

STAFF REPORT



ITEM NO. 23
CITY OF OCEANSIDE

DATE: June 20, 2007

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **ACCEPTANCE OF IMPROVEMENTS FOR THE MYERS PROPERTY HABITAT RESTORATION AND APPROVAL OF A BUDGET TRANSFER IN THE AMOUNT OF \$17,000 FROM THE GENERAL FUND UNALLOCATED FUND BALANCE TO THE PROPERTY MANAGEMENT ACCOUNT FOR ONGOING PROPERTY MAINTENANCE AND MONITORING**

SYNOPSIS

Staff recommends that the City Council accept the improvements constructed by Technology Associates International Corporation (TAIC) of San Diego and the State Water Resource Control Board for the Myers Property Habitat Restoration project; authorize the City Clerk to file the Notice of Completion with the San Diego County Recorder; and approve a budget transfer in the amount of \$17,000 from the General Fund Unallocated Fund Balance to the Property Management account for ongoing maintenance and monitoring.

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, commonly known as the Myers Property, through the San Diego County Water Authority (SDCWA). The SDCWA and the State of California Department of Fish and Game provided funds for 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 (MHCP) and the City's draft Sub area 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 State Water Resource Control Board (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 plan.

In April 2005 the City Council approved a professional services agreement with Technology Associates International Corporation (TAIC) of San Diego in an amount not to exceed \$512,675 for the complete Myers property habitat restoration program.

ANALYSIS

TAIC completed the habitat restoration project in May 2007. All required reports, “as built” plans and final invoicing are complete. The SWRCB has accepted the Final Project Reports and issued the Notice of Project Completion.

A condition of the SWRCB grant was that the City be responsible for the maintenance and remediation of the property. The City, in coordination with and under the supervision of a monitoring biologist, is responsible for the success of the restoration. Trash and debris removal and weeding should be done at least twice annually. If necessary and upon direction from the monitoring biologist, remediation such as fence repairs, erosion and soil stabilization repairs, herbicide treatment of weed regrowth and remedial planting will be performed. It is anticipated that the maintenance and remediation program could last up to five years or until a Citywide MHCP maintenance plan is instituted.

FISCAL IMPACT

Sufficient funds were available to complete this project. The proposed budget transfer of \$17,000 from the General Fund Unallocated Fund Balance will provide sufficient funding for the required maintenance and remediation program for one year. The future maintenance funding requirements will be \$12,000-\$15,000 per year for the next 3-4 years and will be included in the regular budget cycles.

INSURANCE REQUIREMENTS

Does not apply.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY’S ANALYSIS

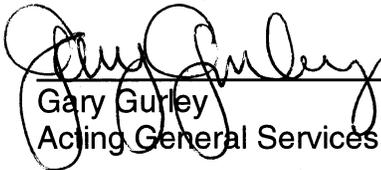
The City Attorney analysis does not apply.

RECOMMENDATION

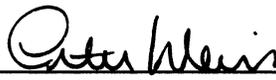
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PREPARED BY:

SUBMITTED BY:



Gary Gurley
Acting General Services Manager



Peter A. Weiss
Interim City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Joseph Arranaga, Acting Deputy Public Works Director

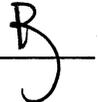
Douglas E. Eddow, Real Property Manager

Paul Bussey, Interim Financial Services Director











Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

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Arnold Schwarzenegger
Governor

May 15, 2007

Doug Eddow, Project Director
City of Oceanside, Water Utilities Department
300 North Coast Highway
Oceanside, CA 92054

NOTICE OF PROJECT COMPLETION

City of Oceanside
Myers Property and Adjacent Creek Habitat Restoration
Agreement #04-132-559-0
Prop 13, Nonpoint Source

Dear Mr. Eddow:

Congratulations on the completion of your project.

I have processed your final invoice (number 8), dated April 5, 2007 for payment. The remaining balance of \$1.42 will be disencumbered, and unavailable for further use.

The project agreement requires your agency to retain records a minimum of 23 years for audit purposes.

If you have any questions, please contact Sally Meza at (916) 341-5465 or smeza@waterboards.ca.gov.

Sincerely,

Sally Meza, Program Analyst
Grants & Contracts Administration Unit

California Environmental Protection Agency