



California

CITY OF OCEANSIDE

JOINT MINUTES OF THE:

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

JANUARY 10, 2007

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
Rocky Chavez

Councilmembers
HDB Directors
CDC Commissioners
Jerome Kern
Jack Feller
Esther Sanchez

City Clerk
HDB Secretary
CDC Secretary
Barbara Riegel Wayne

Treasurer
Rosemary Jones

Interim:
City Manager
HDB Chief Executive Officer
CDC Executive Director
Barry Martin

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.

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 4:00 PM, January 10, 2007 by Mayor Wood.

ROLL CALL

Present were Mayor Wood, Deputy Mayor Chavez and Councilmembers Kern and Feller. Councilmember Sanchez was absent. Also present were PUBLIC WORKS DIRECTOR WEISS, City Clerk Wayne and City Attorney Mullen.

COUNCIL, HDB AND CDC CLOSED SESSION ITEMS

CITY ATTORNEY MULLEN titled the following agenized items to be heard in closed session: Items 2B, 3 and 4 [Items 1 and 2A were not heard]. Closed Session and recess were held from 4:02 – 5:03 PM [See the report out on these items at 5:00 PM, Item 5.]

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

January 10, 2007

Joint Meeting Minutes
Council, HDB and CDC

5:00 PM

MAYOR WOOD reconvened the meeting at 5:03 PM. All Councilmembers were present. Also present were PUBLIC WORKS DIRECTOR WEISS, City Clerk Wayne, City Treasurer Jones and City Attorney Mullen.

The Invocation was given by Pastor Carl Souza. The Pledge of Allegiance was led by Brittany O'Brien, Kristin DeSplinter, Samantha O'Shea, Carolin Fischer, and Alexis Marx-Weber of the Oceanside Girl Scout Troop 1148.

PROCLAMATIONS AND PRESENTATIONS

- Off Agenda - "Pet of the Month" presented by Julie Banks, Executive Director of the North County Humane Society & SCPA.

Ms. Banks presented Boogie, a 6-year-old Boston terrier, which is up for adoption.

- Presentation – Senior Out & About Program

Eileen Turk, Parks and Recreation Division Manager, stated the Parks and Recreation Commission and Senior Commission received a \$115,000 donation from Genentech for the new transportation program, which will be a shuttle bus providing transportation to seniors who call and make an appointment.

- Off Agenda - Thanks to Genentech, Inc.

Mayor Wood presented Genentech with the Mayor's Award of Excellence for their community involvement and financial support not only for funding the senior transportation program but also for contributing to Casa de Amparo and to the Fire and Police Departments..

CLOSED SESSION REPORT

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

CITY ATTORNEY MULLEN reported out on the following items previously heard in closed session:

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

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 (WCOE), and Unrepresented]

No closed session was held on this item.

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

[A] CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (SECTION 54956.9)

Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: One case]

No closed session was held on this item.

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

Balistrieri v. City, Superior Court Case No. GIN040747

This item was discussed; there was no reportable action under the Brown Act.

3. PUBLIC EMPLOYEE APPOINTMENT, PUBLIC EMPLOYMENT, PERSONNEL
EVALUATION AND DISCIPLINE (SECTION 54957(b))

PUBLIC EMPLOYEE APPOINTMENT - Title: City Manager

In closed session, Council appointed Peter Weiss as Interim City Manager, effective 1/26/07, in light of Barry Martin's upcoming retirement on 1/25/07.

MAYOR WOOD thanked Barry Martin for his integrity in operating the City. Peter Weiss has been the Public Works Director and a long-time employee.

PETER WEISS, Public Works Director, thanked Council for their support and pledged to keep the City moving with Council's policy direction, the input from the community, and staff and the management team that are in place.

4. **CONFERENCE WITH REAL ESTATE NEGOTIATOR (SECTION 54956.8)**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: Ivey Ranch Park (bounded by Rancho del Oro Drive, Mission Avenue and Highway 76); Negotiating Parties: City of Oceanside and Ivey Ranch Park Association, Inc.; Negotiator for the City: Douglas E. Eddow, Real Property Manager; Under Negotiations: Price and terms of a lease amendment regarding the use of the subject property

This item was discussed; there was no reportable action under the Brown Act.

PUBLIC COMMUNICATIONS ON OFF-AGENDA ITEMS

No action will be taken by the 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.

6. **Advance written request to reserve time to speak:**

Request by George Kerpani to speak regarding fallen OPD officers Dan Bessant and Tony Zeppetella

GEORGIO KERPANI, Oceanside resident, remarked that gang activity has been a problem and is more noticed since the past incident with Officer Dan Bessant. He suggested bringing back District Attorney Bonnie Dumanis and San Diego County Supervisor Bill Horn regarding instituting the 10-point coalition, or instituting the Parent Project, the Mentor Program, or all of these programs.

In the memory of fallen officers Dan Bessant and Tony Zeppetella, he suggested that an Oceanside artist be allowed to construct a bust sculpture and that they place the sculpture at the flag pole at City Hall or at the Police Department. It would also be nice to have something like this in memory of any future police or fire personnel who die in the line of duty. He would be willing to donate the first \$100.

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

GREGORY WEIR, 5470 Parrolette Court, speaking on behalf of his family, conveyed condolences to the family, friends and colleagues of Officers Bessant and

Zeppetella. He spoke about the erosion of the quality of life, increasing presence of gangs in the community and the crimes they commit. The tarnishing of Oceanside's reputation affects their property values and discourages law abiding people from considering Oceanside as a safe place to live and raise a family.

According to the *North County Times*, there are 12 major gangs in this community; 1,153 gang members; and 8 major areas in Oceanside upon which these gangs have inflicted their crimes. He lives in one of those communities near the rear gate at Camp Pendleton. His proposed solution is to hire additional police; seek additional help from the County, State and Federal agencies; enact legislation such as injunctions, property seizures and evictions of anyone who is associated with organized criminal activity; meet with community leaders; increase police presence at school campuses; and increase youth education programs to keep these kids off the streets. He encouraged his fellow citizens to empower City officials and the Police Department to take whatever measures needed to address this problem.

MAYOR WOOD commented that the Council has taken a leadership role on this. The Chief of Police will be addressing the public as a whole regarding some of his plans.

GRETA FISCHER, a young member of the Oceanside Swim Club, thanked the Council for letting them use the Brooks Street Pool. She requested that the City build an Olympic-sized pool at El Corazon Park so that people could practice and swim and provide something positive for kids like her to do in their free time.

MAYOR WOOD responded that the City has plans for an Olympic-sized pool at El Corazon Park.

JEAN DOKTOR, 1376 Temple Heights Road, is not impressed with the disaster survival plan for the City or the County. Oceanside is near one of the hot spots -- Camp Pendleton. They should consider a definite plan for the schools, including an evacuation. The buses are close at hand and should have assigned drivers prepared. The schools are ideal places for shelter, food distribution, medical and welfare. The schools are within easy reach of neighborhoods. She is especially concerned about the City Operation Center, which is essential in any disaster plan. Senior communities should also have a plan for disabled and frail persons. They should have their addresses and contacts and be able to help in case of an emergency. Please give consideration to a concrete disaster plan for our schools.

NADINE SCOTT, 550 Hoover Street, stated that the top banner headline in the *North County Times* was that the residents are not happy with the concrete plant [Robertson's Concrete]. Her neighborhood is going to have to deal with a concrete plant with hundreds of 60,000- or 80,000-pound trucks going down the street each day. The people who live above this plant will look down on it, and literally, they are not 300 feet away if the altitude is eliminated; they are more like 100 feet away. This is not the right place for this industry.

She went out to the batch plant for Hansen's. There were no homes, which is where this type of industry should be, with a major freeway for access. If the Council approves the project without giving it a critical eye, she would be very disappointed in all of them. It is not just about the money; it is about their neighborhoods. Robertson's has been spinning quite a tale with their lobbyist and their mailer, which 20,000 people received. There were 8 pages of fine type, with most of it slanted in Robertson's favor. They have never received approvals from the Regional Water Quality Control Board. Go unannounced to some of their plants. They are dirty, and the neighbors within a mile are unhappy.

JOAN BRUBAKER, 1606 Hackamore Road, was upset about graffiti. Most people would say that it is a far journey from graffiti to murder, but recent happenings might cause one to think differently. Gang activity and the number of gangs they have in the City is not acceptable.

About a year ago, efforts were exerted to try to combat this problem. Unfortunately it fell apart. She was really encouraged watching a news cast from the Los Angeles Chief of Police and their Mayor this week in which it was cited that the Los Angeles crime rate has been reduced and that they need to regard gangs as their number one threat to humanity in 2007. She wished Oceanside would view it the same.

The tax on businesses in Oceanside to eliminate graffiti is an extra drain. She has interfaced personally with several businesses that are eliminating graffiti once or twice each month. This is needless if we take hold of the gang situation aggressively. Do not rely on the schools to solve the problem that the families have let go in neglect.

In response to Mayor Wood, **JOE URBAN**, Preparedness Coordinator for the City, stated that he was invited by Ms. Doktor to the AARP meeting last week at the Senior Center. He tried to convey the thought that, in the initial response to any large event, there are not enough governmental resources to be there immediately. The responsibility to survive that event rests with the individual. Anything the individual can do to prepare and sustain themselves for at least 5 days is highly recommended. Beyond that, governmental resources will be falling into place.

In Southern California, and throughout California, we have a very good emergency response system. It is much better organized than the gulf coast where Katrina devastated the Louisiana area. Everybody is working together. We are a model organization for the rest of the country. Through the Community Emergency Response Teams (CERT) program, they teach people how to be better prepared, how to react and how to do rescues and first aid. The schools are adopting that program, as well.

Transportation, shelter and food distribution issues are unending. They are working at it and have made great progress. Rest assured that everything possible, within financial and resource constraints, is being done, but there is always more to do.

CONSENT CALENDAR ITEMS [Items 8 – 18]

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 a Request to Speak form prior to the commencement of the agenda item.

COUNCILMEMBER KERN pulled item 10 for discussion.

The following Consent Calendar was submitted for approval:

8. Council/Harbor/CDC: Acceptance of Joint Minutes of the Small Craft Harbor District Board of Directors, Community Development Commission and City Council of:

December 5, 2006, 10:00 a.m. Regular Meeting
December 6, 2006, 3:00 p.m., Special Meeting
December 17, 2006, 1:00 p.m., Adjourned Meeting
9. 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)
10. **Removed from Consent Calendar for discussion**

11. Council: Approval of Amendment 1 in the amount of \$52,000 to the professional services agreement with Geopacifica, Inc., of Oceanside for ongoing geotechnical review and plan check services, and authorization for the City Manager to execute the amendment (**Document No. 07-D0001-1**)
12. Council: Approval to grant an easement to San Diego Gas and Electric Company for the relocation of an anchorage facility to accommodate the improvements at Mance Buchanon Park, and authorization for the Mayor to execute the deed (**Document No. 07-D0002-1**)
13. Council: Approval of budget transfers within existing accounts for seven Landscape Maintenance Districts, moving funds from the unallocated fund balances to the operating accounts of the Del Oro Hills (\$30,000), Douglas Park (\$18,000), Vandegrift (\$4,500), Guajome Ridge (\$4,500), Mar Lado Highlands (\$21,000), Sunburst Homes (\$8,000), and Vista Del Rio (\$3,500) Landscape Maintenance Districts for landscape, irrigation, and maintenance projects
14. Council: Approval to accept \$87,889 in grant funds from the San Diego County Office of Emergency Services awarded to the City of Oceanside for reimbursement of funds expended for equipment and training used to respond to potential terrorist incidents, and approval to budget these funds to the Fire Department
15. Council: Acceptance of Annual Report for City of Oceanside Community Facilities District Numbers:
 - 2000-1 (Ocean Ranch Corporate Centre),
 - 2001-1 (Morro Hills Development), and
 - 2001-2 (Trendwest Resorts), pursuant to the Local Agency Special Tax Bond Accountability Act
16. Council: Acceptance of the improvements constructed by A.B. Hashmi, Inc., of Oceanside for the Dog Park project located at 301 Jones Road, and authorization for the City Clerk to file the Notice of Completion with the San Diego County Recorder (**Document No. 07-D0003-1**)
17. Council: **Adoption of Resolution No. 07-R0004-1**, "... adopting Personnel Rules and Regulations pursuant to Chapter 23 of the Oceanside Municipal Code" (**Document No. 07-D0005-1**)
18. Council: **Adoption of Resolution No. 07-R0006-1**, "... superseding Resolution No. 06-R0594-1 to include the grant program name "Recreational Trails Program" for the Application for Grant Funds from the Recreational Trails Program for the Extension of the San Luis Rey River Trail," to continue to meet eligibility requirements for the application of grant funds in the amount of \$420,000 from the State of California Recreational Trails Program for the extension of the San Luis Rey River Trail

DEPUTY MAYOR CHAVEZ moved approval of the balance of the Consent Calendar [Items 8, 9, and 11- 18]. **COUNCILMEMBER SANCHEZ** seconded the motion; motion was **approved 5-0**.

ITEM REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

10. Council: **Approval of plans and specifications for the Annual Slurry Seal FY 2006-07 project, and authorization for the Public Works Director to call for bids**

COUNCILMEMBER KERN thinks it would be nice for the public to know how the list is made so that people will understand why some streets make the list and some do not.

PUBLIC WORKS DIRECTOR WEISS stated that they have 2 primary pavement management programs. One is the Slurry Seal Program, which is a preventative maintenance program, and the other is the street overlay project, which is the major repair. In the Slurry Seal program, staff evaluates all of the city streets, have them in a 5-year plan, and they get rated. The Slurry Seal typically is applied to extend the service life of a street and is applied to newer streets because, as streets begin to deteriorate, the cost of putting a Slurry Seal on a street that is beyond having that done really does not extend the service life. Staff has several types of applications that they use.

He reiterated that they do a program where they look at all of the streets. They also respond to service requests and citizen complaints through their maintenance department. As residents have an issue or concern or want to know where they are on that list, they can contact the City through the Street Division. It is an annual update where they review the streets and put them on the list. They do not have enough money to handle all of the street maintenance needs. They have to prioritize those streets based on service needs. They are trying to put as much money as they can into preventative maintenance because a dollar spent now will save them \$10 later.

A lot of the streets are scheduled for pot hole services based on the area of the community. Staff has that information available as well. Citizens can contact them through the Public Works office.

COUNCILMEMBER KERN moved approval [to approve plans and specifications for the Annual Slurry Seal FY 2006-07 project, and authorization for the Public Works Director to call for bids]. **COUNCILMEMBER SANCHEZ** seconded the motion; motion was **approved 5-0**.

At this time, the Mayor determined to hear Item 23.

GENERAL ITEMS

General Items are normally heard after any 6:00 p.m. Public Hearing Items. However, if time permits, some General Items may be heard prior to any 6:00 p.m. Public Hearing Items, following the Consent Calendar.

23. **City Council: Approval of Change Order 1 in the amount of \$15,040 to the professional services agreement with Charles Doherty Concrete for the FY 2006-07 Citywide Sidewalk Repair project, for the addition of ADA/sidewalk improvements on Mesa Drive adjacent to Crouch Street; and authorization for the Public Works Director to execute the change order (Document No. 07-D0010-1)**

PUBLIC WORKS DIRECTOR WEISS stated this item is a continuation of a project that Council previously approved to put sidewalks in along Mesa Drive. At that time the Council approved a compromise position that allowed for the sidewalks to be installed, with the exception of the frontage of 3 properties. That work had been completed, and the City has since then received several Americans with Disability Act (ADA) complaints in regards to the condition of the remaining walk areas where there are a couple of trees and some tree roots, as well as some bark. In consultation with the City Attorney's office, staff reviewed this situation, and the recommendation is that they put in ADA compatible sidewalks along the balance of that portion of Mesa Drive.

They had an arborist look at the trees that are there, and unfortunately the installation of that will require the removal of the 2 trees. They might be able to have some options, one of which would be to grind the tree roots, but in the longer term those options would have a detrimental affect on the trees.

Public Input

KARIN DIGGLE, 2555 Mesa Drive, addressed the proposed sidewalk in front of her house. She does not want to deprive disabled persons of an assessable walk way, but she wants to figure out a way to handle the situation without removing the 2 large trees. She thought the compromise they agreed to last year was going to work. Apparently there are still folks who are dissatisfied with that. She is still determined to find a solution that is agreeable to everyone.

For reasons that were not made very clear, the idea of putting in a flexible recycled rubber sidewalk is no longer an option. It seems now that the only solution the City sees is to install a concrete sidewalk, which will surely mean removing the trees she has tried so hard to save. Two independent arborists were consulted. It was their opinion that there is no way to save the trees if a concrete sidewalk is to be put in place. If the City is going to cut down these trees and put in a sidewalk, she asks for a compromise.

She would like to see those trees replaced. The existing trees have provided a great canopy of foliage, which besides being beautiful has contributed to the lessening of air pollution by removing particulate matter from the air. They have also provided a natural sound barrier, dampening the noise of traffic along this busy stretch of Mesa. They need to replace these trees with something comparable. She has a list of trees from staff, who committed to replacing the trees. It would be nice to see 3 or 4 trees planted. The stumps and roots left from the old trees need to be completely removed, not just ground down.

She would also like to see the new sidewalk continue at a 4-foot width in front of her house, as it will at her neighbors'. This will maintain continuity and look nicer. There is no reason to go from 4 feet to 5 feet along this stretch. Four feet is still ADA compliant. Continuing the sidewalk at 4 feet will also keep the wooden barrier along her property, which serves to keep the soil from eroding onto the walkway. This erosion is already apparent on the corner of Crouch and Mesa Drive, where the City removed this barrier and put in the access ramps. The sidewalk installation will also be a good time to repair the curbs and gutters on either side of her driveway, as that has become a source of standing water when it rains. She hoped the City will consider her requests. She wants to find a compromise and solution that is agreeable to everyone.

STACY ZWAGERS, 180 Parnassus Circle, representing Access for Independence, an agency that promotes access for people with disabilities, stated they are in support of this item. She visited the location, and it is very difficult to traverse. The wood chips and roots are very difficult, and she supports replacing the trees with 3 or 4 new trees. However, it is important to gain safe access along that stretch.

JACKIE CAMP, PO Box 678, Program Director with Able-Disabled Advocacy, supports the Public Works decision. She was on the sidewalk 3 different times. There is no way the City can keep that area up to the ADA laws without removing those trees. She cannot get through there, nor could someone with a motorized chair. She loves trees; however, it is imperative that they do this according to the ADA in order to be able to have access for people, not only with wheelchairs, but also people using walkers, canes and those who are sight impaired.

DONNA MCGINTY, 2405 Mesa Drive, thanked everyone who has been part of resolving this issue and attempting to come to a compromise that will allow a lot of her neighbors to walk through the area comfortably. They have canes or 3-wheel motorized vehicles and need a smooth surface area. They have lots of people in the neighborhood who enjoy walking. It is nice to finally have a complete walk area that will be a safe traveling corridor from Mission to Buddy Todd Park. Moms with babies in strollers will appreciate it too.

JOHN MULVIHILL, 2545 Mesa Drive, is perplexed regarding this agenda item

and how and why it is proposed. He and Ms. Diggle have tried to save the trees and have ADA access. They have attended several City Council meetings. At the last meeting, the Council sided with them and ruled 5-0 to save the trees. On May 5, 2006, all of the impacted neighbors for the Mesa Drive sidewalk project were finally invited by Public Works Director Peter Weiss and Project Manager Peter Biniáz to attend a meeting for the proposed sidewalk project. Mr. Biniáz showed them samples of rubberized sidewalks, which were going to be used to meet the ADA access and to save the trees. Mr. Biniáz said it would easily meet the ADA 2% grade requirement, that the cost was nominal and that the rubber sections can be adjusted for future movement of root growth. Mr. Weiss confirmed this with a letter dated May 9, 2006. Mr. Weiss' letter states that in order to protect the existing trees and avoid their removal, rubberized panels will be installed. A letter from Mr. Weiss dated December 6, 2006 states that to grant ADA access, the trees require removal. In the arborist's report there is only a small mention under recommendations and conclusions that states rubberized materials is not applicable in this situation. Because of the conflict of information, he and Ms. Diggle hired a local independent ISA-licensed arborist to extract the truth. They concurred with Mr. Weiss' first letter that the trees could be saved and a rubberized sidewalk could be installed over the roots, with no impact to the trees and meeting the 2% ADA requirement.

The City can apply for a \$100,000 grant with the State Waste Management for any price difference between traditional concrete and this new technology. The City has already taken advantage of grants for rubberized streets; why not sidewalks? Please allow these trees to be the first intelligent and compassionate example of a citywide program where progress in established nature can thrive and complement each other.

[Public input conduced]

MAYOR WOOD thought Council had previously voted to try to compromise to save the trees.

COUNCILMEMBER SANCHEZ heard a suggestion about the rubber sidewalk. She also heard a further compromise could be removal of the trees and replacement with a variety less prone to damaging the street, as well as a request that the stumps and the roots be completely removed, and make the sidewalk 4-feet wide. It sounds like that is something that the entire community would like to have happen. She asked if that is something they could do.

PETER BINIAZ, Project Manager, responded affirmatively.

COUNCILMEMBER SANCHEZ inquired about repairing the curbs and the gutters.

MR. BINIAZ stated that is a major part of the problem. The tree roots have grown into the street and have broken the curb and gutter in front of Ms. Diggle's house. They will be replaced/repared. They will comply with everything that Ms. Diggle has requested.

COUNCILMEMBER SANCHEZ moved for approval [of Change Order 1] and that it include that the trees be replaced (3 or 4 trees), that they completely remove the stumps and roots, that it be a 4-foot wide sidewalk, and that they repair the curbs and gutters.

DEPUTY MAYOR CHAVEZ seconded the motion.

COUNCILMEMBER KERN asked what type of trees is there now and what they will be replaced with.

MR. BINIAZ responded that they have a 2-page list of trees that are ADA compatible, which he has supplied to Ms. Diggle. Staff will provide whatever she

chooses from that list.

COUNCILMEMBER KERN expressed concern that they do not find themselves back in 3 years requesting to cut down the trees.

PUBLIC WORKS DIRECTOR WEISS stated that staff will work with Ms. Diggle and Marilyn Campbell, the other home owner and offer her trees as well. They will plant them in appropriate root barriers.

COUNCILMEMBER KERN asked what happened to the rubberized sidewalks.

MR. BINIAZ responded it did not address the curb and gutter that were broken in the street. Also, a couple of the residents who rode on their motorized wheelchairs did not feel that would be safe. This solution would be desirable to everybody.

Motion was **approved 5-0**.

At this time, the Mayor called for the time-certain items.

6:00 PM – PUBLIC HEARING ITEMS [Items 19-22]

Public hearing items are "time-certain" and are heard beginning at 6:00 p.m. Due to the time-certain requirement, other items may be taken out of order on the agenda to accommodate the 6:00 p.m. public hearing schedule.

19. **CDC: Consideration of a resolution approving a Regular Coastal Permit (RC-214-06) for the conversion of a residential duplex into a single-family residence with a 500-square-foot addition located at 128 South Pacific Street – Taschner Addition – Applicant: Lou and Mary Taschner**

MAYOR WOOD opened the public hearing.

Regarding Councilmember disclosure of constituent contact, Councilmember Feller reported contact with the applicant and staff. Mayor Wood and Deputy Mayor Chavez reported contact with the applicant and staff and a visit to the site. Councilmember Sanchez and Kern reported contact with the applicant

SHAN BABICK, Associate Planner, stated the project is located at 128 South Pacific Street, which will convert a 2-story, 2-unit apartment building into a single-family home in the rear. The single-family home on the front portion of the project will not be touched at this time. He reiterated that the project is to convert the existing duplex in the rear to a single-family residence, with a net of approximately 500 square feet with a third story consisting of a master bedroom, bathroom and a 442 square foot deck. The garage capacity will be increased from 3 to 4 parking spaces, which is consistent with the development standards for a 2-unit development.

The proposed design will modernize the 1960 beach bungalow that is currently residing on the site. A regular coastal permit is required because this project is located within the appealable area of the Local Coastal Program (LCP), which is the first 300 feet eastward of the beach. This project is consistent with the Redevelopment Plan and goals. It is also consistent with the LCP.

The Redevelopment Design Review Committee reviewed and approved the project at its November 30, 2006 meeting, and the Redevelopment Advisory Committee reviewed and approved the project at its December 11, 2006 meeting.

Staff would like to rescind Condition #4 on page 3. It is a building condition that states that all electrical communication, cable television and service lines within the exterior lines of the property shall be undergrounded. This condition is a boiler plate condition. It is not necessary because the undergrounding has already been completed

on Pacific Street, and the electrical is already underground. Therefore, it is not necessary for this 500 square foot addition. Staff recommends approval of RC-214-06.

Applicant

LOU TASCHNER, 128 South Pacific Street, concurs with staff's presentation. Currently he has 3 units: a single-family house and 2 units on the property with 3 one-car garages. It is within ½ block of Seagaze Street, where the new hotel will be located in the future. Parking is going to become more severe as they move into the future. In his decision to move forward with this project, it was understood that they needed to come into conformity to keep their parking on site and not have to go onto the street to rely on finding a space. It appeared that going to a single-family house on the rear made sense. The building is there, and it can be retrofitted and create more comfort for them. They were in 1,300 square feet. They are putting the third floor on, which will be approximately 500 square feet and will give them 1,500 square feet of living space.

The front of the house will remain the same. Any future changes would be interior changes. He has no intent to increase the height. It is only 1 story on the front of the lot, and it conforms with the neighborhood. His neighbor has recently constructed a 3-story condominium next door to the south of them. His building is oriented to the north. On the second floor there will be approximately a 500-foot deck. Rather than being an inhabitable area, it would be a useable area to enjoy the sunset. They have lived in the house for 35 years and never had a sunset before. This will be their first chance unless their neighbor to the north decides to go up. He is looking forward to staying in the community. They have been here for many years, and this will bring their property into conformity with what he expects to see in the future. They ask for Council's approval.

With no public input on this item, the Mayor closed the public hearing.

COUNCILMEMBER SANCHEZ moved approval [of staff's recommendation and, as amended by staff to remove Condition 4 regarding undergrounding, adoption of **Resolution No. 07-R0007-3**, "... approving a Regular Coastal Permit for the conversion of a residential duplex into a single-family residence with a 500 square foot addition located at 128 South Pacific Street – Applicants: Lou and Mary Taschner."]

DEPUTY MAYOR CHAVEZ seconded the motion; motion was **approved 5-0**.

20. **CDC: Consideration of a resolution approving Tentative Parcel Map (P-203-06), Development Plan (D-206-06), Variation (V-206-06) and Regular Coastal Permit (RC-208-06) for the construction of three single-family residential units located at 212-216 Windward Way – Windward Homes – Applicant: Pacific Windward Ventures**

MAYOR WOOD opened the public hearing.

Regarding Councilmember disclosure of constituent contact, Councilmember Feller and Mayor Wood reported contact with staff. Deputy Mayor Chavez reported contact with staff and a visit to the site, and Councilmembers Sanchez and Kern reported no contact.

SHAN BABICK, Associate Planner, stated the project is 3 single-family residential units at 212-216 Windward Way. The units range in size from 3,043 to 3,507 square feet on lots that range from 2,673 to 4,915 square feet. The project's height is 35 feet; however, there are some extensions to 43 feet.

The project requires a regular coastal permit because it is in the appealable area of the Coastal Zone, which is the first 300 feet east of the beach. The applicant is requesting a variation. Staff's review focused on the project's compatibility with the surrounding area. The applicant, even though the site is zoned for multi-family

residential, has chosen to do single-family residential, which greatly reduced the density to 12½ dwelling units per acre for this product type. This type of design is consistent with newer developments in the surrounding area and improves the existing site.

This project has to be consistent with the Local Coastal Program (LCP) that is along Windward Way. They have a view corridor there. The present units only provide a 1-foot and 3-foot setback in the front. In accordance to development standards, these buildings will be pushed back 10 feet so there is a 10-foot setback, thereby providing a greater view corridor down Windward Way for the residents to the east. With that setback, it is consistent with the Local Coastal Program.

The variation is due to the lot configuration. Minimum lot size in this area is 5,000 square feet; however, they do allow for 2,500 square foot lots, i.e., the row homes throughout downtown and in some of the other areas of the city. Because of the way the lot is configured from when they subdivided it previously, it requires a variation for the third lot. On the small lot configurations, staff is trying to make sure there are no garages in front. On this project, the garages are in the rear and come off of the alley. Therefore, the project meets all of the aesthetic concerns that they would have. This project meets the intent of the Redevelopment Plan and the LCP. The project was brought before the Redevelopment Design Review Committee and the Redevelopment Advisory Committee, and they both approved the project unanimously.

He recommended that the Commission adopt the resolution approving tentative parcel map P-203-06, development plan D-206-06, variation V-206-06 and Regular Coast Permit RC-208-06 for the construction of the 3 single-family residences located at 212-216 Windward Way.

Applicant

GEORGE YERMANOS, 1268 Green Orchard Place, Encinitas, applicant and lead developer representing Windward Ventures, has been working with staff on this project for a year. They tried to come up with something that is compatible with the neighborhood, and they came up with this 3-home project. The homes are on lots that are a little wider than the typical row home. Each house is 25 feet wide, 3 stories high and each has their own garage. They worked with a local architect and engineer who have worked on many projects in the downtown area. They tried to put together something that is very nice. The challenge was the parking. They do not have curb cuts or access on Windward Way so they are accessing everything through the alley. They are proud of the project and think it adds value to the area. It is less dense than they could have gone for.

Public Input

CAROL DOUGLAS, 757 Sea Cottage Way, asked about the 43-foot projection and why it is so high.

PAUL LONGTON, 2909 Mesa Drive, architect on the project, stated the reason for the projection is to have the stair tower come to the top for access to the roof deck. It is less than the 10% allowable in the nearest units to the east or across the railroad tracks and is slightly elevated, so they did not feel they were directly blocking any neighbors.

COUNCILMEMBER SANCHEZ asked if they had contacted neighbors to discuss going up to 43 feet, or if any neighbors complained about their views.

MR. YERMANOS responded that they have not had any conversations. Their property is next to the parking lot west of the train tracks, and there is no one behind them. For the 2 units in the front, the only views they will be blocking are each other's. There have been 4 new homes across the street that are all 3 stories and a similar type. Directly in the alley, there is a separate property that is now under construction for a 3-

story house with a basement. That is blocking their back side. Where they are, there will not be anyone that will be blocked.

They have designed roof decks in that tower. They are within all of the development criteria. They have not had any comments or complaints during any of the meetings where they have gone through the Redevelopment Design Review Committee or the Redevelopment Advisory Committee meetings.

With no one else wishing to speak, the Mayor closed the public hearing.

COUNCILMEMBER FELLER moved approval [of staff's recommendation and adoption of **Resolution No. 07-R0008-3**, "...approving a tentative parcel map, development plan, variation and regular coastal permit for the construction of 3 single-family residences located at 212-216 Windward Way – Applicant: Pacific Windward Ventures"].

COUNCILMEMBER KERN seconded the motion. He is glad to see something other than a row home. To have a little variety down there is a good idea.

DEPUTY MAYOR CHAVEZ had visited the site. He noted the height of the building to the north of them, which had a significant height. He also noticed that they are located off the parking area, where there is parking on both sides, and then the train tracks where the grades go up. He had been concerned about the height, when looking at the plans. The projects to the south of this one are also the same height. In the character of the development that they allowed down there, the project to the north and the 3 houses to the south on Windward are in character with this project.

This is a nice look, but we are starting to see a lot of this look. If anyone would come forward with a different idea for this, he would start looking more favorably on it. It is beginning to look like everybody is doing this design. Even though some are multi or single, they are still the same presentation. It is too late to stop this one, but staff might want to look at a little more character and changing. Variety is the spice of life.

MAYOR WOOD commented that everybody is pushing the edge on the height. The developers usually will not get questions if they do not push the edge on the height. They are in a spot where they are not blocking the view; however, other people always try to go past the limit. This is the Coastal area, and the City is heavily monitored.

Motion was **approved 5-0**.

21. **Council/CDC: Adoption of a resolution ordering the vacation of a portion of Pacific Street located north of Sportfisher Drive and adjacent to 504 N. Pacific Street**

MAYOR WOOD opened the public hearing.

Regarding Councilmember disclosure of constituent contact, all Councilmembers reported contact with the applicant and staff and had visited the site.

PUBLIC WORKS DIRECTOR WEISS explained that this action is a formality for the Council to look at vacating a portion of the right-of-way that was associated with a project approved by the Council several months ago -- the SAM project [Oceanside I]. This is the implementation of a requirement that Council previously approved with the approval of that particular project. It is required for what had been a portion of Pacific Street, which was realigned with the St. Malo development and is considered excess right-of-way. When property is no longer needed for its intended use, which was dedicated as a street, the City is obligated through the vacation process to vacate that property, and the property reverts to the underlying property owners. He reiterated that this hearing is about vacating that portion of the right-of-way back to the underlying property owners and allow the development to proceed.

The development, as it has been approved, was conditioned on the vacation being implemented. Should the vacation not occur, that project would not be consistent with its prior approval and would need to be redesigned.

CITY CLERK WAYNE noted that the City is the applicant on this project.

Public Input

SHARI MACKIN, 904 Leonard Avenue, speaking on behalf of the Citizens for the Preservation of Parks and Beaches (CPPB), stated CPPB is opposed to the vacation of a portion of Pacific Street for the following reasons: 1) it is a portion of Oceanside's first named coastal roadway listed in our Local Coastal Plan and sets a bad precedent for future vacations of public land into private hands; 2) citizens and visitors enjoy the spacious walkway-parkway, which is also the beginning of Linear Park; 3) this property is not needed for this private development, and a superior designed project can be built without the inclusion of the public property; instead of 11 private residences, this project could be reduced to 10 private residences and be built entirely on private property; 4) no appraisal has been completed to find the value of the property, something that might constitute a gift of public funds; and 5) this project will not enhance public access but instead will reduce it.

The CPPB does not support the sale of public property within the Coastal Zone. Should the Council see a need to sell public property the public had prior access to before it became private property, it should be required that the Council set aside all funds derived from the sale of public property within the Coastal Zone for enhancements to our coastal facilities and visitor-serving amenities, such as bathrooms at Buccaneer Beach, the Beach Community Center, repairs to our pier or our deteriorating wood staircases which lead to the beaches. It should not go into the black hole within our redevelopment district.

MARVIN SIR, P.O. Box 5786, lives in the condominium across from the property that the City is vacating. They have a beautiful view down that street. He expressed concern about whether they are going to build way out there. They are getting boxed in from the south, north and the east. He has not seen plans to extend out to Pacific Street.

PUBLIC WORKS DIRECTOR WEISS responded that the development plan has already been approved for that project.

MR. SIR talked to someone on staff, and he got a picture of what the plan is.

PAMELA MYERS, 910 North Pacific Street, Unit 35, feels that this is too much land that they are taking. It is a beautiful project, but she does not feel that it is totally right. She would like to see them scale back and have more of that area preserved. It is not right taking all of that land away from the public for a private development.

NADINE SCOTT, 550 Hoover Street, is shocked to see this giveaway of public land. She knew it was in the works, but seeing it in a diagram shocks her because they are cutting out the sidewalk. She does not know where they are going to provide public access because it is not shown on the diagram. She wishes someone would give her public land so that she could make her house bigger. It does not sit right with her.

PUBLIC WORKS DIRECTOR WEISS stated that the project will be providing and realigning the sidewalk along Pacific Street and Sportfisher. That sidewalk will have a widened parkway that will be similar to what is north of there, which he believes is a 15-foot wide parkway. The sidewalk is being relocated, and that will continue as a requirement of the project.

It is not a gift of City land, but a public right-of-way that was dedicated by the

underlying property owners. When the City vacates it, it automatically reverts back to those property owners.

CITY ATTORNEY MULLEN confirmed that. He clarified that the City does not own the underlying fee title to this land, but rather have an easement for vehicular right-of-way purposes. What is before Council is a vacation of that right-of-way. Council can approve that provided they find that the right-of-way is no longer necessary for present or prospective use. Provided the Council makes that finding, the standard of review in Court would be whether Council's decision is arbitrary, capricious or entirely lacking in any support. It is a very different standard, and the Courts would not find this to be a gift of public funds under these circumstances. Again, the City does not own fee title to the land.

With no one else wishing to speak, the Mayor closed the public hearing.

COUNCILMEMBER FELLER stated that this is an outstanding project that deserves to go forward. The developer has met every criteria thrown at him and more. He **moved** approval [of staff's recommendations and adoption of **Resolution No. 07-R0009-1**, "... ordering the vacation of a public street right-of-way (Pacific Street)" (**Document No. 07-D0009A-1**)].

DEPUTY MAYOR CHAVEZ **seconded** the motion.

COUNCILMEMBER SANCHEZ understands that staff has looked at the history of this, and the property was never part of Linear Park.

PUBLIC WORKS DIRECTOR WEISS stated that is correct.

COUNCILMEMBER SANCHEZ also understands that the developer has suggested providing some sums to the City, even though he does not have to.

PUBLIC WORKS DIRECTOR WEISS stated that, as part of the project approval, the developer has agreed to provide some money to the City that would be used for beach area enhancements and improvements.

COUNCILMEMBER SANCHEZ stated that this project was previously before the Council, and there was a lot of questions she had about this project. The developer did go through every question that she had and was able to modify the project per her questions. She did support the project, and she is supporting the vacation.

CITY ATTORNEY MULLEN reiterated that the City did include as a condition of project approval that the developer make that contribution, which he had agreed to make.

COUNCILMEMBER KERN clarified that they are not giving away anything except an easement. He asked who has been paying the property taxes on this piece of property.

PUBLIC WORKS DIRECTOR WEISS responded that no one is paying the property taxes because it is shown on the tax rolls as right-of-way.

COUNCILMEMBER KERN asked if this should have been done when they realigned the streets.

PUBLIC WORKS DIRECTOR WEISS responded that would have been the appropriate time to do it.

COUNCILMEMBER KERN stated that this is something they are correcting.

PUBLIC WORKS DIRECTOR WEISS agreed.

Motion was **approved 5-0**.

22. [Council/CDC: Adoption of resolutions approving the appropriation of \$1,000,000 by the Community Development Commission for the expansion of the Oceanside Museum of Art, and making certain findings in connections therewith.]

This hearing is being continued to 6:00 PM on Wednesday, January 17, 2007.

[Note: This item was further continued to 6:00 pm on Wednesday, January 24, 2007.]

[Recess was held from 6:44 to 6:58 PM.]

GENERAL ITEMS - Continued

24. **City Council: Authorization to award a contract in the amount of \$6,896,679 to EDGE Development, Inc., of Temecula for the Fire Station Number 7 project located on the northerly side of Mission Avenue easterly of Foussat Road, and authorization for the City Manager to execute the agreement upon receipt of all supporting documents; approval of an appropriation of \$900,000 from the General Fund reserves to complete the funding for the contract; and conduct a bid protest hearing**

JEANETTE PECK, Project Manager, reported that the item before the Council is the request of an award of a construction contract in the amount of \$6,896,679 to EDGE Development, Inc. of Temecula for Fire Station Number 7 and an appropriation of an additional \$900,000 from the General Fund Reserves for the project.

Although a bid protest hearing is also scheduled for this time, the attorney who requested the hearing has informed her that neither he nor Jaynes Corporation, his client, will be in attendance.

On December 12, 2006 11 bids were received for the construction of Fire Station Number 7, ranging from the low bid from EDGE Development of \$6,896,679 to the highest bid of \$8,435,570. The architect's estimate had been \$8,300,000. EDGE Development's bid documents and references have been checked and are in order. On December 15, 2006 staff received a protest from an attorney representing Jaynes Corporation, the second low bidder, alleging that EDGE Development had failed to follow public bid procedure. Staff has discussed this protest with the attorney and EDGE Development and does not consider the protest to have merit. They have received some additional information tonight; however, staff and the person who submitted the protest have agreed that the information can be reviewed during the project submittal process after the contract has been awarded.

Public Input

MARK STINNETT, 273 Via Industria #101, Temecula, representing EDGE Development, stated on their behalf that they look forward to this project with the City and many others.

[Public input conduced]

COUNCILMEMBER SANCHEZ moved approval to award a contract (**Document No. 07-D0011-1**) and appropriate \$900,000 from General Fund Reserves.

COUNCILMEMBER FELLER stated that, as he added up what was in the backup materials, it seems like the City gets the \$900,000 back in the appropriations.

PUBLIC WORKS DIRECTOR WEISS responded that part of the issue when they did the initial budget for the Fire Station and the Senior Center included the HUD

loan. Part of the action Council is taking this evening is moving additional money into this project until they get the HUD loan. When they get the HUD loan, the additional money will go back. However, the budget that Council did approve included money from the General Fund Reserves for this project, as well as Mance Buchanon Park and the Senior Center.

COUNCILMEMBER FELLER seconded the motion; which was **approved 5-0**.

25. **City Council: Authorization to award a contract in the amount of \$7,260,726 to Western Rim Constructors, Inc., of Escondido for construction of the Mance Buchanon Park Improvements project located along the southeasterly side of the San Luis Rey River and southerly of College Boulevard, and authorization for the City Manager to execute the agreement upon receipt of all supporting documents**

PUBLIC WORKS DIRECTOR WEISS, commended Council because awarding this contract will move forward 2 key projects they have identified over the last several years as goals for themselves: Fire Station and Mance Buchanon Park

This is a significant addition to the City's park inventory. It is a 30-acre park, with 5 soccer fields and a number of other amenities, that was initially contemplated to be done in cooperation with the school that is being built next door. That whole deal was set up where there was land, property and money exchanged from the school to the City to further this project. Staff is excited about moving forward on this. The current schedule allows, depending on Council's approval, for staff to initiate the contracts, start construction in March and hopefully get the park opened in March or April of 2008. They recommend approval of the contract. The grading for this project has already started. This contract takes it through its finished state, including restrooms and all of the other park amenities, which is going to be a huge addition for the City.

MAYOR WOOD agreed that this Council has been pushing forward on projects that not only are wonderful, but address quality of life issues, like this park. It was a joint project with the school district. The school district deserves thanks for the efforts they have made.

COUNCILMEMBER SANCHEZ remembers that they started talking about this project her first year in office in 2001. It was in response to a survey that the department had made regarding identifying needs. Soccer fields were the big response. They were able to partner with the school district to bring this forward. Her only regret is that they were not able to add the library that they had talked about. Maybe at some future time, they can revisit that if funds are still available through the State. She looks forward to seeing the completion in 2008 and **moved** approval [to authorize award of the contract (**Document No. 07-D0012-1**)].

COUNCILMEMBER FELLER seconded the motion and asked for clarification of whether there is an entrance on College Boulevard and if there is another light.

PUBLIC WORKS DIRECTOR WEISS confirmed the entrance at College and indicated that there will be another light. There will be a signalized access on College.

COUNCILMEMBER FELLER wants to know if there will also be a signal light at Adams.

PUBLIC WORKS DIRECTOR WEISS responded affirmatively.

Motion was **approved 5-0**.

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CITY COUNCIL REPORTS

26. **Mayor Jim Wood**

MAYOR WOOD reported that they had a sad occasion with the Officer Dan Bessant shooting. They lost a very valuable officer, citizen of the community and son of a father who is a school principal. Council's prayers and thoughts go out to the family.

He had received a lot of calls about gang issues that were brought up tonight. He was going to do a listening tour, where he goes to all of the communities to see if they have input on it. Some of that might be people complaining about what is happening and what concerns they have. Other people might have come up with an idea that might help the City. It was to take some of the emotions out of the situation. He decided to put that off until February 12, 2007 because the Chief of Police and the neighborhood felt now would be too early. The Police Chief was going to try to address some gang issues and concerns in that neighborhood and others.

All of the Councilmembers are trying to do the same thing and have been actively involved. We do not have an answer that will fix it, but we need to address it. They have put a lot resources, time, money and effort into gang issues and still had this kind of result. He reiterated that the listening tour will be February 12, 2007 at 6:30 PM at Melba Bishop Recreation Center, mainly for questions and answers. He will probably have the Chief of Police, the Fire Chief and maybe somebody from the school district there. All Councilmembers are welcome to be there and get the information. He picked this location because that is generally where this most recent issue exists. Hopefully they will get some positive feedback from the public or hear what solutions the general public has.

Council is the leader in the City. They expect that the Police Department will get back with them on what they are going to do and ask for Council's support, whether it be financial, etc. They still can take comments and suggestions from the public.

He noted the death of the City's former Interim City Manager and Water Department Director, Jim Turner.

A celebration for Dr. Martin Luther King, Jr. is coming up on Saturday, January 13, 2007 at the Ambassador Church at 1602 El Camino Real.

On Monday, January 15, 2007 at 7:30 AM, the North San Diego County NAACP will host an annual Martin Luther King, Jr. Community Prayer Breakfast at MiraCosta College.

The end of last year was sad because of the officer's death and the funeral services. Council supports those officers and public safety. They are going to do whatever is necessary. They know there are issues with the youth that need to be addressed.

27. **Deputy Mayor Chavez** – No report

28. **Councilmember Jack Feller**

COUNCILMEMBER FELLER would ask the community to demand from Council a response to this gang problem. They cannot allow it to thrive, and they have to do everything within their means to stem this mentality. He will be doing everything that he can to help.

He had met with San Diego County Supervisor Bill Horn and District Attorney Bonnie Dumanis. They are willing to bring back the opportunity for Council to give them a resolution to go to the Department of Justice in Washington, D.C for a grant [for the 10-point program]. It would be wise of Council to take advantage of that this time.

He asked about the Mayor's meetings and how they would go regarding the

Brown Act.

CITY ATTORNEY MULLEN responded that, if the majority of the Council is going to be present and discuss those items, they would probably want to agendaize those meetings. He will work with the Mayor's office to make sure it is properly agendaized.

29. **Councilmember Jerome M. Kern**

COUNCILMEMBER KERN stated that last night was his first Youth Commission meeting. The young people on that commission are very bright and articulate. They are starting their process for their portion of Community Development Block Grant (CDBG) review that will eventually come to Council.

He went to the Vista Community Clinic REACH program at Libby Lake. When Council talks about diversion programs, this has to be a total effort and not just a gang suppression effort. His concern is what is happening to that 10-11 year old child now, and where the City will be with that child 5 or 6 years from now. He applauds the Mayor for having a community meeting because it is more of a community solution. It is not something that is going to happen from the dais. It has to come from the community, up; and not from the Council, down. Having that first meeting and going forward with that is a good idea.

January 18, 2007 at 6:00 PM is the Youth Commission Speak Out about education in the Community Rooms. The more input they have from the youth community the better.

30. **Councilmember Esther Sanchez**

COUNCILMEMBER SANCHEZ attended the League of California Cities Executive Committee meeting with the Mayor. One of the topics was the recommendation for an appointment to the Coastal Commission to fill a vacancy. A couple of years ago she was urged to apply for this position and became one of two finalists. She had some insight on who would be considered by the Speaker this time. She quickly learned that Councilmember Ben Hueso grew up with the Speaker and probably would be getting the nod. She got a chance to meet with Councilmember Ben Hueso and was happy to recommend that his name be added to the list. Six names went forward at that meeting. She believed Oceanside would be well represented by Councilmember Hueso.

She attended a reception in San Diego where she met 2 Planning Commissioners for the City of San Diego. She asked about the new urbanism and what they thought about it. One was a professor, and the other gentleman was a planner. She had a lot of questions about the new form base code planning. They both talked about how on paper it is the lesser of two evils. The problems they saw were that it completely left out all of the social issues having to do with planning. It was a very interesting discussion, and she plans on following up and going to a seminar/workshop on the new urbanism in a couple of months.

She met with Attorney Greg Emerson and Jamie Zeppetella [widow of slain Oceanside Police Officer Zeppetella]. There is a new foundation that was begun by Jamie Zeppetella, and the goal is to ensure as much as possible that we not have another such situation. They talked about potential projects that Ms. Zeppetella could get involved with for the City having to do with youth issues, youth at-risk and providing alternatives to youth.

She invited Ms. Zeppetella, with the permission of the group, to their monthly meetings where they have been meeting for the last approximately 18 months, addressing these issues of at-risk youth and the anti-gang issues. The return of the N.E.T. Work program was requested by the communities at risk, such as by the East Side

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neighborhood organizations, Crown Heights organizations, Libby lake organizations and the back gate organizations. The previous City Manager did not think N.E.T.Work was a priority. With a new Police Chief, they are moving towards community policing. The Mayor is going back to Washington D.C. with a stronger position to ask for funding for this area for a anti-gang initiative. She would ask that the priority be the youth that they have not addressed directly, which is the Samoan community youth. The City has good programs going out in the Libby Lake area. They are looking at potentially doing the same for the back gate area. This must be a complete response. They look for and have been encouraging leadership in the neighborhoods to come forward and work with the City. Staff has carried forward many of the things that the City was not able to do earlier in this year. For example, one of the requests by the youth was access to Melba Bishop Park, and they have received it. This is a mentoring program on Sundays; it is not just recreation.

She has talked to District Attorney Bonnie Dumanis; the City has the ear of everyone they need to have involved in this.

She attended a farewell luncheon for Fayrene Erickson, who had been on the Redevelopment Advisory Committee.

MAYOR WOOD clarified that he is going to Washington, D.C. to address some of the City's federal needs, particularly gang issues and federal funding. Congressman Issa is willing to address some of their issues on gangs and finances.

Saddened by the passing of Jim Turner, **INTERIM CITY MANAGER BARRY MARTIN** spoke about Jim Turner, a 30-year City employee, who contributed much to the community, such as the water filtration plant, the infrastructure replacement program, etc. He was also a member of the San Diego County Water Authority Board and a representative to the Metropolitan Water District. He will be missed by many. The funeral service is this Friday.

In light of his retirement January 25, 2007, Councilmembers thanked Interim City Manager Martin for his 35 years of service to the City.

ADJOURNMENT

MAYOR WOOD adjourned this joint meeting of the Oceanside City Council, Community Development Commission and Small Craft Harbor District Board of Directors at 7:36 PM on January 10, 2007, with a moment of silence in memory of Jim Turner.

ACCEPTED BY COUNCIL/HDB/CDC:

Barbara Riegel Wayne
City Clerk, City of Oceanside