to City Hall.

The costs total \$235,500, and that is exclusive of the maintenance agreement. Funding sources are available (current budget: \$130,000; Fund 503: \$50,000) with a \$55,500 loan to activate Code Enforcement's module, and that would be paid back in the 503 (public facilities) fund [to be paid back in one year from the VLF fees received].

This system would allow us to simplify our building permitting and entitlement process, and it would streamline it to improve the Development Services Department, which was part of the matrix productivity study that was released last week. We will be better prepared to allocate staff/resources in a more prudent manner as we head into financial times.

[No public input]

COUNCILMEMBER SANCHEZ moved approval [of Item 10 - **Document No. 09-D0100-1**]. **COUNCILMEMBER KERN seconded** the motion.

Motion was approved 5-0.

MAYOR AND/OR COUNCILMEMBER ITEMS – None

CITY MANAGER ITEMS

11. **Update on the federal proposal to move Guantanamo detainees to Camp Pendleton**
A) Report by City Manager's Office

CITY MANAGER WEISS noted that several weeks ago a member of the public asked Council's position on this issue and Councilmember Feller asked for the item to be put on the next available Council meeting for consideration.

- B) Discussion -- None
- C) Recommendation – oppose the proposal to send Guantanamo detainees to Camp Pendleton and send a letter expressing the City's opposition to all appropriate Federal authorities

COUNCILMEMBER FELLER thinks this is important since members of Congress who represent our City and others have already sent a letter and, in fact, they have a bill: H.R. 633, that is asking Congress to prohibit this from happening. It cannot hurt us to say that on behalf of the City, we too agree with that. It would interfere with the on-going training necessary at Camp Pendleton. The citizens deserve to feel comfortable, and this could be a target for possible terrorism as well. Guantanamo [detainees] are a long way from here, but all of a sudden this could be close by.

He **moved** to send a letter in support of our Congressional representatives in their efforts to keep the facility from locating at Camp Pendleton.

Motion died due to lack of a second.

Item removed from the Consent Calendar for discussion:

- 8. **City Council: Adoption of a resolution establishing parking time limits adjacent to the Oceanside Municipal Pier and Wyndham Resort area**

COUNCILMEMBER CHAVEZ stated that one of the things requested before, which he would like to add back in, is a 5-minute passenger loading zone by 333 Pacific Street for 3 parking spaces [on Pacific Street], adjacent to the restaurant. He believed that was requested to allow tourism with taxis, etc., to drop people off and go. He thinks that would be beneficial to this restaurant. As we develop the downtown area, we will have to look at other facilities.

He **moved** to add that in, and with that modification, adopt the resolution [Resolution No. 09-R0098-1, "... establishing certain traffic controls within the City of Oceanside (Parking time limits in the Pier Area)"].

COUNCILMEMBER SANCHEZ seconded the motion.

COUNCILMEMBER KERN is concerned that we are taking parking spaces away; make sure there is no net loss of parking west of downtown. How will we make up those 2 spaces?

PAUL PACE, Transportation Operations Engineer, stated that with this plan he does not have 3 spaces to immediately replace that. In the future, Redevelopment has plans for expanded parking between Tyson and Wisconsin west of the railroad tracks that will add additional spaces. Also there are locations on Pacific Street that we can explore toward Breakwater/North Coast Village, which is currently red curb, where we could perhaps install parking meters to help replenish these spaces. The 5-minute loading could be used for the pier area as well. Staff had recommended 3 spaces.

CITY MANAGER WEISS noted that Council would not be eliminating parking spaces; you are just restricting the time periods of the spaces.

COUNCILMEMBER KERN noted we have confused parking restrictions downtown and get regular complaints. We will have to redo the parking downtown to make sense of the whole thing. We need to look globally at parking downtown.

Following further discussion, **motion was approved 5-0.**

CITY COUNCIL REPORTS

- 12. **Mayor Jim Wood** – commented on:
 - City delegation heading to Washington, D.C. next week to request funding
 - free workshops about water conservation
 - Jobs available through the U.S. Census Bureau for 2010 census
- 13. **Councilmember Rocky Chavez**
 - commented on events held
 - the Surf Museum is now open
 - recognized Travis Parker who received his Eagle award
 - utility box painting program
 - discussed holding a seminar in Oceanside for contracts on Camp Pendleton and would bring that to Council (regarding businesses in HUB (Historically Underperforming Business) zones
 - Art Talk this coming Monday
- 14. **Councilmember Jack Feller**
 - commented on events
 - the snow pack in Northern California
 - his water conservation
- 15. **Councilmember Jerome M. Kern**
 - commented on events
 - will be hosting a reception for the new MiraCosta College President
- 16. **Councilmember Esther Sanchez**
 - attended the SANDAG Shoreline Preservation working group, and they received alarming news in terms of what the State might do. The Department of Finance sent out a communication suggesting that the Department of Boating and Waterways be merged under Parks, and there was no information about whether it would retain the funds for shoreline preservation. A subcommittee of the working group was formed to try to educate about the need. We will probably seek help from the SANDAG Board to maintain the Department of Boating and Waterways.

INTRODUCTION AND ADOPTION OF ORDINANCES

The following items are ordinances for introduction or adoption by the City Council/HDB/CDC. Ordinances are laws of the City of Oceanside and require introduction and adoption at two separate City Council meetings (urgency ordinances are an exception, and may be introduced and adopted at one meeting as an emergency measure). The City Council/HDB/CDC has adopted a policy that it is sufficient to read the title of ordinances at the time of introduction and adoption, and that full reading of ordinances may be waived. After the City Attorney has read the titles, the City Council/HDB/CDC may introduce or adopt the ordinances below in a single vote. There will be no discussion of the items unless requested by members of the City Council/HDB/CDC or the public through submittal of a Request to Speak form prior to the commencement of this agenda item.

- 17. Council: Adoption of **Ordinance No. 09-OR0101-1**, "...authorizing an amendment to the contract between the City Council of the City of Oceanside and the Board of Administration of the California Public Employees' Retirement System" (*Introduced 2/4/09, 5-0 vote*)

Following reading of the title, **COUNCILMEMBER SANCHEZ moved** to adopt the ordinance.

COUNCILMEMBER KERN seconded the motion.

Motion was approved 5-0.

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February 18, 2009

Joint Meeting Minutes
Council, HDB and CDC

ADJOURNMENT

MAYOR WOOD adjourned this joint meeting of the Oceanside City Council, Community Development Commission and Small Craft Harbor District Board of Directors at 6:21 PM, February 18, 2009.

ACCEPTED BY COUNCIL/HDB/CDC:

Barbara Riegel Wayne
City Clerk, City of Oceanside