



DATE: August 16, 2006

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT: **ADOPT A RESOLUTION DESIGNATING A REPRESENTATIVE TO SIGN A STATE WATER RESOURCE CONTROL BOARD GRANT AGREEMENT FOR THE MYERS PROPERTY AND ADJACENT CREEK HABITAT RESTORATION PROJECT**

SYNOPSIS

Staff recommends that the City Council adopt a resolution designating the City Manager as the City's representative to sign the Proposition 13, State Water Resource Control Board grant number 04-132-559-0 agreement, and any amendments thereto for the Myers property and adjacent creek habitat restoration project.

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 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 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. The City Council accepted a \$445,245 grant from the SWRCB for the Myers property and adjacent creek habitat restoration and management and authorized the City Manager to execute the grant agreement at their September 15, 2004 meeting.

ANALYSIS

The SWRCB has requested that the City designate, by resolution, a City representative authorized to sign the Proposition 13, State Water Resource Control Board grant number 04-132-559-0 agreement, and any amendments thereto for the Myers property and adjacent creek habitat restoration project.

Council authorized the City Manager to execute the grant agreement at their September 15, 2004 meeting. Adoption of the resolution designating the City Manager as the City representative authorized to sign the SWRCB grant and amendments will meet the SWRCB requirements and does not supersede the provisions of Article II City Manager of the City Code.

FISCAL IMPACT

Authority to sign grant amendments that exceed 10 percent of the agreement price or \$10,000 will still require Council approval.

INSURANCE REQUIREMENTS

Does not apply.

COMMISSION OR COMMITTEE REPORTS

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 adopt a resolution designating the City Manager as the City's representative to sign the Proposition 13, State Water Resource Control Board grant number 04-132-559-0 agreement, and any amendments thereto for the Myers property and adjacent creek habitat restoration project.

PREPARED BY:



Gary P. Gurley
Senior Property Agent

SUBMITTED BY:



Barry E. Martin
Interim City Manager

REVIEWED BY:

Michelle Skaggs-Lawrence, Assistant to the City Manager

Peter A. Weiss, Public Works Director

Douglas E. Eddow, Real Property Manager







1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE DESIGNATING A REPRESENTATIVE TO SIGN
4 PROPOSITION 13, STATE WATER RESOURCE CONTROL
5 BOARD GRANT NUMBER 04-132-559-0 AGREEMENT, AND
6 ANY AMENDMENTS THERETO FOR THE MYERS
7 PROPERTY AND ADJACENT CREEK HABITAT
8 RESTORATION PROJECT

9 WHEREAS, in 2001, the City Council authorized the acquisition of a 35-acre parcel
10 located west of El Camino Real and south of Loma Alta Creek through the San Diego County
11 Water Authority (“SDCWA”), which real property is commonly known as the Myers Property;

12 WHEREAS, the San Diego County Water Authority and the State of California
13 Department of Fish and Game provided funds for purchase of the Myers Property as part of the
14 mitigation obligation for San Diego County Water Authority’s Emergency Storage Project;

15 WHEREAS, as a condition of the acquisition of the Myers Property, the City agreed to
16 be responsible for the restoration and management of the site as natural open space pursuant to
17 the City’s draft Subarea Plan; and

18 WHEREAS, at its September 15, 2004 meeting the City Council accepted a Proposition
19 13 State Water Resource Control Board grant number 04-132-559-0 for \$445,245 for the Myers
20 property and adjacent creek habitat restoration and management plan and authorized the City
21 Manager to execute the grant agreement.

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1 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

2 SECTION 1. The City Council authorizes the City Manager, or designee, to sign the
3 Proposition 13, State Water Resource Control Board grant number 04-132-559-0 Agreement
4 and any amendments thereto.

5 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
6 this _____ day of _____, 2006, by the following vote:

7 AYES:

8 NAYS:

9 ABSENT:

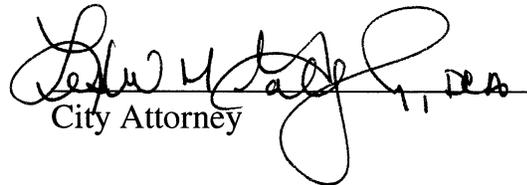
10 ABSTAIN:

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12 MAYOR OF THE CITY OF OCEANSIDE

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14 ATTEST:

15 APPROVED AS TO FORM:

16 _____
17 City Clerk

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City Attorney

22 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE DESIGNATING A
23 REPRESENTATIVE TO SIGN PROPOSITION 13, STATE WATER RESOURCE CONTROL BOARD
24 GRANT NUMBER 04-132-559-0 AGREEMENT, AND ANY AMENDMENTS THERETO FOR THE
25 MYERS PROPERTY AND ADJACENT CREEK HABITAT RESTORATION PROJECT