ITEM NO. 5

CITY OF OCEANSIDE

California

NOT OFFICIAL
UNTIL APPROVED AT SUBSEQUENT
MEETING BY CITY COUNCIL

JOINT MINUTES OF THE:

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

FEBRUARY 21, 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
Jack Feller
Esther Sanchez
Jerome M. Kern

City Clerk
HDB Secretary
CDC Secretary
Barbara Riegel Wayne

Treasurer
Rosemary Jones

Interim:
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.

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 4:01 PM, February 21, 2007 by Mayor Wood.

ROLL CALL

Present were Mayor Wood, Deputy Mayor Chavez and Councilmembers Feller, Kern and Sanchez. Also present were City Clerk Wayne, Interim City Manager Weiss and Assistant City Attorney Barbara Hamilton.

COUNCIL, HDB AND CDC CLOSED SESSION ITEMS

ASSISTANT CITY ATTORNEY HAMILTON titled the following agendized items to be heard in closed session: Items 2B and 3A [Items 1, 2A and 3B were not heard.] Closed Session and recess were held from 4:03 – 5:04 PM. [See the report out on these items at 5:00 PM, Item 4.]

5:00 PM

MAYOR WOOD reconvened the meeting at 5:04 PM. All Councilmembers were present. Also present were City Clerk Wayne, City Treasurer Jones, Interim City Manager Weiss and Assistant City Attorney Hamilton.

The invocation was given by Pastor Carl Souza of the First Baptist Church of San Luis Rey. The Pledge of Allegiance was led by Chris McDonald, Andrew Hess, Yuri Robinson and Wes Scarborough, members of the Sea Scout Ship 0727 - SSS Tiger Shark.

PROCLAMATIONS AND PRESENTATIONS

- Proclamation - "2007 America Saves Week" for the week of February 25 - March 4, 2007, encouraging personal and household savings was accepted by various involved members.

- Proclamation - "Spay Day USA" for the week of February 27, 2007, encouraging citizens to spay their dogs and cats, was accepted by Dorothy McCorkel, member of the Board of Directors of SNAP (Spay-Neuter Action Project).

- Off Agenda – Waterfront Workshop on February 26, 2007 - Tracy Bohlen, Development Coordinator with the Economic Development and Redevelopment Department, invited all to the workshop at the Beach Community Center.

CLOSED SESSION REPORT

4. **Closed Session Report by City Attorney**

ASSISTANT CITY ATTORNEY HAMILTON 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. **CONFERENCE WITH REAL ESTATE NEGOTIATOR (SECTION 54956.8)**

   [A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: Center City Golf Course (approximately 95 acres) bounded by Interstate 5 to the west, Division Street and Greenbrier Drive to the north and east, and Oceanside Boulevard to the south (APN 151-011-11); Negotiating Parties: City of Oceanside and the San Diego Chargers; Negotiators for the City: John Mullen, City Attorney, and Peter A. Weiss, Interim City Manager; Negotiators for the San Diego Chargers: to be determined; Under Negotiations: Potential terms for the sale, lease, exchange, or other disposition of the property**]**

   No closed session was held on this item.

B) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: Property bounded by Pacific Street, Myers Street, Seagaze Drive, and Civic Center Drive (APN 147-261-01 through 12; 147-076-1, 2, 3, 10, 11, 12); Negotiating Parties: Community Development Commission and SD Malkin Properties; Negotiator for the City: John Mullen, City Attorney; Under Negotiations: Terms and Conditions

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

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

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

A) U.S. Fire Insurance v. City, Superior Court Case No. GIN048400

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

B) [Hi Hope Ranch Ventures et al. v. Vista Unified School District, GIN036809 (Consolidated) (County of San Diego et al. v. Vista Unified School District, GIN037457)]

No closed session was held on this item.

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.

Advance written request to reserve time to speak - None

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

SHELLEY HAYES CARON, Marron Adobe, told a story about a woman named Betty Mason in honor of Black Heritage Month. Ms. Mason is part of the curriculum that they use at the Marron Adobe for the school tours. People can read more about this in *The Force of a Feather* by DeEtta Demaratus.

POLICEWATCH.ORG [Jeb Springfield] expressed concerns about police accountability, civil rights and human rights. He referenced U.S. Supreme Court ruling, Briscoe vs. LaHue 460US325, 1983. This ruling controls every police department, police officer and sheriff across the United States, which he stated allowed them to commit perjury under oath in a court of law against citizens. He asked how we can have freedom, liberty, civil and human rights, a U.S. Constitution and a Bill of Rights when police officers are allowed to lie in court under oath without any repercussion.? It means it is legal for them to do so from our high court. That is why we need electronic monitoring of the police and for their disciplinary records to be made a public record.

FAYE SCHULTZ, 474 Shadow Tree Drive, thanked Council for the proclamation of Spay Day. She is amazed every week when she looks in the paper and sees pets up for sale or that need homes, including all of the animals at the shelter waiting to be adopted. It breaks her heart. In her neighborhood, she sees people selling puppies out of the back of trucks. This is illegal and needs to be stopped.

Pet overpopulation is a huge problem. If they were to adopt out every shelter animal, every citizen in the United States would have to adopt 7 animals. That means an average family of 2 adults and 3 kids would have 35 animals per household.

Recently there was an article in the *North County Times* about the North County Humane Society. Within 3 months in 2005, they had over 2,000 animals come through their doors. Over 600 of those animals were euthanized. As a taxpayer, she is concerned about the cost of catching, housing and feeding the animals, as well as medical costs, staffing and unfortunately the destruction of animals that do not find homes. In the United States in 1999, it cost taxpayers $2,000,000,000 for these services. It is all because of irresponsible pet owners. Every 6½ seconds an animal is euthanized at a shelter. This has to stop; this needs to change.

NADINE SCOTT, 550 Hoover Street, thanked everyone who listened for the last 4 months regarding the Robertson's Concrete Plant and had made a special effort to scrutinize the project and listen to the public, the hundreds of letters, environmental groups, the citizens, the neighborhood and the environmental regulatory agencies. She thanked them for making the proper decision and helping the applicant see that he had to do proper environmental studies. When it returns [Item 23], she hopes that they will give it the same level of scrutiny that they have given it tonight.

CONSENT CALENDAR ITEMS [Items 6-21]

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.

CITY CLERK WAYNE reported there was a request to speak on Item 13.

The following Consent Calendar was submitted for approval:

6. 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)

7. Council: Approval of plans and specifications for the leasing of Granular Activated Carbon equipment for 1,2,3-Trichloropropane (TCP) removal at the Mission Basin Groundwater Purification Facility, and authorization for the Public Works Director to call for bids

8. Council: Approval of four purchase orders in the amounts of $249,800, $228,669, $354,807, and $62,834 for the pre-purchase of equipment critical to the timely completion of the Loma Alta Lagoon Ultraviolet Treatment Facility project, and authorization for the Financial Services Director, or designee, to execute the purchase orders

9. Council: Approval of an increase in the amount of $100,000 to an existing annual purchase order to Aqua Metrics of Ontario for the purchase of water meters for the Water Utilities Department, and authorization for the Financial Services Director, or designee, to execute the increase in the purchase order

10. Council: Approval of a purchase order in an amount not to exceed $24,612 to Southern California Material Handling of Anaheim for the purchase of a new 2007 Caterpillar P5000-G forklift for the Water Utilities Department; approval of a purchase order in an amount not to exceed $75,700 to Villa Ford of Orange for the purchase of three Ford F-150 half-ton pickups (two for the Water Utilities Department and one for Public Works); approval of budget transfers to fund the purchases; approval of adjustments to the interfund charges for replacement and maintenance of the vehicles; and authorization for the Financial Services Director, or designee, to execute the purchase orders

11. Council: Approval of Change Order 2 in the amount of $32,351 to Charles Doherty Concrete for the FY 2006-07 Citywide Sidewalk Repair project, for the addition of ADA/sidewalk improvements at the intersection of Hoover Street and Oceanside Boulevard, and authorization for the Acting City Engineer to execute the change order [**Document No. 07-D0058-1**]

12. Harbor: Approval of a one-year percentage property lease agreement with Monte C. Yearley, dba Yearley Sailboats, for a minimum total revenue of $7,242.48, for premises at 1850 Harbor Drive North, Suite B, and adjacent concrete display slab; and authorization for the City Manager to execute the agreement [**Document No. 07-D0059-2**]

13. **Removed from Consent Calendar for discussion.**

14. Council: Approval of a professional services agreement with California Tree Service, Inc., of Escondido in an amount not to exceed $250,000 for the period from the date of Council approval through December 31, 2008, for basic street tree maintenance and as-needed tree stump removal and miscellaneous tree work that may be required as a result of storms, accidents, disease, etc.; and authorization for the City Manager to execute the agreement [**Document No. 07-D0061-1**]

15. Council: Approval to appropriate Cox Communications grant funds in the amount of $520,000 to develop and build the iNet collaborative network communications system pursuant to the Cox Cable Franchise; authorization for the purchase of hardware and software in excess of $50,000 through Sun Wireless, Dell Computers and Solana Technologies to establish the main components of the system; and authorization for the purchase of hardware and software in the amount of $62,091 for KOCT's use to upgrade their broadcasting equipment

16. Council: Acceptance of improvements constructed by Sierra Pacific West, Inc., of Encinitas for the Mance Buchanon Park Rough Grading project, and authorization for the City Clerk to file the Notice of Completion with the San Diego County Recorder [**Document No. 07-D0062-1**]

17. Council: Adoption of **Resolution No. 07-R0063-1,** "...summarily vacating dedication of vehicular access rights via Ocean Beach Boulevard to Parcel 5 of Map No. 19918," a resolution summarily vacating relinquishment of a 30-foot-wide vehicular access via Ocean Ranch Boulevard to Parcel 5 of Parcel Map No. 19918, located adjacent to Ocean Ranch Boulevard between Rancho del Oro Drive and Corporate Center Drive, and authorization for the City Clerk to file a certified copy of the resolution with the San Diego County Recorder [**Document No. 07-D0064-1**]

18. Council: Adoption of **Resolution No. 07-R0065-1,** "...summarily vacating an ingress and egress and public utilities easement located on Morro Hills Golf Course," [located on Lots 5 & 7 of Map No. 14562 and Lot 113 of Map 14750] for a portion of an ingress and egress and public utility easement granted to the City of Oceanside to provide access and pipeline connection to the Pilgrim Creek Reservoir in Morro Hills, which are now provided via Village Drive, and authorization for the City Clerk to file a certified copy of the resolution with the San Diego County Recorder [**Document No. 07-D0066-1**]

19. Council: Adoption of **Resolution No. 07-R0067-1,** "... summarily vacating a storm drain easement located on Lot 113 of Map No. 14750," vacating a 20-foot-wide storm drain easement comprising approximately 3,674 square feet within Lot 113 of Morro Hills Village C and D, located east of the intersection of Douglas Drive and Village Drive, and authorization for the City Clerk to file a certified copy of the resolution with the San Diego County Recorder [**Document No. 07-D0068-1**]

20. Council: Adoption of **Resolution No. 07-R0069-1,** "... summarily vacating a water line easement located on Morro Hills Golf Course," [located on Lots 4 & 18 of Map No. 14562 AND Parcel A of PLA-20-05] vacating portions of water line easements located within the northerly portion of the Morro Hills Golf Course which are superseded by the relocation of the waterline into Village Drive, and authorization for the City Clerk to file a certified copy of the resolution with the San Diego County Recorder [**Document No. 07-D0070-1**]

21. Council: Authorization to award a contract in the amount of $119,858 to Portillo Concrete of Lemon Grove for the Maxson Landfill/Division Street Parking Lot and Roadway Improvements project and authorization for the City Manager to execute the agreement upon receipt of all supporting documents [**Document No. 07-D0071-1**]

COUNCILMEMBER SANCHEZ moved approval of the Consent Calendar (excluding Item 13). **DEPUTY MAYOR CHAVEZ seconded** the motion, which was **approved 5-0**.

Items removed from the Consent Calendar for discussion

13. **Council: Approval of a ten-year encroachment permit agreement with Omnipoint Communications, Inc., a subsidiary of T-Mobile U.S.A., Inc., for a minimum total revenue of $123,000 authorizing encroachment on a portion of the public right-of-way at 7708½ El Camino Real solely for wireless telecommunications purposes, and authorization for the City Manager to execute the agreement (*continued from 1/24/07)***

BONNIE BRAVO, 3660-40 Vista Campana North, President of the Oceana Homeowners Association (HOA), stated it seemed inevitable that this would occur. This thing started in July and they were not notified until November, 2 days before the meeting, and were given the wrong date. That was unfair to the residents, and they would like Council to have the same consideration for their citizens/taxpayers as they have for the people doing business here. They are not against business. They are not asking for a delay. The City and T-Mobile are anxious to get started on it, and they want to put it on this particular slope. All the residents can do at this point is monitor the installation, including the permitting process, to make sure that this is a safe thing and that their slippery slope is not impacted. They also are going to pursue the encroachment issue. They do not think this is the same thing as a bus bench or a cable trench that is a few feet or the telephone things. The City is leasing what the residents consider their property and digging a big hole. She pointed out that staff has been interacting with the residents, but it is one of those things where they are not going to agree.

EILEEN COSTA, 3621-91 Vista Campana South, commented on the cell tower, stating that the second survey was done; however, the residents only got results on the right-of-way, not on the ownership of the property, the easement rights or the limitations that would be present. They did not give the property to the City. Permits have not been issued for the cell tower, although an invitation to bid has been given to contractors already. That seems out of order. When she asked if the site should be tested for the present number of radio frequencies (RF), she was told no. T-Mobile said other towers had no effect on erecting a T-Mobile tower. However, according to FCC rulings, the total RF readings in the area need to be calculated for the public safety. In fact there are 564 antennas, 164 towers and 18 new tower applications within 8 miles of this site.

T-Mobile recently consented to a test at the request of the City Manager, which did show that the readings were under the guidelines. However, the instruments that were used did not show the source of the readings. Depending upon the source, whether it is FM-TV or cell tower, the results or the measurement may be different, and this is not shown. The T-Mobile representative said in front of the City Manager that she could be present during the testing. She was told T-Mobile would not give her the

scheduled or approximate time. She and her husband waited from 8:00 AM until 12:30 PM when they arrived. She asked if they are misleading the citizens and the Council in order to gain profit for their company.

MAYOR WOOD expressed concern and asked staff to respond.

GARY KELLISON, Senior Civil Engineer, had asked the T-Mobile representative about the availability of participation in the test. The reply he received was that it involved technical instrumentation and there would be no benefit to be witnessed. Also, T-Mobile has some concerns about liability with non-technical people being present at that time.

COUNCILMEMBER SANCHEZ will not be supporting this cell tower. The law requires that cities allow for reasonable access. There is nothing special about this site, while a neighborhood feels impacted. It does not make sense why they cannot have a cell tower somewhere nearby. She wants to know what is so special about this area. This has been before the Council since November, and they have had plenty of time to look at other potential sites. She is not going to support it.

DEPUTY MAYOR CHAVEZ had listened to the president of the HOA and understands that they are now in support of this, but they want to monitor the permitting, the building and the process that this goes through. He asked if that was correct.

MS. BRAVO corrected that she did not say they support this; they object. She had suggested another location just south of Mesa where there is another hill, the same as at their site, and El Corazon is there. The City can have the slope failure if there is going to be one, and it will not be on Oceana's golf course. T-Mobile is basing this on the best place for coverage of Mesa; there is a dead spot on Mesa. Oceana residents are not supporting this. In what she has noticed since November between the City staff and T-Mobile, this is a done deal. The HOA is going to pursue the encroachment part of it because there is something that they do not understand about that. They have to get help from legal assistance plus they still have a slope, and even the geological report does not give it a good description, if you read the executive summary. Even the person that came to do the RFs, according to Ms. Costa, questioned putting it here. If anyone looked at this slope and saw how close to the edge this is being built in this big hole, they would say this is a little shaky. The HOA is going to make sure that it is safe and that what they are doing is according to hoyle.

DEPUTY MAYOR CHAVEZ asked staff if there is a problem with the slope as far as causing erosion.

MR. KELLISON stated that as part of the submittal process, T-Mobile provided a geotechnical report. Their report stated that, with proper construction and controlled measures, the slope is stable and would support the underground vault; there is no risk to the slope.

DEPUTY MAYOR CHAVEZ stated that in his experience of siting antennas, there is normally an analysis done on where they place the antennas. He asked if Mr. Kellison had seen the site and if there is an option for placing the antenna somewhere else.

MR. KELLISON felt this question would be best addressed by the T-Mobile representative, who had spoken about this when the issue first came to Council in December.

Applicant's Representative

DEAN SISKOWSKI, 1311 Summer Court, Vista, representing T-Mobile, stated

that this location meets their objective the best. They looked at possibly going across the street, away from the current site. However, there are no light standards on that side of the street, so they figured that it would not architecturally blend in to what is there. They also looked at the south side of Mesa. Because of the topography, they cannot cover along Mesa, east and west as well as this particular location. He has some RF plots showing the coverage of this site before and when the antenna would be on air. It provides the best coverage for the location.

DEPUTY MAYOR CHAVEZ asked if he has shared that information with the HOA.

MS. BRAVO stated that she did receive copies of the coverage studies, and the coverage is the best from that location. She asked if the coverage would be the same from across the street.

MR. SISKOWSKI stated that his RF engineer said that will not give them as good as coverage as the current site along Mesa.

MS. BRAVO clarified that she meant across El Camino Real versus across Mesa.

MR. SISKOWSKI stated that they looked at going across the street on the same ground elevation. For two reasons it does not work quite as well: the SDG&E sub-station there blocks the Mesa portion of it, and there are no lights on that side of the street. Therefore they chose this side of the street because there are light standards.

MS. BRAVO stated that the other side of the street is vacant land that has been deemed unbuildable by the City. The land over there is not good. They have had prior slope failures there. She has an e-mail that Mr. Kellison had written to T-Mobile in July, stating that she was going to appear [at the hearing], listing her concerns and indicating that he had the same concerns as she does. When she asked Mr. Kellison if he still had the same concerns, he said that it will all come out in the permitting and the process that will go through from now on. She wants to confirm that it is not just their imagination. They have had meetings at the site. It is not a good place.

DEPUTY MAYOR CHAVEZ clarified that this location is the best place to cover Mesa. Regarding the volume of frequencies, he asked if that study has been completed. Council had asked that the study be done.

MR. SISKOWSKI responded affirmatively. They had a third party, Gerald Bushberg, do the study. The report is concise regarding what he did, including the numbers on the site itself and the conglomerate of the sites around it. The middle portion goes over all of Mr. Bushberg's qualifications. He is used by the City and other local jurisdictions for third party RF studies.

DEPUTY MAYOR CHAVEZ asked if the study, which is in the packet Council received, was provided to the HOA.

MR. SISKOWSKI responded affirmatively. When he received it from T-Mobile, his client, he sent it over to Bonnie Bravo.

DEPUTY MAYOR CHAVEZ stated that it is extremely important that they be attentive to the community, because this is their home. As a Council, they understand that different providers have agreements to provide services within the City, and there are standards established at the federal level to allow them to do that and to ensure that they are at a certain level. It is not going to impact Oceana's land or slopes. The antenna was sited the best place, looking at the area they are trying to cover. The frequency study, which they requested at the last Council meeting to ensure the residents' safety, was addressed. As this goes through he will be out there watching.

ASSISTANT CITY ATTORNEY HAMILTON pointed out that there are a couple of limitations on the City's right to regulate the placement of these cell towers. One of them is that they are not allowed to unreasonably discriminate among providers of functionally equivalent services. This is under the federal law. The regulation of the placement is not allowed to prohibit or have the effect of prohibiting the provision of personal wireless services. Regarding the radio frequency emissions, as long as they are within federal guidelines, the City is pre-empted from adding any additional requirements with respect to the radio frequency emissions. If there is going to be a decision by the Council to deny this request, that decision has to be in writing. If there were to be a motion to that effect, it would have to include a direction to staff to bring the denial back in writing for further approval.

COUNCILMEMBER SANCHEZ suggested that they do a motion to approve the site across the street on El Camino Real. It would be reasonable under all these considerations. They are suggesting that perhaps it would somehow affect it negatively. This is for a wide area. It would be a small increment when they are talking about something that would be a huge relief to this whole neighborhood. She **moved** that the site be approved across the street.

[Motion died for lack of a second.]

DEPUTY MAYOR CHAVEZ noted that across the street is an environmental area. He asked if this is part of the Multiple Habitat Conservation Plan (MHCP) area, and if this would impact it.

INTERIM CITY MANAGER WEISS stated that the property that is adjacent to where Councilmember Sanchez is talking about is within the MHCP area. The design of what they are putting in looks like a street light. It would probably not impact on that. What they heard earlier is that there are no street lights on that side of the street. Therefore, the issue would be adding the necessary infrastructure to get a street light onto that side.

DEPUTY MAYOR CHAVEZ asked if it would be an environmental issue as far as views.

INTERIM CITY MANAGER WEISS responded negatively.

COUNCILMEMBER SANCHEZ asked if the antenna would require a light.

INTERIM CITY MANAGER WEISS said for the design they are proposing, they are mounting it on a street light so it is not as obvious. Once it is on a street light it takes away that look of a fake tree.

COUNCILMEMBER SANCHEZ stated that it would require that they do an independent facility other than a light.

INTERIM CITY MANAGER WEISS is not sure what they would need to do to get it to that side of the street.

MR. SISKOWSKI asked them to understand that this is only a 3-antenna site; it is not a full blown 12-antenna site. They are covering a small area in relation to a large full-blown site. He does not believe there is any telephone on that side of the street, which would require them to put another pole in to get telephone across the street or trench across the busy street to get telephone in. That is 1 major issue.

Also, they would have some coverage issues on the west side of Mesa if they used that side of the street because it is directly in line with the San Diego Gas and Electric (SDG&E) substation that sits just below it. There are some towers there that are much taller. Metal and topography really hurt coverage. He has some pictures of the site that were approved and are in Oceanside that are City street light panel-mounted,

painted to match type of antenna locations if they would like to see them.

COUNCILMEMBER FELLER noted that he does listen to the citizens, but staff has said this site is appropriate and within the right-of-way. It sounds a little like the residents still do not understand the right-of-way. Maybe that is the City's fault for not explaining it. When Council heard it the last time, he felt that they were hearing something that was professionally approved; that all of the questions had been answered. In regards to this site, he asked if there is insurance that would protect this slope for the future.

HEIDI JANZ, Program Specialist, responded that the cell carriers are required to provide insurance.

MS. BRAVO stated that currently Oceana is not responsible for this slope, so they are not doing this for the money part of it. The City currently has total responsibility for the slope. The geological report recommends some other things that would need to be done to this slope that T-Mobile should have to do and not the City, such as vegetation, etc.

MS. JANZ stated that the carrier is required to carry insurance on this site. They are required to carry $1,000,000 comprehensive general liability insurance, bodily injury and property damage; a general aggregate of $2,000,000. They are also required to carry commercial general liability insurance, bodily injury and property damage. General limit per occurrence is $1,000,000. General limit project specification aggregate is $2,000,000, and automobile liability insurance. She would have to go back and find out whether that covers the slope.

COUNCILMEMBER FELLER imagines it would come under property damage. If that slope fails at that point, El Camino Real will be in trouble as well.

MR. KELLISON stated that the lease agreement has a full indemnity clause, where T-mobile agrees to indemnify and hold harmless and assume the City's defense in case of any litigation from their site.

ASSISTANT CITY ATTORNEY HAMILTON stated that these are the standard insurance and indemnity provisions that the City has in these kinds of encroachment permits. The amounts are the standard amounts.

COUNCILMEMBER FELLER moved approval of staff's recommendation [to approve a 10 year encroachment permit agreement with Omnipoint Communications, Inc., a subsidiary of T-Mobile U.S.A. (T-Mobile), for a minimum total revenue of $123,000 authorizing encroachment on a portion of the public right-of-way at 7708 ½ El Camino Real, and authorize the City Manager to execute the agreement (**Document No. 07-D0060-1**)]. **COUNCILMEMBER KERN seconded** the motion.

COUNCILMEMBER KERN stated that Council went over these things the last time, and there were a lot of questions asked. The staff report addressed all of those questions. The slope is stable according to the staff report.

MAYOR WOOD agrees that maybe this could be at a better location, but it comes down to what is most appropriate for this site and for the best coverage.

Motion was **approved 3-2**, with Mayor Wood and Councilmember Sanchez voting no.

The Mayor determined to hear Item 25 at this time.

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GENERAL ITEMS

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

25. **Council: Approval to issue a Request for Proposals (RFP) for a facility needs assessment for the Oceanside Police Department**

FRANK McCOY, Police Chief, stated that since 1999 the City has housed its Police Headquarters at the location currently at 3855 Mission Avenue. This site consists essentially of 2 converted former retail buildings and a parking lot for marked vehicles. At the time this site was planned and developed, the stated goal was that it would be an interim facility for police to occupy for a period of 10 years. At the conclusion of the 10 years, the site was to be programmed for other City uses. The Oceanside Police Department (OPD) currently has a staffing allocation of 304 full-time positions, and the site serves multiple law enforcement purposes as highlighted in the request for proposals (RFP). OPD also operates an evidence facility located in the City Operations Center and a firing range located at the city water treatment plant. The City continues to grow and evolve, and with that comes a need for increased police services. More police staff have been allocated in an upcoming budget, and additional staff will be proposed in future budgets. There is a public safety center option within the El Corazon land use master plan project report. The needs assessment resulting from this RFP process will include a detailed analysis of the current police facilities, the projected facility and site requirements.

Attached to the staff report is a draft of a needs assessment RFP that they would like to send out to some companies.

Public Input

TYRONE MATHEWS, El Corazon Oversight Committee (ECOC), stated that, as the Police Chief is aware, they have had a number of conversations both informally and formally before the El Corazon Oversight Committee (ECOC) about the placement of the public safety center at El Corazon. The first iteration of the ECOC believed that it was important to have an option for a public safety center at El Corazon for a number of reasons, the primary reason being that the public wanted a new public safety center within city boundaries.

His purpose today is to issue a reminder when they are looking at the placement of a public safety center at El Corazon that they have an adopted plan for the location of the public safety center at El Corazon. To the extent that the Council is going to make changes with regard to the proposed placement of the public safety center, they will need to revisit that plan. He is reminding everyone that they do have an adopted plan for El Corazon.

MAYOR WOOD asked if he had a location within that site in mind for a public safety center.

MR. MATHEWS stated that there is a proposed location presently. He described it as the southwest corner of the El Corazon site. It has the option for a couple of different uses, depending on what the Council's intentions are regarding the use of the property and what the City's needs are.

MAYOR WOOD stated that this is for a potential RFP to look at the possibility of every issue. There is nothing etched in stone. It is just to look at and review the possibilities there. He asked Police Chief McCoy if that is correct.

POLICE CHIEF McCOY responded affirmatively. It is proposals to look at several different options: 1) do they need a new facility; 2) does their current facility

have an option to remodel or do some additions to; and 3) El Corazon is an issue that they want to take a look at as far as whether that facility would be feasible for them, as well as any other site in their community.

MAYOR WOOD confirmed that is his understanding.

MARY ABUSHUMAYS, 3747-63 Vista Campana South, is a member of the ECOC but is speaking for herself. She has 2 concerns about the RFP as it is written: 1) It appears to be slanted towards siting the public safety facility in El Corazon and does not ask the contractor to seek all possible sites; and 2) the RFP does not mention that a specific site within El Corazon has already been designated for a possible public safety facility. That is the southwest area that Mr. Mathews mentioned. Nor does it take into account the fact that this same site within El Corazon has also been designated as a potential site for a green waste facility. She is concerned that the Council be cognizant of these facts as they are stated in the plan that the Council has already adopted.

MAYOR WOOD stated that they are looking to the future for the public safety center and El Corazon. They do not have the money for either one. They are working towards that, and they are aware of the previous plan that came to them. The Police Chief will make note of her concerns.

MARGARET MALIK, 1611 Hackamore Road, sits on the ECOC but is here as a private citizen. She seconds everything that Mr. Mathews said. They have a set plan, and she suggested that they listen to what Mr. Mathews had to say.

COUNCILMEMBER SANCHEZ recalls the festivities when the OPD was opened on Mission Avenue. There was a lot of discussion, and within the discussions there were considerations of a short-term goal of having OPD at the Mission Avenue site and the long-term goal of OPD being at El Corazon. That has been in the works since at least then.

She is aware that the original vision of El Corazon that happened during former City Manager Tom Wilson's time, did include government offices that were contemplated for OPD. Council has accepted the conceptual plan for El Corazon, but historically, there has been a lot of dialogue about locating OPD at El Corazon. She wishes they had gone straight to that site rather than spend the millions of dollars that they had to spend to remodel and make the shopping center site ideal for a police department. OPD has very specific needs, and it has grown over the years. It had been at the previous site on Mission Avenue across the street from the Jack-In-the-Box for many years, and that site had obviously outgrown its use. There has been this long-term plan. In putting a City facility at El Corazon, which would be considered a public works project, they would be furthering the plan for El Corazon. In other words, they would be addressing some of the infrastructure needs that would be required for OPD that would also have to allow for the other uses that the approved conceptual plan has in mind.

Right now there is not a lot of money for El Corazon. They have talked about having it pay for itself by having retail there and some kind of big box by Oceanside Boulevard and Rancho del Oro Road. They have since heard that they should have done it smarter by having smart growth there, knowing that the Sprinter was coming. They may have to rethink this big box issue along Rancho del Oro Road and Oceanside Boulevard. There are some needs that they did not anticipate and were not considered back when they had the ECOC looking at El Corazon and the eventual plan. When she voted in favor of it, she felt it was a flexible plan, one that could incorporate, for example, a police department. It was not just a public safety center, but a police department because they knew that they were going to have to go there. That was the long-term plan for the police department.

She **moved** approval [of the RFP for a Facility Needs Assessment for the Oceanside Police Department]. They definitely have to have a place, preferably not leasing in a shopping center, but on public land and being able to provide for all of the

needs that they have for public safety in the City. This is more centrally located. If there are other potential places, obviously that would be something that this feasibility study could look at, but otherwise she is very supportive.

COUNCILMEMBER FELLER seconded the motion.

COUNCILMEMBER KERN stated that in the draft proposal, where it says a likely location would be El Corazon, it seems like they are steering them and forcing them to look at that before anything else. Instead of going out for an RFP and the whole City is open, they are aiming them at El Corazon in the first sentence. He would like to have that sentence taken out and leave it as a broad statement. Once they start looking at it they will understand what locations they can go to, what parameters they have to work under, the no build option, building on site, El Corazon or some other opportunity someplace else. He does not want to give them an idea that the City has already picked the site and wants them to propose according to that site.

POLICE CHIEF McCOY stated that the direction he was given a couple of City Managers ago was to actually look at El Corazon since part of the master plan was for a public safety center on that property. It does have them look at El Corazon as an opportunity for us since it is City owned land.

COUNCILMEMBER KERN does not mind if it is an option, but he does not want it to be the only option, directing them to that one spot. He would prefer that they come in and take a look at everything instead of steering them to one spot. He is protective of El Corazon, having worked on it for so many months. He then asked what the difference was between a regional fire station and a fire station.

POLICE CHIEF McCOY stated that his understanding is that it is a potential training center for the fire department.

COUNCILMEMBER KERN stated that the Fire Department is doing an RFP for their needs assessment, and he asked if that has been completed. It said something about incorporating that into this particular needs assessment for a joint use. He asked when that is delivered to the people doing the needs assessment on this.

POLICE CHIEF McCOY stated that his recollection is that the Fire Department's consultant is done with their report and will be sending a draft to the Council in the near future. Our thought process is that they have done a study on their needs for the fire department, and one of their needs is that the fire station on the corner of Oceanside Boulevard and El Camino Real is in a bad location for them to get in and out because of traffic issues. Moving that fire station may be something that they want to look at doing and incorporating into the public safety center.

COUNCILMEMBER FELLER remembers very specifically when this was brought up, and it was directed from the beginning to El Corazon. It is probably going to prove that this is more or less the best place. This mentions the rules that a consultant has to follow for an RFP. He asked if there was any talk about a shooting range in the backup.

POLICE CHIEF McCOY stated that it asks for them to look at consolidating the shooting range and their evidence facility into 1 location.

COUNCILMEMBER FELLER asked if he is calling the public safety facility as the police facility. They are already talking about fire in another frame of mind.

POLICE CHIEF McCOY said that the master plan refers to a public safety center, so they are referring to it as a public safety center. There is an opportunity to include the fire department within this area as well as the police station.

COUNCILMEMBER FELLER stated that there is probably opportunity with Fire Station 3 just because it is on a hectic corner, and he would look into that. He hopes to

see suggestions about where that money is going to come from.

MAYOR WOOD asked for clarification about the police pistol range and if they were talking about it being inside, considering it being at El Corazon.

POLICE CHIEF McCOY stated that it would be an indoor firing range.

COUNCILMEMBER SANCHEZ apologized to this second ECOC. The first committee was to come up with a conceptual plan. The second one is looking at funding and how to make it happen. She does not know where the communication got dropped because there has been some history of a public safety facility on this site since 1999. When they did the second Senior Center, for example, and they left it open, the best site turned out to be El Corazon. That was the most central location for seniors and the best site, looking at public sites. She asked if there are any other public sites that could have such a facility.

INTERIM CITY MANAGER WEISS stated that, in regards to existing City-owned property, the answer would be no. Part of the RFP process does have them looking at various sites, although it is tailored to focus here. He can get with the Police Chief, and they can make sure that other sites are looked at. As they look at other private sites there is an acquisition cost that they would accrue. If there are other locations that are much more desirable from a location standpoint, he and the Police Chief will make sure that they are addressed.

COUNCILMEMBER SANCHEZ reiterated her apology to this ECOC that they did not have this history as part of their prescribed responsibility in terms of what Council was asking them to do.

MR. MATHEWS stated that, because he participated in both committees, he wanted to clarify something that he perceived to be an inaccuracy. He does not believe there was any misunderstanding. The genesis of the first ECOC and their instructions in the formation of that committee was to go out into the community and solicit input about what it was the people wanted to see at the El Corazon site. They were operating with a completely blank canvas. What went on that canvas, the art that they subsequently created, was derived from committee input in terms of what it was that they wanted there. Well into the process for the first committee, they received an inquiry, not a directive, from the City Manager about the placement of a public safety center at the site without any detail. That made it difficult because they could not, as a committee, consider what the impact of the placement of that public safety center would be on the varied other uses at the site. That is why it was placed as an option on the original plan that was adopted.

There really was not any misunderstanding and certainly not on his behalf. The original Chair, Hugh La Bounty, did not have any misunderstanding as to what the intent was. He was very familiar with what the history was as it related to the Police Department. He reminded Council that the first committee's concern was not simply the City's public safety needs; they were trying to address a host of needs at El Corazon. This is why no one particular use had an overriding concern to the expense of the others. That plan was completed after many years of hard work, and the plan, which was adopted by this Council, reflects those concerns of residents of the City with regard to intended uses.

In conversations with the Police Chief, he stated that every resident in the City is well aware that the existing police department site is inadequate. The members of the current ECOC are tasked not merely with costs for getting the uses at El Corazon off the ground, but also with the implementation of the plan. More importantly, they are concerned that the original plan as adopted is being disregarded for the sake of other uses in the City. That is a tendency that they are going to have to fight, absent this Council's intent, on direction to our committee that we need to modify that plan. If he is to understand that they are going to be making changes to the plan going forward, he

could advise his committee accordingly.

As it stands now, they are operating under the assumption that they have an adopted plan with proposed uses. That plan is indeed flexible based on their financial concerns in terms of getting the community out to and using the El Corazon site because they believe it is important to the legacy of El Corazon, given that it is essentially a reclamation project. He will be meeting with many of the members next month, talking about some issues as it relates to El Corazon, and it would be better addressed at that time. His concern in wanting to come and address Council's comments was the assumption that they did not understand their direction. Instead, they had a really good handle on what their direction was.

COUNCILMEMBER SANCHEZ stated it has been the Council's intent to have the police station there from day 1. Unfortunately it did not get to the ECOC. She is a big supporter of El Corazon. She was involved with Proposition M in putting together that initiative. She is protective as well of the dream of a park at El Corazon. She also has to understand the realities of the City. In the original plan the vision of El Corazon did include government buildings and infrastructure, which included a police department. That was a discussion that was held by a different Council in terms of trying to meet the needs of this City. When she grew up there were 25-30,000 people. The police department has multiplied several times over.

Her apologies have to do with the disconnect between the Council and the City Manager's office and ultimately the ECOC. Council was not involved with the ECOC at all; we were asked not to participate. If she had been able to chat or listen, she would have been able to say that they have to plan for the police department because the current facility was known to have a short life. Direction is to ensure that they have a police department at El Corazon.

INTERIM CITY MANAGER WEISS stated that, having worked with Mr. Mathews and the ECOC for some time, he believed the current plan for El Corazon does include a public safety center. The problem is that it conflicts with the relocation for the green waste as the plan exists now. The ECOC understands that it is going to be located on El Corazon. The issue at this point is that the RFP is open-ended as far as where it is going to be located. As they go through that process, they will work with the ECOC, OPD and the Police Chief to make sure that everyone is kept informed as the site selection process moves forward. Their goal is not to set up competing interests, but to find a common ground so that everyone gets what they are looking for, that they find a location for a public safety center, and El Corazon is kept whole from the standpoint that it be as financially self-sufficient as possible. They will make sure that those issues are adequately addressed through that process. As the recommendations come before the Council, they will at least have had the opportunity to be addressed at the committee and commission levels.

COUNCILMEMBER KERN stated that, when he first saw the plans at El Corazon, there was a proposed safety center. They did not know when and they were not constrained by the fact that, if something else came in between now and the time that the police department was ready to go, that they could use that property. He is not here to march towards El Corazon. He is here to get the police department what they need. As far as constraining it to El Corazon, he is strictly against that. It may be El Corazon at the end of the day; that may be the best location. However, he wants to make sure that all of the options are on the table. That is why he is really concerned about the first line that says to look at El Corazon and do not look at any other place. The best option may be going up 2 or 3 stories where they are; he does not know yet. He wants to make sure that they are heading in a direction that meets OPD's needs is primary. He wants to make sure that they have all of the options on the table to look at.

DEPUTY MAYOR CHAVEZ finds it interesting that this discussion is not unlike the discussion they had a few weeks ago on the Chargers. They hear about the

Chargers coming to town, and everybody already thinks they are losing their house. They are not anywhere near that; they are talking about an RFP for the police department to look at a needs assessment. Councilmember Kern's recommendation to strike that line is valuable. He **moved to amend** Councilmember Sanchez's motion in that, the first line, "...The likely location for this facility would be an area of the City known as El Corazon" be stricken and everything else stay the same.

COUNCILMEMBER KERN seconded the amended motion.

DEPUTY MAYOR CHAVEZ stated that Mr. Mathews has a very important role within the City. The plan was brought to the City Council. It was a very public process. He had met with the opposition the day after the election when he got elected, when Proposition M went down, and he began setting this group up. It has a lot of community input, and Mr. Mathew's should continue to do what he is doing; he knows exactly what is going on and knows the history they could talk about when things are shifting around. He does not see that it is contrary to what they are doing with the RFP for the police department. There is a strong need to upgrade that facility; they need to give the best facilities and training to their police officers. Somewhere through the public process those things are going to come online, and it is going to be a great day. He **called for the question**.

COUNCILMEMBER KERN seconded the call for the question.

COUNCILMEMBER SANCHEZ wants to do a point of order. There was already a motion on the floor that was seconded. She was going to try to avoid a second motion by trying to interpret this as a friendly amendment rather than trying to have 2 motions on the floor.

ASSISTANT CITY ATTORNEY HAMILTON stated that the motion to amend supersedes the primary motion, and the motion to amend had a second. It is the Mayor's call as the presiding officer whether to entertain an alternative procedure.

MAYOR WOOD agrees that they have an understanding that they have tried to justify a friendly motion to amend this, but they have a motion to call for the question.

Motion to call the question was **approved 3-2**, with Mayor Wood and Councilmember Sanchez voting no.

MAYOR WOOD stated that they would now vote on the amended motion.

Motion was **approved 4-1**, with Councilmember Sanchez voting no.

POLICE CHIEF McCOY wants the Council and the public to understand that this is not OPD versus the El Corazon Committee. They understand that the Police Department is not the only needs in this community; that there are other needs in this community. They need to make sure that they are working together to try to meet all of the needs for the community, and they will continue to do that. They did not want anyone thinking that they are butting heads against each other because they are definitely not doing that.

MAYOR WOOD does not believe that is the case. They have compassions and emotions on 2 very important issues: public safety and El Corazon. They are both very important.

6:00 P.M. – PUBLIC HEARING ITEMS

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.

22. **CDC: Consideration of a resolution approving a Regular Coastal Permit (RC-217-06) to upgrade and construct new storm drains generally located on Myers and North Pacific Streets between Seagaze Drive and Pier View Way – City's Storm Drains – Applicant: City of Oceanside**

MAYOR WOOD opened the public hearing. Regarding disclosure of constituent contacts, **MAYOR WOOD, DEPUTY MAYOR CHAVEZ AND COUNCILMEMBER FELLER** reported contact with staff; **COUNCILMEMBERS SANCHEZ** and **KERN** reported no contact.

SHAN BABICK, Associate Planner, reported that this is consideration of a resolution approving a Regular Coastal Permit to upgrade and construct storm drains within the downtown Redevelopment Project Area. The existing storm drain has needed an upgrade for quite some time. In 1980, over 25 years ago, this Council passed the Master Drainage Program, which proposed storm drain lines to remedy existing deficiencies that are in the downtown area. As part of that, the report concluded that the financing for this should be done by allocation of redevelopment funds.

The proposed project would upgrade and construct new storm drains within the City's existing right-of-way along North Pacific Street between Seagaze Drive and Pier View Way as depicted on the plans. In addition, the proposed project also provides a state-of-the-art storm drain filtration system which traps particulates, etc. and filters them out before they go to the beach area. Presently, the existing storm drain system does not do that. This is consistent with the waste discharge requirements for dischargers of urban runoff as stipulated by the California Regional Water Quality Control Board (CRWQCB), with which they are required to be consistent. This is a big improvement for this area, which traditionally has had ponding in this area for decades. The water comes from the parking lot, goes directly into the storm drains and exits out into the beach area. This is a huge improvement for eliminating that standing water for drainage in that area.

The proposed project is estimated to cost $500,000 and will take approximately 3 months to construct. It will be constructed during the off-season. Phase 1 would consist of construction on the storm drain from Pacific Street to The Strand, and the storm water filter would be included in that first phase. Phase 2 would consist of the placement of new storm drains along Myers Street and Pier View Way. As designed, the proposed project would be sensitive to the existing environment and actually improves the water quality as it drains out to the beach and ocean areas with the fossil filter.

Additionally, the Local Coastal Program (LCP) requires maintenance, protection and restoration of green resources and coastal water quality, as well as controlled discharge run-off into the ocean wetlands. The LCP requires the construction of new and upgraded storm drain facilities in the downtown area to augment the existing facilities that are already there. Staff believes this particular project will improve the drainage and clean up the water that is currently discharging into the beach area. This project was brought before the Redevelopment Advisory Committee (RAC) on January 24, 2007, and they approved it unanimously. They recommend that Council adopt the resolution approving Regular Coastal Permit RC-217-06 to upgrade and construct new storm drains located on Pacific and Myers Streets between Seagaze Drive and Pier View Way.

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

In reading the staff report, **COUNCILMEMBER FELLER** could not find where the storm drain on Pacific Street from Mission Avenue to Pier View Way fits into any phase.

MR. BABICK stated that the first phase would be coming from Pacific Street and draining on the north side of the pier. It would be about 10 feet north of the existing storm drain. It will have a fossil filter at that point. That will be part of the first

phase of the project.

COUNCILMEMBER FELLER clarified that the construction of the storm drain on Pacific Street is part of the first phase, although it says from Pacific Street to The Strand. He did not read into it that it meant from Mission Avenue to Pier View Way.

MR. BABICK stated that is the second phase. The first phase would take them from Pacific Street, going north from Pier View Way, about 50 feet north of the pier, and then end about 100 feet west of The Strand.

COUNCILMEMBER FELLER understands that. In the phases, it does not say in their backup material that the 420 feet from Mission Avenue to Pier View Way on Pacific Street is in any of the phases. It just says Pacific Street to The Strand.

KATHY BAKER, Redevelopment Manager, clarified that the first phase is strictly from Pacific Street, paralleling the pier, and would outlet onto the beach. That would include the fossil filter. Phase 2 is all of the rest of it, including the part from Mission Avenue.

COUNCILMEMBER FELLER stated that is not mentioned in the backup material. He **moved** approval [to adopt **Resolution No. 07-R0072-3**, ". . . approving a Regular Coastal Permit to upgrade and construct new storms drains generally located on Myers and Pacific Streets between Seagaze Drive and Pier View Way – Applicant: City of Oceanside" (RC-217-06)].

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

[23. **City Council: Councilmember-called hearing – Consideration of a resolution supporting Planning Commission Resolution No. 2006-P61 and approving Development Plan (D-8-05) and Conditional Use Permit (C-17-05) for the development of a concrete mix plant and materials handling operation and installation of a 12,000-gallon above ground fuel tank located at 2847 Industry – Robertson's Oceanside Concrete Mix Plant. Applicant: Robertson's**]

This item has been pulled from the agenda and will be re-noticed for a future date, if necessary.

GENERAL ITEMS - continued

24. **Council: Approval of the Integrated Waste Commission's FY 2006-08 Work plan**

ESTER BEATTY, Senior Management Analyst, Public Works Department, is asking for Council's approval of the Integrated Waste Commission's (IWC) FY 2006-08 Work plan. They are at 58%, so they have met their diversion for the State of California. The reason they got there is because they have the cooperation from our waste hauler, Waste Management.

JOSEPH GALLAGHER, Chairperson of Integrated Waste Commission (IWC), stated that they have a very active commission. Waste management is not a glamorous or exciting issue until it does not happen, then people get very upset. The IWC has worked diligently with the City Council, their contractor and the community to meet the requirements for AB 939, regarding the 50% diversion from the waste stream, using new and existing technologies. They are looking to the future in Oceanside. They have several sub-committees: Waste Futures, Large Item Disposal and the Budget Committee. He will be proposing that they possibly look at adding another sub-committee. There has been a lot of Chargers fever in town, and anyone who has ever been to a Chargers game or seen the cleanup afterward realizes there are significant waste stream issues associated with any such venue. It would be wise of the IWC to provide to the Council that type of information for their study and review. They hope to

do that in the near future.

They have several ongoing items, including the diversion. The majority is from the construction demolition and the Agri-Service for our green waste. El Corazon is a big part of that waste stream diversion, with the siting of the Agri-Service business there. Residents have all contributed by providing their green waste to the City's hauler. They have benefited from it through getting the mulch and chips that Agri-Service provides its citizens for free. Their waste hauler, Waste Management, has been very cooperative and concerned about waste management issues in the City. They have been looking into different technologies for the future to accommodate the City's needs as they grow.

One of the biggest challenges is multi-unit recycling. It is much easier to have a resident or a commercial enterprise recycle; multi-units are very difficult. There is a great deal of growth in that venue. The Commission is looking to see how they can best help the residents of those communities and the City to continue to increase their waste diversion. They are hoping that they are able to do so.

In the future, they are also looking at the growth of the City as a recreational outlet. Anyone who has been down to the beach on July 5 in the morning would be astounded by the amount of waste that is generated by their visitors to the City's beaches. He anticipates that will only increase as Oceanside becomes a destination to more and more people for recreational outlets during the summer months. The Commission is working with their contractor to develop plans and processes that can adequately address those waste issues.

One of the main issues that has been under discussion for years is the Gregory Canyon Landfill. The Commission is adamantly opposed to it because they do not think that someone should site their outhouse over a well. When he grew up they had septic tanks, and they made sure they were not close to the well. They were in opposite parts of the property for good reason. Gregory Canyon demonstrates a real challenge to that thought process.

MAYOR WOOD has been liaison in the past for this commission. This is going to be an expenditure that never goes away, and we have to address these concerns. They also look into some of the other issues they have regarding cost factors to seniors. That is something they probably want to see come forward in the future. Waste Management works well with the City. He only has positive comments about the commission and the activities by Waste Management. They get a few complaints, but this is one of their biggest budget items and it does a lot.

COUNCILMEMBER SANCHEZ moved approval [of the Integrated Waste Commission's FY 2006-2008 Workplan]. **COUNCILMEMBER FELLER seconded** the motion.

COUNCILMEMBER KERN stated that the green waste facility came up in their discussion of the El Corazon siting of the police station. Being a former member of the El Corazon Committee, he noted that is a point of contention. Perhaps they could relocate that some place, and maybe that is something that this Commission could address in the future. He suggested working with this, with Carlsbad or somebody in the agricultural zones on the eastern side of the City to move the green waste facilities out there and free up the space in El Corazon.

MR. GALLAGHER responded that one of the issues they have to look at in re-siting that facility is not only where they are taking it, but how the citizens can get to it. They want to make it so it is not only convenient for their business to thrive, but also for the citizens to partake of the benefits of that business. If they site it too far away, all of the recycling in the world is not going to do any good if they cannot use the recyclable materials that are generated from that source. This is under discussion. The Commission has looked at various locations that may be feasible in the future. They

continue to look at that as El Corazon studies and discussions progress. They too will progress, seeking out other sites that they think may be viable.

COUNCILMEMBER KERN stated that it will not be an easy problem to solve, but that it is something to look at in the future. As they go forward with the RFP for the police station and if they come back for some reason and site it where it is proposed, then it is right on top of the green waste facility.

DEPUTY MAYOR CHAVEZ asked about a transfer site. That has been a discussion for many years in the City with Waste Management. He asked if under the Commission's specific goals and tasks, they have discussed that.

MR. GALLAGHER replied yes. In the last 2 months they have made visits to 2 transfer station sites: one in Orange County, and one in Phoenix, Arizona. We are looking at that as a very appealing option in the future. We have looked at some specific sites in Oceanside. We have not yet identified those fully as the optimal site, but it is definitely something that the Commission is looking at, and their sub-committee is actively involved in that study. It is a fascinating technology.

DEPUTY MAYOR CHAVEZ suggested that they could add it to their waste collection disposal as a specific goal as part of the work plan. He would like Mr. Gallagher to come back and talk to the Council about it. It is important to educate Council and the public. He would like to hear about what they are finding out.

MR. GALLAGHER stated that education is one of the other goals of the Commission. For several years they sponsored several events that brought education on waste management and recycling to the schools. They have reinstituted that. They have found that young people are growing up with this type of education, which is a great thing. However, it is an ongoing process. We would love to have full participation at all levels with all citizens because the goal ultimately is to make not only the community, but the world a better place. There is so much that can be done with recycling materials. It is a "catch 22" since they do not have the market for recyclables as they would like to generate their use because of the cost. The cost does not go down until more people use them. It is something that they need to work through, not only as a community, but as a country. The Commission is also looking at pre-cycling, working with companies to diminish the packaging. Wal-Mart has recently instituted a policy where they are decreasing their packaging. We are looking at the beginning and the end: the pre-cycling and recycling. Education is key not only for the consumer, but also for the producers.

DEPUTY MAYOR CHAVEZ has taken a number of tours of the green waste facility at El Corazon. There is an issue right now of a new technology so that they could do 2 things: 1) decrease the time for something to break down and 2) take care of the "stink factor" by containing, which controls the smell. In order for Agri-Service to invest in that, there needs to be a time limit so they can get a return on their investment. It takes 8-12 years until it makes business sense for them to invest in that. The Commission could take that on also. They are looking at El Corazon, and Agri-Service is already there. If we can say that they will remain in a site however long it makes business sense for them to be there, they could bring in a new technology to increase the efficiency of what they are doing; and they could take care of the stink factor. For those 2 reasons, he would ask Mr. Gallagher to add it to the Integrated Waste Commission's work plan.

MR. GALLAGHER agreed; it is cool stuff. It is accelerated decomposition technology. Because it is covered and the manner in which the decomposition process takes place, it does reduce the stink factor. They have looked at this as a Commission, and they have visited the site. Because of the capital investment involved, there needs to be a long-term site plan so that they can recoup the cost that they put out to start the process. It is not one that you would start arbitrarily without any future plan of action. That is another technology that the Commission is studying that has proven to

be a considerable benefit.

In response to Mayor Wood, **MS. BEATTY** confirmed that there was a field trip to Waste Management's transfer station in Phoenix, Arizona. It was interesting, and it is doable.

COUNCILMEMBER FELLER inquired about the material recovery facility. It probably fits better under the Commission's structure plan of E [Household Hazardous Waste] and F [Solid Waste Codes], under their structure portion of it. It could seriously reduce the waste going into the landfill. They probably saw that in Phoenix. On their trip, he questioned if they are talking about hauling trash to the desert.

MS. BEATTY stated that they had not discussed that that she knows of. She added that they had a field trip 2 years ago to Seattle where they saw the process that Agri-Service is looking at to apply at the El Corazon facility, and she is working on that right now.

COUNCILMEMBER FELLER is glad to hear that we are meeting the goals of AB 939. This is the first time ever. He asked if people are actually being fined at this point.

MS. BEATTY stated that there are 3 cities in the State of California that have been fined. However, they were totally negligent; they were not proactive in any way. Oceanside is way ahead of the curve right now.

COUNCILMEMBER FELLER requested an explanation of what e-waste [electronic waste] material cannot go in the trash.

MR. GALLAGHER responded that people believe that the electronic waste is their television and their computer; however, there is much in those units that are not electronic waste. Electronic wastes are those components within the computer that are not reclaimable or recyclable and cannot go into the waste stream. Regarding the metal casing and plastics on computers, much of that can be recycled or go into the waste stream, preferably recycled. Those electronic components that are regarded as hazardous cannot, and they are taken to the hazardous waste facility. They are then packaged according to law. He believes that some of the industries actually reclaim some of those components.

MS. BEATTY agreed that they process the cathode ray tube (CRT). Every computer or television monitor screen has between 7-13 pounds of lead in it, and that is removed. It is one of the heavy metals.

COUNCILMEMBER KERN wanted to know the footprint of this process. If they keep it on site and contain it, he asked whether that is a viable option.

DEPUTY MAYOR CHAVEZ stated that what he saw from the demonstrations they had is that it is probably smaller than the current footprint that they have because it goes more quickly. Right now they are stacking and turning it to get air into it. This has a tent over it, has rollers to rotate it, and then air is flushed into it, so it is always breaking down. They monitor it by the chemicals. It would probably help the City.

MR. GALLAGHER agreed that it would because it sits on concrete pads; it is covered; and it affords for accelerated decomposition of the materials. In the standard process for creating compost, it has to be turned, aerated and watered down. It takes an extended period of time to achieve compost from regular green waste. This process accelerates that. They have less waste time, increased benefit to the community as far as getting that compost into the hands of the consumers. It does take less space.

Motion was **approved 5-0**.

[25. Heard earlier in the meeting]

[Recess was held from 7:16 PM to 7:24 PM.]

26. **Council: Adoption of a resolution authorizing staff to submit applications for State of California Department of Transportation Aeronautics Program and Federal Aviation Administration (FAA) grants and loans to fund completion of the first phase of the South Side Airport Redevelopment project and the initial engineering and design for the remaining phases of the South Side Airport Redevelopment project**

GARY GURLEY, Acting General Services Manager, stated that the resolution will allow the City to apply for the loans and grants that they would need to start the rebuild on the south side of the airport. This came forward prior to Council's last action and staff will continue on with that. Staff will come back to Council with another resolution/grant to proceed on to the rest of the development.

Public Input

JIMMY KNOTT, 124 Sherri Lane, asked about the San Diego County Regional Airport Authority (SDCRAA) funding and planning oversight. He has been told by airport proponents that there may be a separation of powers problem. Requests from them may come into play, and it might get kicked back under a challenge. Council may want to have the legal department look into this. He is also concerned about the lack of plans for the public safety aspects. They need an independent Request For Proposal (RFP) since there are major liabilities because we are at minimum standards and maximum risks. The steps that are being planned are preemptive. He requests that these 2 issues be double checked with the appropriate agencies in other court records and standing decisions prior to their action. Otherwise there may be problematic exposure because of systematic errors by the City. We do not want to waste staff time to do that. As for the SDCRAA, we do not want to step on their feet.

DEPUTY MAYOR CHAVEZ moved approval of the adoption of the resolution [**Resolution No. 07-R0073-1**, ". . . requesting funding for the redevelopment of the south side of Oceanside Municipal Airport," and staff recommendations]. He sees this as a component of the total funding package that he would expect to come back to Council in less than 90 days. He asked if that is correct.

MR. GURLEY responded affirmatively. This will be the first step in putting together what that mechanism is. They will primarily find out what the state's position is on revenue-generating loans. Then they will be able to put together the final plan to bring back to Council regarding where they want to proceed from here.

COUNCILMEMBER FELLER seconded the motion. He stated that the SDCRAA is going through some serious changes right now. The land use planning is probably headed back to SANDAG under their regional planning. It is going to reconfigure the actual board make up to all elected officials. Their charge will be running San Diego Airport. Senator Kehoe and Assemblyman Plescia have SB 10 running through the Capitol now. By January 31, 2008 they hope to have the changes implemented.

He fully supports this item. The City received a letter from the County 3-4 months ago, and we have not responded to that. That is an item we need to bring back right away to respond to the County on whether they want them to participate with the City. We should at least give them the courtesy of a response.

MAYOR WOOD will support this. At the last Council meeting, they had brought up that they are going to support the airport. He had wanted a lot more factual information in the past regarding the airport and whether it would support itself or the best use of that valuable land off state Route 76. The public slowly and surely learns about what the value of the airport is to them or not. There are emotional sides. He voted for this airport issue for a reason. They have 90 days to come forward and see if

there is a funding mechanism for this process. There is some conflicting feedback from FAA regarding usage of that land and what can be on it, such as a Costco or not. This is the opportunity to say now or never. Let's see about getting the funding for it either from the state, federal government, etc. He is not sure it is there, but this is the opportunity to show Council whether it can be done. If not, they will be back where they originally were on what to do with the airport and see where they can go from there.

People need to know that the airport is an enterprise fund. No matter if it makes any money or not, the money does not come back to the City government at all; it goes back to the airport and not into the general fund for the rest of the City's operation. It is important that the citizens do not have to pay for the airport. It has to be self-supporting. As many Councilmembers have said, they want it to be one of those jewels in the crown of Oceanside. When it originally went forward they put in bottom-basement type hangars out there, and that is not the jewel of the airport that he wanted. However, he supported it this time to see if they could do it the right way or not.

SANDAG is going to be more responsive because the Regional Airport Authority seemed to be out of step with the rest of the community when they were involved in a proposed San Diego Regional Airport at Miramar. He agrees with Councilmember Feller that there is probably going to be a lot of changes. They will see SANDAG more involved in that issue.

In regards to San Diego County being involved with the airport, he did get the letter a while back. He gave it to City staff because what the County really wanted was factual information about the operation of the airport. It was given to the former City Manager at the time, and the City sent those facts to them. He has not heard from them since.

INTERIM CITY MANAGER WEISS responded that staff prepared the response, but they did not send it. Last week they got direction from Council to respond to that letter. They will have that letter and the backup information forwarded to the County next week.

MAYOR WOOD stated that this is a valuable piece of property with or without an airport on it. If the County or any outside people are interested in it, he wants to make sure that the citizens of Oceanside get the best out of that piece of property, whether it be as an airport, if it can be funded, or another type of commercial development that benefits the entire City for jobs, economic development and safety. The County, if it is interested, has to understand the value of that piece of property in a few years when SR-76 is completed and where it is located.

He received an e-mail yesterday regarding another party interested in private operation of the airport. That party had been in front of the Council before, but the main concern there was to take over the airport for commercial purposes and to build on it. He is not too sure if that is something that FAA is totally on board with right now. They get completely conflicting information from the FAA.

He explained why he voted last Council meeting to go forward with this. This is an operational thing that seems to be stumbling along. Factual information needs to be known by all parties on what the airport can do to support itself. This is their opportunity to solicit the Federal Aviation groups and people to come up with the funding necessary to see if this operation can go forward and fund itself. Right now they still have the same complaints and problems. Part of that is litigation from the anti-airport people regarding any building on the north side of the airport that they still cannot overlook. He is going to give them their fair chance to try to do something on this or not.

COUNCILMEMBER SANCHEZ stated that there had been a compromise reached by all Councilmembers and the Citizens for a Better Oceanside [CBO], hoping that they would be able to move forward on the building of the south side and not expanding it to the north side. They need a buffer for the residential. They have had problems from day 1. This airport had been moved closer to the residential when SR-76 was built. There is no longer that compromise since last Wednesday when this Council voted to go ahead with both the north and the south side. She is going to be voting against this again. She is saddened that they could not honor both, respecting the property rights of the residents north of the airport and the users of the airport. They would have had to come up with some funding through the General Fund. With the commitment on the south side, that is no longer possible. This is going to have to be from the state or the federal government, and she does not believe there is any money.

Motion was **approved 4-1**, with Councilmember Sanchez voting no.

MAYOR AND/OR COUNCILMEMBER ITEMS

27. **Request by Councilmember Kern for discussion regarding the Melrose Drive Extension from North Santa Fe Avenue to Spur Avenue, and direction to staff**

COUNCILMEMBER KERN had the opportunity to sit in with the Transportation Commission discussion regarding the idea that between Melrose Drive and East Vista Way is the first phase of SR-76. The preferred widening takes Jeffries Ranch Road and turns it into a cul-de-sac, so there will be no access out of Jefferies Ranch Road except through Spur Avenue and Melrose Drive. He **moved** that staff put Melrose Drive back on track to pick up where they left off and move forward to see if they can get Melrose Drive built within the next couple of years.

Some people felt they should wait for the Circulation Plan. This was in the Circulation Plan, and it was stopped. He wants to put it back in and bring Rancho del Oro (RDO) forward for the interchange. Melrose is an access and safety problem. That is why he is bringing it forward tonight. He does not see this as a circulation problem; he sees it as an access and safety problem for that neighborhood. Three weeks ago he and the Deputy Mayor had the opportunity to meet with the people in Francine Villas who have only 1 way out of their neighborhood. They are very concerned about evacuation plans. He does not want this neighborhood to be stuck in the same way as the Francine Villas neighborhood.

DEPUTY MAYOR CHAVEZ seconded the motion.

Public Input

JIMMY KNOTT, 124 Sherri Lane, supports the opening of Melrose Drive in the spirit of compromise. Looking at the actual area, he is also supportive of the community and what the community wants. This should be left up to the citizens of that area. They should define the area, and the citizens should be allowed to cast a vote on whether Melrose should be opened or left closed. Council should then abide by that vote. The rest of the City wants to get from point A to B to C to D, and they do not care about what happens from one community to the next. Leave it up to that community.

JOAN BRUBAKER, 1606 Hackamore Road, spoke an individual, regarding Councilmember Kern filming a video that was exhibited before the last election. The individual stated that Councilmember Kern was worried about their ingress and egress. At the time, Jefferies Ranch had always been a right turn in and a right turn out, even when SR-76 is widened. Apparently there have been some changes since she last checked on that. When the individual told her that Councilmember Kern was worried about Jefferies Ranch residents in case of fire because they only had 1 way in and out, she had stated that was an error. They have 2 ways, and they still do. As far as she had known, it was going to be a left at Jefferies Ranch. Now Moreno Valley, Murrieta, Temecula, Fallbrook, Pala, eminent domain and developers are all that will benefit at the

cost of Jefferies Ranch people's tranquility and safety.

Jefferies Ranch is truly a unique area. Safe access to their only park will be eliminated, as will some camping sites in the County Park. Between developers, eminent domain and development and the voting majority on the City Council, the residents and the environment are without representation. She asked why they are not coordinating with the neighboring city to improve East Vista Way, which is a County highway.

Deputy Mayor Chavez was quoted in the local newspaper recently as saying that Vista wants the Melrose Drive extension. If they do, let them build it.

MARGARET MALIK, 1611 Hackamore Road, commented that this started out as a traffic issue; however, there really is no traffic issue. For every car coming down South Santa Fe, 1 out of every 15 turns left, not right. Now it has become a safety issue. She asked if the safety issue is for the kids at the high school or for the little guys that will be crossing Mesa. They are going to need 2 more traffic lights. In the span of 4 blocks they are going to have 4 traffic lights. They are going to have to put 1 at Spur Avenue and 1 at Old Ranch. She does not know who this is going to benefit. The parents are going to come down Melrose Drive, drop their kids off on Melrose Drive, and the kids are going to walk across SR-76. They are going to put all of these kids on the street crossing SR-76. They now have found out that Vista Unified is not putting in a pedestrian overpass.

Now she understands that they are getting a fly-over again that Mr. Watanabe had proposed. At a meeting last night, Interim City Manager Weiss said it is still on the books. She asked if they are looking for the bridge across the river. She understands that the man who would not sell them the land for the landfill is the one that wants it over.

She does not think it is safety. She is worried about the kids trying to cross the street; that bothers her more. They feel that somebody has an ulterior motive for this, and it all has to do with land development and somebody's pocket. That is not her opinion because she has met all of the Council personally, and she does not think so. However, that is what the neighbors are saying, and that bothers her.

She wants Council to think about why there is a rush on this item. She asked why they do not wait for the staff reports in another month or two, or whether somebody has a big land deal that they have to have. She has a bad heart, and she wants to make sure that an ambulance gets in there.

SHELBY JACOBS, 1674 Del Mar Road, has lived out there for 10 years. This has been a concern for him. Since he is retired, he has had a number of people come to him inquiring about how to get in and out of the area when they have emergencies on SR-76. He asked one of the ladies to send an e-mail because that happened 3 or 4 years ago. That is one of the things that prompted him to come down today. The people who he has contacted or who inquire of him are concerned about their safety, access to the southeast sector, getting out the back way and not being stuck in there. As he looks at it, the in and out access on Jefferies Ranch is rather limited. Only 1 way in and out is not a good idea. He had sent an e-mail last year. He sees the same thing; they have experienced a number of accidents in the region. They face a significant safety issue when they shut down SR-76. He has seen it personally, as much as 2-4 hours. In addition to young people that he knows, who were in there and do not know their way around very well, one of his neighbors who has a heart problem was told to stay out and go to Bonsall for several hours because she could not get in. It is a safety issue, and they should not be limited to 1 way out. It is a bad idea to go forward without having a second way out of that community.

RICK KRATCOSKI, 2110 Foster, sees a lot of neighborhoods getting upset since they have the new Council on board. The general good of Oceanside is to take care of each individual neighbor and neighborhoods, not to ram something down their

throat if they do not want it. He supports Jeffries Ranch. If they do not want the intersection to go through and bring more traffic in their area, then do not put it through. They have 12 neighborhoods that are looking and watching what the Council is doing right now, and they are getting a multitude of people that are really getting upset. He is in opposition to extending this Melrose Drive, and whatever that area wants is how Council should vote.

DENNIS MARTINEK, 1537 Sleeping Indian, stated that some of his neighbors found out that he was going to speak on this item and asked if he would express some of their concerns, primarily related to some of the things that Mr. Kratcoski had just finished saying. They support the neighbors and feel that they should determine, to a large extent, what happens in their area. They are concerned about safety. The people in their area are trying to decide whether Melrose Drive is a good thing or not. Aside from what the neighbors in that area want is that they do not have enough information. The information is coming, and they would like to wait until that information is here so that they can decide if the costs are worth the benefits. Maybe it is going to make it so that somebody is going to be able to get across town 5 minutes early. As a citizen he would not mind waiting 5 minutes to save $10-20,000,000. He asked if it will really have the impact in terms of facilitating traffic that it is expected to at this point. SANDAG has done some new demographic studies. They will not have the growth in the area that was originally expected. Those demographic studies will affect the traffic analysis that is going to be forthcoming. Most of what he is hearing from his area is to do the studies, hear where they are, see if it is really worthwhile to do the Melrose Drive extension and impact the people of Jeffries Ranch, Mission Meadows and those areas.

MAYOR WOOD knows this is a hot topic. It has been around for a while. This is something that probably deserves a workshop.

COUNCILMEMBER SANCHEZ stated that last year Council voted to wait for the Circulation Element to decide what to do with the Melrose Drive extension. Melrose Drive extension was not taken off the Circulation Element. Since they had not updated their Circulation Element in approximately 30 years, Council felt it was time to do that. It was time to look at these larger projects that cost millions of dollars in light of what our true picture is.

Before coming to the Council, she had a chance to drive down Melrose Drive. Using a photo slide presentation she showed Melrose Drive and Oceanside Boulevard, where it begins to turn into Vista. It is at the top of the hill. There are a lot of residences there. Melrose Drive curves around, and there are times that it narrows. It is downhill, which would speed up traffic. Showing the intersection of Santa Fe and Melrose Drive she pointed out Guajome Park to the left. On a sunny day they are able to see Morro Hills and Jeffries Ranch and see the beautiful green that they still have in Oceanside, it is exciting that they have that mix still in Oceanside. It is when you go east and you get a taste of what was there before. Previously, it was orange groves and a lot of open space and green. She showed the other side of Melrose Drive, stating that what is proposed is that they bulldoze through there. Not far from that site is Mission Meadows Elementary school.

The integrity and the preservation of Jeffries Ranch and Morro Hills are at stake. Doing this now without any studies or looking at the Circulation Element is premature. She asked that Council wait. She agrees that what they may end up looking at is maybe 5 minutes or less shaved off of a trip from SR-78 to SR-76. However, that is not all they will have; they will have a lot of cross traffic. It will create more safety problems than solve. Because of all of this cross traffic, you will be stuck at SR-76 waiting to get on, and there will be no real savings of time.

She would like to see the studies on this. The concerns she has is that they are going to jeopardize the safety of the residents and the ability to get emergency vehicles to this area with doing this project. She does not see how they can do this project without the studies. Even if they seek funding, it will have to depend on some basis for

requesting it.

She does not buy the safety issue because she has seen what has happened to the City in terms of increased traffic. Increased traffic means increased accidents. Increased traffic means increased fatalities. We have seen that on SR-76. There are certain places on SR-76 that are death traps. She is very concerned about these dangerous streets that we now have in Oceanside because of the cross traffic. They have this cross traffic because housing is becoming more unaffordable, so people are moving east and north and cutting through and trying to figure out how to get to work and/or to the coast quicker. She asked to wait for the Circulation Element. They need to decide what numbers they are going to use from SANDAG, hopefully the latest modeling. They are going to study this and see whether or not it makes sense. If it is going to cut down 5 minutes or less and they are going to get stuck at SR-76 regardless, she does not see how that really is a benefit to this community. She is concerned about the children, the horses, and the ability to maintain this overlay. She asked that they not go forward on this at this time, but that they continue with the studies and really see whether or not it is going to pencil out.

DEPUTY MAYOR CHAVEZ stated that curves on the street actually slow traffic down. Part of a traffic calming effort is the medians - the side and the center, which they saw on Melrose Drive is also designed to slow traffic down.

Guajome Park is near and dear to him. It is a great asset. There are 3 different plans for Melrose Drive. After the election he went to a community meeting at Guajome Park. Guajome Park is expanding. When Melrose Drive is run through, the park will be larger after it is finished then it is today.

As far as Melrose Drive being wide, if you turned the camera 180 degrees you would have seen Home Depot. The reason Home Depot is there at Melrose and SR-76 is because they made a business decision that if they put a Home Depot there, which the City gets tax dollars from, they would be bringing residents from Vista. He has talked to the managers during this recent election it, and they would love to see Melrose Drive go through. This is tax dollars to us that allows us to provide police and public safety, which is important.

Regarding the neighborhoods, he pays attention to the neighborhoods and goes to a lot of neighborhood meetings. Regarding comments on letting the citizens vote, the citizens did vote. The flyer said that if they support Transnet they are going to get Melrose Drive extended. It was written in the pamphlet. It was on this dais 2 years ago that he said to look at the Transnet; Melrose Drive is coming. It was also on this dais some months ago when he said that they voted for this, they are being taxed for this and now they are not putting the road through. The citizens did vote for Transnet.

Regarding the question about the rush, he used a photo slide presentation to show a Top 25 Chart, which comes from the North County Parkway Plan and shows how to get money through the Parkway Plan funding. He explained a matrix which shows that the higher the ranking, the more money they get, and they get it more quickly. El Camino, going from Palomar Airport Road to the SR-78 by Carlsbad is 91 points out of 100, and is the number 1 ranked program in the North County Parkway Plan and the number 1 funding priority. In the top 25 projects, Carlsbad has 3 of them. For San Marcos Boulevard, from View Point Drive to Twin Oaks Valley, San Marcos has 72 points, and they are ranked third. Interestingly, San Marcos has 5 projects in the top 25 to be funded. Vista has Melrose Drive to SR-78; they have 58 points and are ranked 11th. Vista has 5 of the top 25. You can see San Marcos and Vista have 10 of the top 25. For SR-78 to West Valley Parkway, Escondido has 53 points and is ranked 18th. Escondido has 6 in the top 25. Between San Marcos, Vista and Escondido, they have 16 in the top 25. Adding Carlsbad, that is 19 of the Top 25. A little lower you see Spur Avenue to Oceanside Boulevard, which is Melrose Drive that we are talking about. Oceanside has 42 points; we are ranked 25th. Interestingly enough, Oceanside, which will probably be paying the most Transnet tax in the entire North County, has 1 of 25 projects. We are

being taxed for this in our Transnet, and the citizens voted for this.

He asked staff why Oceanside would only have 1 of 25. The reason is because Oceanside does not stay consistent. We take programs, and we drop them out. He did not want to bore them with how they made the points, but there are a lot of things that go in there.

Councilmember Sanchez had said she would like to see the studies. He would too. That is how they get the points. By identifying this as a project and staying consistent on it, they can do the Environmental Impact Report (EIR), which will tell us what the impacts will be. They could do the project design to see where the roads are going to go, and they can make an informed decision. However, we cannot do that if we do not move the project forward.

The citizens wanted this; they voted on it; and we are taxing them to build roads. He just showed that the City has 1 of 25 in the entire North County, which is less than any other City. They need to go forward with the plan to stay consistent. He has been looking at this and talking to neighborhoods about it. These are long term issues that need long term leadership and long term decisions. He will be supporting this.

MAYOR WOOD stated that this is a tough issue. Listening to Councilmember Chavez speak about being 25th on the chart, the Transnet issue was important, and people voted on it for obvious reasons. They wanted to see I-5, I-15 and places like that move forward, not necessarily residential streets. He does not agree with some of the comments. Oceanside got the 4th largest amount of money from SANDAG - behind San Diego, the County of San Diego, and Chula Vista. That tells you it is size, as it should be. We are 4th in the appropriate order of size in the county, and we received the 4th largest amount of money from SANDAG; that is typical. Why did we come out 25th on this one because things change. When he first got on SANDAG, the number 1 priority was moving transportation - the public and their cars. The next year the number 1 priority was quality of life. When he went out to Jeffries Ranch a while back, this is what was important to him.

That neighborhood was being heavily impacted by a lot of things. SR-76 got to their neighborhood and stopped. We do not know why it stopped, whether it was money, mitigation, land or whatever. However, you will notice that SR-56 started after that and finished. Maybe it was a richer neighborhood that it went through. That stop, where the lanes come down to 2 in front of Jeffries Ranch, had a heavy impact on that neighborhood, and the potential future construction will be a major impact on that small neighborhood. The neighborhood is very unique as a rural equestrian overlay neighborhood, but we drove a major freeway to the edge of their neighborhood. Then we had the impact of the 2 magnet schools in Vista, which they really did not want. He had gone out there with Councilmember Sanchez, and they had a big room full of people telling them what they thought about Melrose Drive extension, the magnet schools and SR-76. What he got out of that meeting from many people is not that the road should or should not go through right then, but that they were heavily impacted and this could wait. It did not have to be done all at the same time. They did not have to have all 3 projects: the school, Highway 76 construction and Melrose Drive construction. It came down to quality of life issues. Traffic is important, but sometimes quality of life issues are above it. At that time, he thought the most important issue to that neighborhood was the impact on them. It was not that they were locked in there. They could get to North Santa Fe, turn on Melrose Drive and go anywhere they wanted to and visa versa.

Building SR-76 is the number 1 priority for SANDAG, not only all the way out to I-15 but to improve it to a freeway from an expressway. All of the ramps and traffic lights are going to change down the road and may not be in the same locations.

What is the hurry when the residents can get back and forth, and they just do not have all of the impact at the same time in a neighborhood. Down the road this road

will get built. He would probably support it if he is still here, but after the impact on the neighborhood from the other 2 major projects. Let's finish SR-76 and the magnet schools first. This is not a rush, and the neighborhood does not want it. It is not going to get rated high if it is not a priority. It should be a 25 rating.

The neighborhoods also are worried that Melrose being open would increase cut-through traffic. They do not have a neighborhood traffic problem from their neighborhood or Oceanside; it is all from Riverside County. You cannot afford to live in Oceanside because it is too expensive, so they live in Riverside. Then they have to commute back here. When the SR-76 highway is finished, hopefully that cut-through traffic may not be necessary since they will be able to run that highway 76 corridor right to I-5 or any other major interchange to get to wherever they are going. It will improve that cut-through traffic. Maybe when there is no cut-through traffic is when they should do this project. He does not vote at SANDAG for the residents of Riverside, that is who will be using this roadway.

Political campaigns make rhetoric out of things. They saw it with Rancho del Oro (RDO) at SR-78 and with this one. He is upset when they make it an issue because the neighborhoods get sucked into a situation where they are told that if they fix Melrose Drive and RDO at SR-78, if it is ever going to happen, that will fix all of our traffic problems. It is not going to happen; it is a long way off. It is the money and the priorities. The priorities are SR-76, I-5 and I-15. That is where the money is going, and that is what Transnet was all about.

Vista is looking at the Circulation Element just like we do for our projects. They want to put in hundreds, if not thousands, of condominiums at the Melrose Drive and Oceanside Boulevard area where you see all of those open fields. That would be thousands more homes to impact the Melrose Drive extension. We already have a problem. If they try to build the project now without Melrose Drive, their Circulation Element would probably show the streets and intersections being far below Level of Service (LOS) C and probably D and F. This is a small residential street that does not impact anybody except those residents right now with cut-through traffic.

It really comes down for the rest of the Council to know that they do get funded; they do have leadership; they are not forgetting people; but they are also trying to remember quality of life issues and impacts. We are seeing all of the items that a previous Council voted on coming back once a week to be re-voted on. That is their choice. The citizens said that they have picked these people. He understands that, because they all represent the City, but that is how it works.

This is going to be done in the future. If this motion goes forward, he is not sure that the funding is there. Remember on the Parkway Projects, they look at quality of life issues along with all of the other issues. Remember it is just an impact on that neighborhood. They also are worried that Melrose Drive will get to the flood control channel, and there will be a bridge built over to the north side of North River Road and Morro Hills. That concerns Morro Hills, which is our last green area. That is when that neighborhood will change again by development. There was an earlier question by one of the speakers on who this benefits, such as a developer or other cities. Council does listen to public input, e-mails and calls. Maybe this needs to go to a workshop to get more input to find out if this is the number one priority for right now or for some other time.

COUNCILMEMBER KERN stated that the future is now. They have to get this rolling. He walked that neighborhood during the campaign; he talked to the neighbors. A lot of people wanted the extension; a lot of people did not. The idea that a couple of people are representing the neighborhood is taken with a grain of salt. He went before the Vista Unified School District Board (VUSDB) and asked them not to put those high schools there, and, if they had Lincoln Middle School site in the middle of Vista, that would be a more appropriate spot. He told everybody that, as soon as they turned dirt on those high schools, Melrose Drive should be started. He said it all during the

campaign. He did not hide the fact that he supported the Melrose Drive extension all during the campaign. He made it real clear on his part, and he is sure that Deputy Mayor Chavez made it clear on his part, about what they think about infrastructure projects and the airport.

Five minutes does make a difference if you are waiting for an ambulance. Their fire station sits on the corner of Melrose Drive and Santa Fe. That 5 minutes would make all of the difference in the world. As far as there being more traffic on SR-76, the extension will actually bleed some of the traffic off SR-76 from Melrose Drive into town. Somebody says they will support it at a later date; however, they need to get the studies done and get the projects done. Regarding the road alignment, he is not telling them that they are going to put it through the park. They are going to wait until the EIR comes back, and it will give them what the alignments are. If somebody says let's wait for the reports, then let's get going and look at the reports. He is only asking to get the process restarted. He sincerely feels that this road needs to go through. He has made no secret about that from day one, from last June when he declared.

He wants to get Rancho del Oro done, too. However, that is more of a circulation problem. He will wait for numbers on that one. He is in no hurry to build Rancho del Oro. When the numbers come out, people will see that they need Rancho del Oro, and they have delayed it and will probably have to spend about $30,000,000 extra to build Rancho del Oro, unless they could have started earlier.

COUNCILMEMBER FELLER asked what the time frame is for this process.

INTERIM CITY MANAGER WEISS responded that if Council approves the motion, staff will have to come back to Council with a budget resolution to appropriate the money to start the process. Mr. Kellison has indicated that they had originally started the EIR studies. Those studies need to be updated and completed. They are looking at, depending upon the number of alignments, a 12- to 24-month period to finish the environmental studies.

COUNCILMEMBER FELLER stated that they have some time. The school will more than likely be built by the middle of 2008. On Deputy Mayor Chavez's slide, he had showed Melrose Drive to SR-78 and Vista. It has to be the Cannon extension from Melrose Drive to SR-78, through the County area.

DEPUTY MAYOR CHAVEZ responded that topic is called Melrose Drive, and it goes from the Vista County limit to SR-78 and it has 58 points.

COUNCILMEMBER FELLER commented that might be the widening on Melrose Drive, which affects some of Oceanside. The prediction is that they are going to have 73,000 more jobs in this county in the next 20 years, by 2015-2018. What they are asking for here is to go forward with the studies that Councilmember Sanchez and Frank Watanabe worked on to stop 1½ years ago. They knew that this avoided having to do the required studies to change the Circulation Plan. The Council voted along with that recommendation. Otherwise, they would be a lot further along at this point. The City is still part of the Parkway Plan, although we have not adopted any resolutions in support of anybody else's plans, and they have not done any resolutions to support ours. Therefore, we are low on the totem pole. However, in the Parkway Plan they are directing to go north to Santa Fe. It says Spur Avenue to Oceanside Boulevard. He would probably ask that they look at that, because that is a big chunk of land. The northeast corner of Oceanside Boulevard and Melrose Drive is the City of Oceanside. He has seen that plan before. There are hundreds of houses, not thousands up there.

Regarding El Camino and College, they are not straight roads either, and they have very steep inclines. That is where they have enforcement involved, and you have calming with center dividers and other things that are necessary. The extension of Melrose Drive will alleviate some traffic on College Boulevard. That is a major thoroughfare that needs some relief from some of the impact. Maybe it will show that

they do not need an interchange at Rancho del Oro. He doubts it, because the City is going to have their share of the 1,000,000 people. It looks like the school is going to be there, and Melrose Drive is very much needed. He supports the motion and **moved to call for the question**.

DEPUTY MAYOR CHAVEZ seconded the call.

The call for the question was **approved 3-2**, with Mayor Wood and Councilmember Sanchez voting no.

The original motion [to direct staff to put Melrose Drive extension back on track and get the studies done] was **approved 3-2**, with Mayor Wood and Councilmember Sanchez voting no.

28. **Request by Councilmember Sanchez for a status report regarding the master planning of the downtown area and the Oceanside Boulevard corridor, and direction to staff**

COUNCILMEMBER SANCHEZ wanted to revisit an issue Council had before them about a year ago in a workshop that was approved by a 5-0 vote to look at master planning. At the workshop there was standing room only for a presentation by Peter Katz. There was tremendous support and excitement from all parts of the City about the idea of master planning. They talked about the downtown area and focusing their master planning on certain parts of the City, especially those parts that are being planned for development. Since Mr. Katz was hired by the City, he has met with each Councilmember to talk about their visions for master planning. Councilmembers have not been able to talk together since a year ago in terms of master planning.

The 2 areas that they have had the most pressure on regarding development have been the downtown area and the Oceanside Boulevard corridor area. Those are the 2 are that Council specifically wants to get in front of. A year ago they were talking about having a clean white canvas upon which they can create this vision of Oceanside and work together on what they want the City to look like for the downtown area, perhaps the Coast Highway corridor and Oceanside Boulevard. At the time there was a lot of talk about smart growth to see what they could do in terms of Oceanside Boulevard and whether or not they were going to have any opportunities for doing some smart growth because of the Sprinter coming in. They wanted to get in front of things like the Sprinter, which is just around the corner. They wanted to get in front of the CityMark, the development of 5 blocks downtown, which is also just around the corner.

In talking to staff to find out the status of our visioning and when they are going to get this before the City and get started on the workshops, she found out that nothing has been done. The thing that has been done is that Mr. Katz has been hired. Mr. Katz has gone around to some of the neighborhoods to talk about and listen to what the neighborhoods would like to see for Oceanside, knowing that Council wants to do great projects in Oceanside while balancing that with the preservation of the neighborhoods. The Oceanside Coastal Neighborhood Association (OCNA), especially has been voicing a lot of those statements because there are a lot of pressures being placed on the Coastal area, especially on the neighborhoods south of us and west of I-5.

She would like to get in front of this and 1) set a workshop for the visioning process for their downtown Oceanside master plan and 2) begin the process for master planning the Oceanside Boulevard Corridor area, including looking at potential zone changes. In the last few weeks or months, she has heard from people in the Loma Alta neighborhood and other neighborhoods nearby, asking Council to re-think the uses along Oceanside Boulevard and wanting to have some clean industry there. This is something that we need to start looking at. This is an opportunity for us to plan what we want to have on Oceanside Boulevard, which is our job producing area. We have closed off some other opportunities for having office and light industry in other parts of our city. We lost a couple of commercial sites, which were approximately 26 acres each.

Now we are focusing our efforts at trying to think of and create the kind of jobs that we need to have in Oceanside to be able to have that sustainability, which is the bottom line for any city to be successful. A third item for direction is to come up with a sustainability study. She understands that Chula Vista has mapped out their needs in terms of their job requirements and looks at these numbers whenever a large project comes up to see how it fits and satisfies the needs of the City.

This City is at the crest of the wave, and we are either going to be able to take over our destiny and have sustainability, or we are going to not do anything and let the developer community tell us what they think is good enough for Oceanside. The sense that she has gotten is that, compared to other cities, the City is willing to take and do projects that probably would not pass in other cities.

We are a City that is near build out. We have a lot of infill to do. We have some opportunities for talking about and deciding where we want that growth and that build up and what we can preserve, with this whole idea of balancing. She **moved** to: 1) set up a workshop for the visioning process of the downtown Oceanside master plan; 2) begin the process for master planning the Oceanside Boulevard Corridor area, including looking at potential zone changes; and 3) start looking at our economic development and needs for jobs and having a study that we can look at every time something comes forward to see how that particular project fits into the Oceanside plan in terms of sustainability.

MAYOR WOOD seconded the motion for discussion.

Public Input

JOAN BOCKMAN, 429 South Horne Street, President of the Oceanside Coastal Neighborhood Association (OCNA), has thought about Oceanside Boulevard for a very long time. She has lived in Oceanside for 20 years and has served on the Planning Commission. While downtown is very key and has the same problem with planning, she wanted to focus on Oceanside Boulevard. They had a Sprinter presentation. The Sprinter is pouring a concrete culvert down Oceanside Boulevard right now near State Tree; this is unacceptable. They cannot even fathom how to deal with the Chargers right now. The gateway landscaping that was approved along Oceanside Boulevard, near State Tree and Commerce, is really a drop in the bucket. It is a little strip of almost nothing and really does not do anything for it. The problem with all of these issues is that we do not have an overriding vision. A vision is much more than a description of materials. We have had people here talking about sand castles and palm trees. Oceanside Boulevard is a valley; it is Loma Alta Creek. To have a master plan for Oceanside Boulevard would encompass that. They have 4 neighborhoods that feed directly into it: Loma Alta, OCNA, Fire Mountain and part of South Oceanside. These neighborhoods need to be considered. Neighborhoods are a lot like rain forests. If you slice through them, they start to decay. You need to protect the core of the neighborhoods.

She would like to see something like an Oceanside Boulevard Commission, like the El Corazon Committee. . It should be something that would be fast tracedk. She has spent some time with Mr. Katz, read his book years ago, and has been impressed with him. She would love to see a 10-member group, with 2 from each of the 4 neighborhoods plus 2 at large and Peter Katz as the staff person. Obviously, they would need a fast schedule; they could not take as long as El Corazon has. The output would be a vision for Oceanside Boulevard, from I-5 to El Camino Real or from the beach to El Camino Real. Like El Corazon, they should approve a set of goals. It would be celebrating Loma Alta Creek, making the neighborhoods thrive and not be unduly impacted; creating a grand boulevard, Oceanside Boulevard; handling all of that traffic; etc. There are many solutions for that. How do they provide for the amount of retail space and everything that they need. She would like to see something like that similar for downtown. Obviously, she wants to be involved in anything going on downtown. They have the same issues - where development should be and should not be. They

are pretty clear on it and want to make sure there is a master plan.

GREG ROOT, 404 Hoover Street, President of the Loma Alta Neighborhood Association, supports the idea of a Master Plan and some visioning for their downtown and for Oceanside Boulevard. Last week he had an opportunity to spend some time in San Diego and Little Italy. It is magnificent what they are doing down there. Some of the innovations with architecture that are happening are really striking. He looks at some of the things we are doing downtown, and it is not so striking. Even the new Pac Bell lofts building that is just about done is antiquated architecture; it is not anything like we could have. We have an opportunity now to turn things around downtown. With some vision and master planning, they can do that. He likes the idea of incorporating their own little gas lamp district with the downtown community. He is all about the history of this town, and he thinks they could do that. If they took a hard look at some of those buildings that are down there and scraped away some of the stucco that has been applied over the last 50 years, they can find that there is still charm down there and they can make it a really vibrant downtown area.

Regarding Oceanside Boulevard, he asked what is happening to the signage and the sign ordinance. There is no rhyme or reason to it. Somebody said earlier that it would not happen in Carlsbad. The industrial park where the Robinson's Ready Mix Concrete plant is being proposed was put in 50 years ago. He has some historical documents that support that it was called Loma Alta Canyon when it opened. Fifty years ago it was an appropriate place for those things; it is not today. He asked why Industry Road and the industrial corridor there can't look more like Ocean Ranch, feeling there is no reason that it cannot.

Please consider this. He would volunteer to be on any sort of study/focus group, and he would be happy to participate in any visioning and Master Planning for both of those areas.

NADINE SCOTT, 550 Hoover Street, Loma Alta neighborhood, hopes Council will give some of the residents' ideas support for the future vision. Right now Oceanside Boulevard definitely is not a gateway to our community, and it should be.

Oceanside needs vision. Right now we focus on the harbor, the beaches, downtown and south Oceanside. They have forgotten about the center of town. Regarding the General Plan, the Land Use Element does not mention the Sprinter Corridor. That is shameful since it is a major impact on our City and could be a major economic opportunity for us.

We are not promoting friendly, well-planned, coherent business development. We are doing it piecemeal. We could have some nice spots. The General Plan also says that we should encourage fulfillment of wide-spread neighborhood and community values. We are not doing that right now. We are encouraging pro development values, and our neighborhoods are being overlooked.

Regarding observations of yesterday's industrial uses on the corridors, there is an old concrete plant that would never be approved today; it is dusty and dirty; and it has caused damage to the roadbed on Industry Street that will not be replaced. This is an example of what things like that cause downstream, eventually affecting the closures of Buccaneer Beach over 101 days last year. She reviewed some examples of nice uses that are low impact, clean and attractive. This is what we should be looking at there, not more heavy industry. We have an opportunity in the transit corridor, that for some reason they keep ignoring. It is not even in our Land Use Element. People are being told that their neighborhoods will be impacted every 15 minutes by 90-decibel horns and street closures. And yet Council is letting developers come into their neighborhoods without analyzing those impacts.

The City's transit oriented report was done in 2003, and it says create a Transit Corridor that is unique. That is being ignored. It should provide needed goods and

services for the transit user. The objectives are to create something nice there. We certainly are open to looking at mixed-use development in our transit corridors. They are looking for an optimistic outcome in their neighborhoods. They want good planning. That requires looking at the General Land Use Element again and the zoning. It cannot go on the way it is. They are not growing good businesses. The residents want great results.

RICK KRATCOSKI, 2110 Foster, stated that he wants to protect Oceanside citizens/neighborhoods from poor decisions by staff and Council that harm their way of life.

He would ask Councilmembers to support Councilmember Sanchez and the citizens to get a vision for their neighborhood.

EDWARD BURNS, 204 Hoover Street, Vice President of Loma Alta Neighborhood Association, commented that the City needs a master plan because of all these different uses. They have the residential neighborhoods of Loma Alta, Fire Mountain and the coastal neighborhood. They have numerous retail, commercial and industrial uses within close proximity along Oceanside Boulevard between I-5 and El Camino Real. All of these competing interests, along with the transit corridor and the natural resource of Loma Alta Creek can be congruous; they can work together, but not without a plan. You cannot have a dirty cement plant sitting on a creek that feeds into our ocean or next to a family's house. You cannot have retail, industry, residential and transportation that are not compatible. They have to make this area compatible. It has been spot zoned to a certain extent. Nobody thought about the long-term effect because 50 years ago there was nothing out there. From I-5 to El Camino Real is a very crucial gateway and corridor to our City. You have all of these uses competing for that small area. You have every use possible, literally from natural resources to transportation to industrial or residential, crammed in this small area. Something needs to happen to make these different components fit together.

JIMMY KNOTT, 124 Sheri Lane, lives on Loma Alta Creek. His concerns are to protect the legacy communities and assure the senior and low-income communities with any plan that comes along. There are 3 manufactured home communities along the Oceanside Boulevard corridor: La Salina, Cavalier and Terrace Gardens. In any group, please consider us. Things are impacting us downstream. As an example, the cast offs from the cement plant will affect the people who live in his park, which is way downstream. The City needs to expand the notification area.

The Sprinter will dramatically affect all communities up and down that whole corridor. Remember that the visitors who come to our City and use the RV parks need a voice as well. When Council does consider this, make sure that all of the voices are heard and their interests are brought forward. Consider the rail line with the traffic, as well as the potential for a stadium or Convention Center; all of these things will have impacts. As an example, the rail line was supposed to be for transportation of people, as well as goods. The goods were dropped. Now they have overloaded roadways.

JOAN BROWN, 511 Rockledge Street, stated that when she mentions this area, she is talking about the transportation corridor that goes from the Transit Center at Mission Avenue and Cleveland. A master plan is essential on how this area develops. There should be open space somewhere. Dividing 50-foot and 75-foot lots is not the answer. That is an easy way to make a buck for the developers but not to have a genuine neighborhood. When she sees what a mess it is where the new Sprinter station on Oceanside Boulevard is going in behind Rite Aid, it scares her to think what the whole Oceanside Boulevard Corridor will look like. It needs landscaping. It needs the businesses to clean up their parcels. The businesses with a lack of landscaping makes the corridor look blighted, including AT&T's parcel, Gorilla Rentals, Earl Schieb, the tire place and the U-Haul trucks on the corner. Undergrounding utilities from Crouch Street to El Camino Real has been in the capital budget for at least 3 years that she knows of, and it still has not started. She requests that Councilmembers support Councilmember

Sanchez to direct staff for a master plan for this area, as well as a timeline.

[Public input concluded]

COUNCILMEMBER FELLER agrees that we must make this the best place for all of us, not just neighborhoods. It has to include everybody. He asked what a master plan costs.

INTERIM CITY MANAGER WEISS stated it depends on how Council defines it and how detailed they want the master plan. It could take various forms from what would be a vision master plan all the way down to changes in the zoning text and Zoning Ordinance.

Just from the comments he heard this evening, you are looking at starting a public process where you are going to get some ideas and then create a vision for what you would like to see. Longer term, that could end up being, if Council wants to go to that point, a detailed master plan. His recommendation would be that they define the vision or the master plan similar to what they did with El Corazon. It would be some guiding principles and some general uses, with some exhibits that would show what they are looking at and then get input from the public, the commissions and the Council. That would lead them to what would be the next phase, which is a more detailed approach. The process for the El Corazon plan worked quite well. The result was a document that everyone could say is a master plan, even though it does not have a whole lot of specific development guidelines associated with it.

COUNCILMEMBER FELLER again asked how much that cost.

JANE McVEY, Economic Development and Redevelopment Director, stated that she would have to look to see exactly what was spent on that. When the workshop meeting was held, some numbers were brought forth. If they look at a Citywide Master Plan or a Concept Plan, which is a simpler version of that, or a master plan for a specific geographic area. From that meeting, it referenced $300,000-$400,000 per area and taking about 1½ years each.

COUNCILMEMBER FELLER asked how many areas.

MS. McVEY responded that Council could define those as they chose. At the meeting about a year ago, they had 6 areas. There are actually more that they might want to consider. In the hierarchy of Master Planning there is concept planning, which is more like a bubble map of what your vision is, what kinds of land uses you want, down to a master plan, a specific plan, and it gets more and more detailed. They can pick their areas, pick their level of detail and proceed in that fashion.

COUNCILMEMBER FELLER would support a workshop. They need to determine what areas they want to consider. Council has not been able to set any kind of an agenda for setting Council priorities. This will probably have to fall into part of that realm of priorities. He will not support anything that touches the 9-block master plan downtown; he does not want to stop that process in any way, shape or form. However, he supports master planning in certain areas.

Oceanside Boulevard is an eyesore. There has been a lot of talk about how to handle thousands of cars on that road, as well as what businesses there are in the area. Those businesses have been there a long time, so an abatement district or something might be needed if they are going to move businesses out of there. Then they have another problem in relocating those businesses into somebody else's neighborhood. That is a hard thing to get behind. A major Citywide master plan is probably several million dollars and several years to accomplish. This is an opportunity to talk about the Council's priorities in this workshop setting.

DEPUTY MAYOR CHAVEZ stated Great things are happening here. Opportunity

is here. Council is here to listen to the residents. He has been pushing Oceanside Boulevard for 4 years. He is going to support this. The reason he did not second the vote is because the motion had 3 points: 1) a workshop of the downtown area; 2) Oceanside Boulevard and; 3) the sustainability study. He does not support point 1. Today in closed session they talked about the hotel that is at risk. There are a lot of things that are going on down there. They need to leave that alone.

Regarding Little Italy, he goes to Little Italy each time he goes to the airport to pick up his family about 3-4 times per month. He loves that place. CityMark has some structures in Little Italy. This is an exciting time, and we need to let people do great things here. As far as Oceanside Boulevard, he would say to the staff that this 1-year time frame and $300,000 is too long. They need to have what they want in the Oceanside corridor outlined, in case somebody comes in the fall and wants to build a stadium there, for example. That is the time we need to know if that fits with the character of Oceanside and what we want.

He is not going to destroy or harm the Loma Alta community; he is going to make sure that the community is taken care of. There may be a way to do it so that they can do both. They first need to get on Oceanside Boulevard immediately; they have Mr. Katz, a cutting edge guy.

He agrees with Ms. Bockman, that they get a small group, like the El Corazon committee, using their staff, do it, then come back and tell Council what they think and ask for public input. He wants to hear from the Economic Development Commission, the Planning Commission, the arts community and components of art. He wants everybody involved in this. This is a great time for all of you here today to get actively involved in the next 6 months to say what you want. He is not talking about a 3-foot setback, etc. He is talking about future planning of the vision, character and feel from I-5 to El Camino Real on Oceanside Boulevard. We need to do that and make it happen fast.

If Councilmember Sanchez would make that a motion on Oceanside Boulevard, put a tight time limit to get it back to Council to form this group, he would be very supportive. As far as the sustainability study, he agrees with Councilmember Sanchez 100% on that. Too many times they make decisions without looking at the economic impact or the quality of life impact. The Economic Development Commission would be a great commission to do that; they can work on that and get other people involved and report to the Council. With a modification to take out 1 [the workshop of the downtown area], his **amended motion** would be to do Oceanside Boulevard, form the Task Force with staffing, ask the community to come in like a El Corazon group; and do the sustainability study, having the Economic Development Commission jump on board with that. He does not think they should touch the downtown area right now since there are a lot of things going on there.

He **clarified** that his **amendment to the motion** was that they go forward with the Oceanside Boulevard corridor; that they put in a tight time frame to have it done in 6 months using their internal staff, Mr. Katz and a broad reach of people just like they did for El Corazon; 2 or 3 people from each Councilmember, and that they do the sustainability study with their Economic Development Commission.

COUNCILMEMBER KERN seconded the amended motion. They need to be focused. If we want staff to work on these things, we need to be focused on one area at a time. They do have a 9 block master plan downtown. They are in the EIR process with CityMark and the EIR process with the hotel. They have the parking structure there, and these projects are ready to land; they just have to bring them in. They are on track, and they can be done.

He would like to expand after Oceanside Boulevard. He is concerned with South Coast Highway from Oceanside Boulevard to Vista Way. However, the idea is that they be focused; that they have a committee and see what their vision is for that corridor,

taking into account whether the Chargers come or not. That corridor has to have something done to it regardless. He agrees with Ms. Scott; they have this Sprinter, and they do not know what to do with it now. It has been dumped in our laps, and we have not planned around it. The question is whether we want high density housing, jobs or retail. Like Mr. Burns said, they need to blend the residential and all of these other uses. What ties that all together is the Sprinter. How that works and how Oceanside Boulevard works is now parallel. They are talking about a transit corridor that runs from Fremont Street and is what they need to look at regarding what their vision is and translate that into sticks on the ground. That may be more difficult than we think, but let's get things rolling and see what that vision is, because it is going to be a while before that vision materializes. You are not going to be happy in the short term, but in the long term we can make these things work out.

COUNCILMEMBER SANCHEZ stated that they recently heard Victoria Beach who is a planner and professor in architecture and planning at Harvard University, as well as Mr. Katz. When they talked about a visioning, they said it had to be all inclusive. They talked about charettes and trying to reach out to everyone in the community, not just a handful of people. If you did not have that, it was not going to work. Ms. Beach mentioned that charettes could be done within a week, but you have to plan for it and have the proper facilities and staff for it. Basically, it is getting out there and doing the education and outreach, ensuring that the public will be present and ensure that there will be translators and that the entire public is involved.

She is concerned that a task force is not the way to go. Let Mr. Katz come up with the vehicle. She thought it was very good advice about trying to ensure that they get all of the players at the table. Her concern about having a task force is that they will leave people out. Even with the best intentions, they will still leave people out. She would consider letting staff come up with a vehicle. The ideas that were brought before Council about the charettes is good.

As to the sustainability study, that was discussion that came up last year when she was the liaison to the Economic Development Commission. She was hoping that they would bring it to the Council. The City of Chula Vista has a sustainability study, and it is before their Council and Planning Commissioners every time they have something. She still thinks they can get in front of what they want the downtown to look like. She listened to what Mr. Katz has basically opined about the proposed project, and he tore it apart. With his knowledge and caliber and trying to get the best, if it means cutting down on some timeline somewhere else so that no time is wasted, let's do that. Let's get the best project.

She has not had a single visit by CityMark, and she is very disappointed. She has asked for a presentation by CityMark, and she has not gotten it. She went to the scoping meeting, and people were very discouraged about the proposed height. These are 5 blocks in the heart of our City, and we do not even have models for what they are proposing. We are talking about millions of dollars worth of profits. We deserve to have models and to have a public process. They went through a public process for the beach resort. There was a coming together of the community, and that was 2 blocks. All she is hearing is that people want the best, and we can get thatWe do not need to have this last 1½ years; she was thinking about 6 months.

She is looking for a visioning process, something that is flexible enough that developers can come up with wonderful ideas. This community is capable of getting together, wanting the best and supporting the best. If there is any way of cutting down on the time line so there is no time wasted, we can do that. She is not saying to stop a project. People want to make it the best. She is hoping that Councilmembers will reconsider. She is glad there is support for the other 2 points in her motion, but the one thing that is going to be our heart is the downtown area and that is what they want to spotlight. It is not going to be going east or to Oceanside Boulevard unless they are going to El Corazon for a Little League game or something. The Beach Resort is our crown jewel. The question is what they can do to showcase that and how can they

work with the small business owners that have been here for decades and have heard this promise of a Beach Resort for so long to get them involved in the process. She would like them to all be part of that process.

COUNCILMEMBER FELLER clarified that the amended motion is to take the master planning of the downtown area off of the table.

DEPUTY MAYOR CHAVEZ responded affirmatively.

COUNCILMEMBER FELLER asked if Councilmember Sanchez asked for a workshop.

COUNCILMEMBER SANCHEZ responded affirmatively. The workshop is for the visioning process of the downtown Oceanside Master Plan. It was not just 5 blocks; it was for the whole downtown area.

COUNCILMEMBER FELLER thinks there are projects that are going to come forward. Even as they speak there are properties changing hands in the area of downtown, and he does not want to stop that process. He will support the amended motion by Deputy Mayor Chavez.

He must have been at a different workshop than Councilmember Sanchez because people were excited about the project that CityMark brought forward. Not any one Councilmember should be directing anybody from staff to do a master plan or even a thought process without going through the City Manager. He would hope that they are not doing that. If there is going to be a task force, they probably need somebody from the development side of the community for input into costs. The improvements on Oceanside Boulevard cannot be cheap; this is a big task.

Having met with Curt Pringle in Anaheim, he noted that through their platinum overlay, they have completely transformed the area around Anaheim Stadium. It is pretty thought provoking to think what is possible. We have that opportunity in locations in the City that they might want to consider. We are discussing South Coast Highway and Oceanside Boulevard, but what about North Coast Highway and the rest of downtown. Maybe there is an overlay that you can put on the rest of downtown. Some changes could go at Mission and El Camino Real.

MAYOR WOOD got on Council hoping that he would see Oceanside improve. He watched 30 plus years as a public employee and saw the town floundering away. Never in his dreams would he expect that they would be sitting here talking about all of the changes they have seen in Oceanside and how popular we are. Whether it is the Chargers or any other issue, it is amazing. Part of the problem we were having is that for a long time we were understaffed. We were asking a lot of staff when we were 107 employees down. With that in mind, he is sure that staff will come back with something viable.

One of the things they had talked about before was to possibly make Oceanside Boulevard, or a portion of it, the next redevelopment area. Between the City Manager and staff, they will come back with something to get public input. Generally speaking, master planning takes time, public input and money. Oceanside Boulevard would be a major impact on any design if something like the Chargers came there.

CITY CLERK WAYNE stated that per Deputy Mayor Chavez's motion, the amended motion is to go forward with the Oceanside Boulevard Corridor master planning from I-5 to El Camino Real; form a task force using internal staff, Mr. Katz, and get a broad range reach of people similar to the El Corazon type group and do it in 6 months, with a sustainability study

DEPUTY MAYOR CHAVEZ thinks Councilmember Feller brings up a good point. He should take Mr. Katz's name out of there and leave it to the City Manager to make

his own decision. It will probably end up going there, but it would not be right for a Councilmember to assign a staff member. Strike Mr. Katz's name and just say 'staff.'

COUNCILMEMBER SANCHEZ stated that the motion is to create a task force to look into master planning with City staff.

DEPUTY MAYOR CHAVEZ responded affirmatively. The term they were using is "vision." He would like to **add [to the amended motion]** that each Councilmember assigns 3 members to this task force.

COUNCILMEMBER SANCHEZ explained her no vote. She does not believe it should be a task force. It needs to go back to staff to say what the vehicle is because inevitably they are going to leave people out, and it will be a failure from day 1. She requested that the motion be divided since she had wanted to vote for the sustainability study.

DEPUTY MAYOR CHAVEZ clarified that when they went through the El Corazon process, the charettes idea is exactly what they are going to be doing. They are going to go out and do a wide net, asking for everybody to be heard and their communities to be involved. This is just getting in front of the process with a discussion of Oceanside Boulevard. They are going to do exactly what Councilmember Sanchez is asking for; that is what the El Corazon committee did. We are just shrinking it down and saying to do it quickly because they have a real estate issue of 6 months.

MAYOR WOOD still supports this in any fashion because it is a caveat to get something moving. He would like it to be for staff to come back with something that is going to work; whatever verbiage that is. They know what it is going to take in time, money and effort. Staff heard Council, knows where they are leaning and the direction they are going. Staff, the Council, Planning Commission, Economic Development, etc. all need to be involved to some extent, and just get back to us. Instead of having a long conversation about what the verbiage is on it, he is going to vote for it, hoping the City Manager and staff will come back and say that they have tweaked it and that is what they think is best.

At Councilmember Sanchez' request to bifurcate the motion, the 1st portion [to go forward with the Oceanside Boulevard Corridor [I-5 to El Camino Real] master planning; form a task force using internal staff, and get a broad reach of people, and with staff to come up with an El Corazon type of group and do it in 6 months] was **approved 4-1**, with Councilmember Sanchez voting no.

The 2nd portion of the motion [to do the sustainability study with the Economic Development Commission] was **approved 5-0**.

CITY COUNCIL REPORTS

29. **Mayor Jim Wood**

MAYOR WOOD reported no major issues for the North County Transit District (NCTD) Board, except for the Sprinter line and financing. Cities along the lines are not happy with the lack of betterments and funding. It will be a major impact on traffic along Oceanside Boulevard, College Boulevard and El Camino Real, but it is going forward.

SANDAG is meeting tomorrow. SANDAG is picking up more control of a lot of issues in the San Diego regional area, and they will be addressing some other issues.

The public is invited to attend the State of the City address that is being held in the City Council Chambers on Tuesday, February 27, 2007 at 5:00 p.m. If they cannot make it, it will be aired on KOCT-TV and covered by the media.

KOCT-TV is looking for volunteers.

30. **Deputy Mayor Rocky Chavez**

DEPUTY MAYOR CHAVEZ stated we live in a great City. He encouraged everyone to talk to people about the great things happening in the City.

31. **Councilmember Jack Feller**

COUNCILMEMBER FELLER stated that the San Luis Rey Trojans and Pop Warner football leagues are both doing sign-ups for football for the late summer and fall. They have two Little League opening days on each of the next 2 weekends.

The Community Relations Commission (CRC) is discussing Community Development Block Grant (CDBG) funding. They will be coming forward with recommendations in 3 weeks. Also, the deadline for applying for the Martin Luther King (MLK) scholarships is April 15.

The Transportation Commission had a lot of discussion about I-5/North Coast Highway. The draft environmental document is due late this summer. The final environmental document is due 12 months later. Their hope is that by 2013 the widening of I-5 is complete. In December 2008, construction will start on the widening of SR-76 out to East Vista Way. It should take 9-12 months to get to East Vista Way and another 1½ years to get to Bonsall. So it would be about 2012 for completion of the widening of SR-76 out to Bonsall.

32. **Councilmember Jerome M. Kern**

COUNCILMEMBER KERN went out to Joe Kellejian's's Ecology Wrecking business. It is amazing what they do with these old cars. They are ecologically minded in how they take a car, drain and recycle all of the fluids, etc. Then they smash the cars and send them off to be shredded. This is an industry that we need.

He sat in at the Transportation Commission with Councilmember Feller, and it was heartening that they gave the timelines about SR-76. A year from December they are turning dirt. Then they are going to East Vista Way, put another bridge across parallel to the existing bridge, then go to Mission Avenue in Bonsall and then from Mission to I-15 in 3 phases.

33. **Councilmember Esther Sanchez**

COUNCILMEMBER SANCHEZ trailed her report to bring up points of personal privilege. Councilmember Feller had made a statement about how she had worked with Frank Watanabe to stop studies on the Melrose Drive extension a year ago. Actually, a year ago she was demanding that Mr. Watanabe be investigated because she had heard a number of things from staff and from former employees who were driven out by him. She was requesting an investigation into some allegations about him and another contract employee. Both of them resigned at the same time. She never worked with Mr. Watanabe to stop studies. About a year ago she did ask that they go forward on the Circulation Element, which made sense to her because their Circulation Element had not changed or been updated for 30 years.

The other point of personal privilege had to do with the allegation that the Council has not been stable, and that was the reason given why they have not hit the top 25 in the Parkway Plan. The Parkway Plan was something that Councilmembers came up with at SANDAG to try to earmark for some local projects. Those Councilmembers came together about 5 years ago to do this. In the last 20 years, the Council has been a developer Council. It was not a developer Council for a short period

of time, about 15 months after the swearing in. Two years ago they were not in the top 25, and 4 years ago they were not in the top 25. She asked Interim City Manager Weiss if they would have moved from the bottom to the top, whether or not they had some resolutions done.

INTERIM CITY MANAGER WEISS responded that, based on those final rankings of the projects, the resolutions that the Council did not adopt for the Parkway Plan would not have significantly altered the final ranking of those projects.

COUNCILMEMBER SANCHEZ did not change anything. The direction of the City Council has been there for the last 20 years. In fact, it was people like her, getting on the Council that helped move forward projects. The Senior Center was her motion. The Beach Resort was something that she helped put together. There had been a total failure by Councils to be able to come together on that. She has forwarded a lot of the visioning and a lot of the things that have been going on in the City for the last 6 years. They have tried to move toward getting a better Oceanside and a vision, while protecting their neighborhoods.

Regarding her reports, she attended the Utilities Commission meeting last night. They made recommendations to authorize several grants of money for projects: 1) a $228,000 contract for the construction of well site #9 phase 2 mechanical improvements; 2) plans and specifications for $80,000 for the Loma Alta Lagoon Ultra Violet Treatment Facility and a professional services agreement for engineering services; and 3) to award a contract in the amount of $1,200,000 to Tetratec of Oceanside for the Oceanside seawater desal pilot facility and feasibility study, which had a lively discussion on the cost. When this comes to Council, she would like to know the background of Tetratec in terms of working on a desal pilot facility and feasibility studies for that. The amount included personnel on-site and drilling. She still has some serious questions about that. Nineteen businesses responded to the Request for Proposals (RFP), and they narrowed it down to 5 or 6. She is assuming that was based on backgrounds and the ability to do this specialized thing. She had wanted to question Tetratec that she never heard of them doing any kind of well work. We would be using our treatment plant facility. It has received some support in Washington, D.C. Unfortunately, we have not received any money for it yet. The study is necessary to be able to get into a position of requesting funding.

Last night she attended a meeting of the Oceanside Coastal Neighborhood Association (OCNA). There was a person there from North County Transit District (NCTD) to talk about the Sprinter. Unfortunately, he was not able to answer a lot of questions about the sound studies that were promised to us once they were put in place. There were going to be sound studies and vibration studies, especially where it gets really close to neighborhoods. She hopes that Mayor Wood, who is the representative, could find out when they are doing those sound and vibration studies. They mentioned that they were going to be doing landscaping in the realm of ground cover; there is nothing else. She mentioned that at one time, very briefly, there were funds for "betterments" that were going to be divided among the cities. Because the cities apparently could not agree on how the $1,500,000 would be split, we did not get any of it. Our City had looked at landscaping along Oceanside Boulevard, especially off I-5, but had wanted to wait to see what happened with NCTD and whether NCTD would be doing some kind of landscaping. The representative was asked questions about the rail trail regarding what happened to it and why it cannot go forward; he was not able to answer that either.

This coming Saturday is the American GI Forum Mariachi Festival at Martin Luther King School.

/ / / / /

ADJOURNMENT

MAYOR WOOD adjourned this meeting to a workshop on Tuesday, March 6 at 4:00 PM. This joint meeting of the Oceanside City Council, Community Development Commission and Small Craft Harbor District Board of Directors was adjourned at 10:00 PM, February 21, 2007.

ACCEPTED BY COUNCIL/HDB/CDC:

_____
Barbara Riegel Wayne, CMC
City Clerk, City of Oceanside

NOT OFFICIAL
UNTIL APPROVED AT SUBSEQUENT
MEETING BY CITY COUNCIL

California

CITY OF OCEANSIDE

JOINT MINUTES OF THE:

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

OCTOBER 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

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.

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, October 10, 2007 by Assistant City Clerk Trobaugh.

Assistant City Clerk Trobaugh convened and recessed the 4:00 PM meeting to 5:00 PM since no closed session was needed or held. No Councilmembers were present due to the earlier notification by the City Attorney. Therefore, the following item as listed on the agenda was not discussed:

COUNCIL, HDB AND CDC CLOSED SESSION ITEMS

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.

[Recess was held from 4:00 – 5:02 PM.]

5:00 PM

MAYOR WOOD reconvened the meeting at 5:02 PM. All Councilmembers were present. Also present were City Manager Weiss, Assistant City Clerk Trobaugh and City Attorney Mullen.

Pastor Carl Souza gave the Invocation. KOCT (Oceanside Community Television) employees led the Pledge of Allegiance.

PROCLAMATIONS AND PRESENTATIONS

Proclamation – Domestic Violence Awareness Month – October 2007 - Marva Bledsoe, Women's Resource Center, accepted the proclamation.

Proclamation – KOCT, Oceanside Community Television - KOCT employees accepted the proclamation, stating KOCT has provided live coverage of the Council meetings for the past 25 years.

Off Agenda: Proclamation – Senior Citizens' Day/Senior Expo – October 13, 2007 - Eileen Turk, Parks and Recreation Division Manager; Maureen Fleming, Senior Center Supervisor; and members of the Senior Citizens' Commission accepted the proclamation.

CLOSED SESSION REPORT

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

No closed session was held.

Changes to the agenda:

Consent Calendar Item 11 was removed from the agenda. **CITY MANAGER WEISS** reported that the California Career School requested that the item be removed since they had identified alternate office space and no longer needed the agreement with the City.

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.

Advance written request to reserve time to speak: None

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

KAY PARKER, 4377 Albatross Way, City's representative on the KOCT Board, announced that on November 10, KOCT will hold their annual fundraiser, Bonzer Tucker 6, at the Outback Steakhouse. All proceeds go to KOCT.

FRANK MERRIFIELD, 200 North El Camino Real, asked what has happened to the Army Corps of Engineers and the vegetation in the San Luis Rey River that was to have been removed beginning in September. Residents are still in the flood plain. That means that any resident who wants to take out a loan to improve their residence has to take out flood insurance. While he understood that the process takes a long time, this reminds him of Highway 76, which was to have been widened 8 years ago. Now that work may not start until 2010.

CITY MANAGER WEISS reviewed that not too long ago the Council approved the Environmental Impact Report (EIR) for the San Luis Rey River. The Corps of Engineers is working with the State and federal agencies to get the permits that will allow them to do the clearing in the river. There has been an ongoing struggle between the requirement to provide flood protection and the protection of endangered species; that struggle is still occurring. The Army Corps has identified $1,000,000 for the work. They have indicated that they are looking at starting the clearing in February. The City is hopeful that they can maintain that schedule and perform the work before we get any heavy rains.

LARRY BARRY, 3973 Brown Street, was at the meeting when Council talked about gang problems. One thing that troubled him was that when people speak of Police Officers Dan Bessant and Tony Zepetella, they should speak of them by title and full name to honor the dead who gave their lives. He noted that Councilmember Sanchez spoke of "Danny" and Councilmember Kern referred to the "incident." These officers were murdered in our City, one by alleged Samoan gang members and the other by an illegal Mexican who had been deported 4 times and was a drug dealer. He asked that the Mayor demand that Council not degrade these officers but refer to them with respect and honor by using their titles.

COUNCILMEMBER SANCHEZ asked for a point of personal privilege, stating she had never called Officer Dan Bessant by "Danny." She would not do that if she did not know the person well. Yes, he was murdered. She attended his funeral and the service. She feels as bad as everyone else in the City about this great loss. She was personally insulted by Mr. Barry's statement on what never happened.

CONSENT CALENDAR ITEMS [Items 4 – 10]

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.

The following Consent Calendar was submitted for approval:

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

   March 27, 2002, 8:30 a.m. Adjourned meeting
   May 31, 2002, 2:00 p.m. Adjourned meeting
   June 4, 2002, 2:00 p.m. Adjourned meeting
   June 5, 2002, 10:00 a.m. Adjourned meeting
   March 28, 2007, 4:00 p.m. Adjourned meeting

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/Harbor: Approval of plans and specifications for the Oceanside Harbor Aquatics Center project, and authorization for the City Engineer to call for bids

7. Council: Approval of plans and specifications for the FY 2007-08 Citywide Sidewalk Repair project, and authorization for the City Engineer to call for bids

8. Council: Approval of plans and specifications for the San Luis Rey River Trail Extension Project Phase 1 located on the northeast corner of College Boulevard and the San Luis Rey River, and authorization for the City Engineer to call for bids; and acceptance of collaborative grant funds in the amount of $558,060 from the Mission Resource Conservation District to fund the project

9. Council: Approval of a purchase order in the amount of $97,461 to Waxie Sanitary Supply of San Diego for the purchase of janitorial supplies for FY 2007-08, and authorization for the Financial Services Director, or designee, to execute the purchase order

10. Council: Approval of a two-year professional services agreement with Rancho Del Oro Landscape & Maintenance, Inc., of Oceanside in the amount of $144,504 for the landscape maintenance of the City-owned slopes along Rancho del Oro Drive between Mesa Drive and Oceanside Boulevard, and authorization for the City Manager to execute the agreement [**Document No. 07-D0635-1**]

11. **[**Council: Approval of a one-year property use agreement with California Career School of Anaheim in the amount of $12,000 for the non-exclusive use of the airport administrative building conference room and rear office space for classroom-appropriate instruction only, and authorization for the City Manager to execute the agreement**]**

This item was removed from the agenda.

COUNCILMEMBER SANCHEZ moved approval of the Consent Calendar (excluding Item 11), and **DEPUTY MAYOR CHAVEZ seconded** the motion. Motion was **approved 5-0.**

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.

13. **Council: Authorization to award a contract in the amount of $8,414,840.97 to Jaynes Corporation of San Diego for the construction of the El Corazon Senior Center project, and authorization for the City Manager to execute the agreement upon receipt of all supporting documents; and approval of a budget appropriation in the amount of $1,000,000 from the Park Facilities Fees Fund to the project account**

GARY KELLISON, Senior Civil Engineer, stated the project is 15,000 square feet of building improvements to provide programs for our senior community. It also includes site improvements, parking, the access road and the extension of all the utility services from Rancho del Oro Drive. The low bid was submitted by Jaynes Corporation of San Diego at $8,414,840.97. Staff has researched the company's qualifications and determined that they have performed similar projects in the county. They are qualified, and it is appropriate to award the contract to them. Their bid is split: $6,000,000 for the building and direct site improvements; and $2,400,000 for the access road and extension of utilities and drainage improvements from Ranch del Oro Drive.

The funding package totals $10,100,000. Presently it is appropriated in the Park Facilities Fees Fund. As part of this request, Council is being asked to authorize an additional $1,000,000 from the Park Facilities Fees Fund. The expenditures out of the Park Facilities Fees Fund will be reimbursed in the amount of $6,600,000 from the

General Fund's obligation. They also have grants, including $600,000 from an Economic Development grant and a partial reimbursement for the traffic signal portion from a development on the other side of Rancho del Oro. As the commercial sites on El Corazon develop, the City has the opportunity to recover revenue from property they would eventually lease that would have access from the same road that the City would be developing for the Senior Center project. This will allow the City to recover the remainder of the money that was fronted by the Park Facilities Fees Fund, up to $2,400,000. That would complete the funding package for the project.

Construction will begin in late November or early December. Staff has tentatively identified December 5 as the groundbreaking day. Hopefully, everyone will be able to attend. The construction will require approximately 15 months to complete. The project will be open to serve the community by summer of 2009.

LARRY BARRY, 3973 Brown Street, had understood that this was going to be taking money from Parks and Recreation and giving it to the Senior Center. That is unfair. However, he supported the Senior Center and wanted to get this project going.

COUNCILMEMBER SANCHEZ moved to award the contract [**Document No. 07-D0637-1**], authorize the City Manager to execute the agreement upon receipt of all supporting documents and approve the budget appropriation.

COUNCILMEMBER FELLER seconded the motion.

COUNCILMEMBER FELLER was under the impression that revenue from the commercial at El Corazon was going for development of the other portions of El Corazon. He asked for an explanation on how we are going to get money for the Senior Center.

CITY MANAGER WEISS responded that Council had previously looked at 2 issues. For revenues from the General Fund that have gone to support El Corazon, Council made the specific requirement that future revenues derived from El Corazon be used to pay the City back. That is part of what is being proposed now. Out of the total $8,500,000 [for the project], roughly $2,500,000 is money that will support the rest of El Corazon [access road, utilities, etc.]. Council had previously adopted resolutions indicating that, as that property develops, revenue generated by El Corazon would pay the City back, whether it is from the General Fund or, in this case, the Parks Facilities Fees. They are generally treating this as a loan to El Corazon, because it will further the development of El Corazon. Therefore, as the revenues from commercial start accruing to the City from the commercial development, there needs to be a repayment of the money the City has put up front to enhance the development of El Corazon.

COUNCILMEMBER FELLER stated that, while talking about programming is a little premature, we have to plan for it. Part of what he has heard is that the food program will be there. This is easy to support.

Motion was **approved 5-0.**

14. **Council: Approval to participate in the Regional Winter Shelter System at a total cost to the City of $33,223 for FY 2007-08; approval of a budget appropriation in the amount of $18,223 from the Mortgage Revenue Bond Fund available balance to complete the funding; and authorize the Neighborhood Services Director to execute the necessary agreements upon receipt of all supporting documents**

MARGERY PIERCE, Neighborhood Services Director, reported that the North County cities have worked over the last few months to develop a winter shelter system for this coming winter. The participation of the cities is predicated on all of the cities' participation in the system, along with the County of San Diego. Based on population,

Oceanside has been asked to contribute a total of $33,223 to the system. The reason Council is only appropriating $18,223 tonight is because the Neighborhood Services Department budget already had $15,000 appropriated for winter sheltering. They would enter into a contract with Bread of Life to provide sheltering services in Oceanside, as they have done for the last several years. The $18,223 will go to support the regional system, and another $3,500 will support the Interfaith Shelter Network, which houses some families in churches for two-week periods. They move from church to church. There is a coastal and inland rotational shelter that the City has supported over a number of years.

She recognized Melvin Takahara, with the Salvation Army and participant in the Regional Shelters Solution, who worked diligently to bring the cities together and blend all of their requirements into one document. He has been identified as the system developer and is to be hired to coordinate all of the efforts. The beauty of this is that they have come together as a region and will have standardized systems for trained security and case management. All of the people who participate in the shelter will be required to be in case management and moving toward improving their situation.

MAYOR WOOD stated this has been very important to the County for a long time. He recognized that Deputy Mayor Chavez has been very involved this year.

COUNCILMEMBER FELLER also commended the Deputy Mayor for taking the lead on this issue. He **moved** approval. This is a regional problem, and this is a fair share to help some of the homeless to receive respite during the year.

COUNCILMEMBER KERN seconded the motion.

DEPUTY MAYOR CHAVEZ stated it was important to note that a lot has been done by a lot of people, a lot is being done now and will be done in the future. While there are not a lot more beds or facilities, he highlighted that this is a systemic approach. They will be able to look regionally to identify who the homeless are and what their needs are. The plan is that, after this year of gathering facts, they will meet again to figure out how to address the needs. The plan is to move people off the streets. Also, this involves regional cooperation. Del Mar, Escondido, Vista, Solana Beach, Carlsbad, San Marcos, and Poway have approved the plan. It is on Oceanside's agenda tonight, as well as Encinitas. With a lot of good people who have worked out all of the details, this has been accomplished.

COUNCILMEMBER SANCHEZ knew that the Bread of Life has been involved with the shelter, and it has been the only one in Oceanside. It is not a surprise that they are stepping up again since they are fully committed to helping the homeless. It is wonderful that the City is getting behind this organization again. Bread of Life has felt in the past that they have not gotten the support they needed. She was glad that other cities are participating that have not in the past.

MAYOR WOOD stated this has not happened overnight; it has been going on for years. Part of what they had trouble with was fairness to all of the cities. They did not want one or two cities picking up the burden for the county. In the past, it seemed that Oceanside and Vista had been the ones that stood up, which was not fair and equitable. This is the first time he has seen all of the cities step up. Many people deserve a pat on the back for this. He noted that they do receive negative feedback regarding the "crazy" people on the streets, when a lot of these people are actually the working poor.

Motion was **approved 5-0**.

15. **Council: Consideration of a request by Kinane Events, Inc., for temporary street closures of Coast Highway from Surfrider Way to Oceanside Boulevard, Mission Avenue from Coast Highway to Cleveland Street, Pier View Way from Freeman Street to Pacific Street, Pacific Street from Surfrider Way to**

Wisconsin Avenue, and The Strand from Wisconsin Avenue to Surfrider Way, from 4:30 a.m. to 11:00 a.m. on November 22, 2007, for the Oceanside Turkey Trot 5K Run; in-kind support services in the amount of $1,159 for the event; and authorization for staff to develop a three-year agreement approving the Turkey Trot 5K Run through 2010

TERRY GOODMAN, Special Events Supervisor, stated the 2007 Turkey Trot race will be held on Thanksgiving morning, November 22. Last year's event turned out to be very successful, with over 2,000 registered participants. They are expecting approximately 3,000 people this year. Over $15,000 was raised for local schools and charities last year, and they are looking forward to the same this year, if not more.

For this year's race, they are looking at essentially the same course. There is a minor modification recommended by staff. Instead of going to the north [Strand] and looping around Breakwater Way, they are going to transition the course to the south to Wisconsin Street and bring it back to the amphitheater. This will relieve a lot of the residential access issues that we experience with these sporting events from the high-density residential complexes. This will make a much smoother course for the racers and the residents.

Staff is requesting Council approval of the in-kind support to provide the parking for the day so that the race participants can take advantage of complimentary parking, which is a value of $1,159, and approval of the street closures necessary to accommodate the race course. For the future, Kinane Events is asking that the City consider the possibility of entering into a three-year agreement. The positive side for the event organizer is the ability to get sponsors on board for an extended period of time. One of the things the City needs to look at is their ability to approve a 3-year course because of the downtown construction. There is going to be a number of situations with the hotel and other properties under construction that may cause us to divert the course. Staff would like Council's direction on that.

KATHY KINANE, President of Kinane Events, 4241 Valley Glen, presented videos of last year's event. When she first came to Council, she listed their goals for the event. First they wanted to encourage everyone to "move your feet before you eat." They were successful, having almost 2,300 registered participants. It was the largest first-time run/walk event in North County. They also had 3,900 attendees and 300 volunteers. Most of the volunteers were from the high schools.

Another goal was to provide a healthful, family event for the residents of Oceanside. Oceanside represented 49% of the participants. They are going to work on improving the kids under 12 race and the children 13-18 years old. They have been doing assemblies in the schools. They also gave out 168 free pairs of running and basketball shoes to middle school kids through a donation from the Nike Go Foundation. They wanted to create an event that would help motivate students at the Oceanside Unified School District. A couple of days before the event, an article in the *North County Times* reported that only 19% of the 5th graders passed the minimum fitness standard. They are doing what they can to help change those results. As a side note, she stated that Thanksgiving is one of the busiest days at Tri-City Medical Center. Their goal is to have Oceanside have a reputation as a fit city.

Regarding demographics, she reported that 18% of the participants came from outside the County of San Diego, so their goal to make this a vacation destination event was accomplished the first year. They had 21 states and 136 cities represented. Judging from the registration for this year, they will exceed that. They already have 5 states represented with only 10% of the registration.

They also had mentioned they would do what they could to provide thousands of dollars of press for the City, and they accomplished that. This year, they have been fortunate to get additional press because of the donation from their new foundation Move Your Feet Before You Eat. They will also be working with KOCT this year.

They next said they would provide a professionally managed and promoted event, and they did that well. They want Oceanside to be seen in a positive light both in the community and nationally.

Regarding Transient Occupancy Tax (TOT) and revenue, she had gone around to each of the hotels and was pleased to see that those in the immediate area had 100% occupancy on Wednesday and Thursday night and at least 90% on Friday night. Mary's Restaurant and Pier View Coffee were open the day of the race, and they said their sales were comparable to 2 of their biggest sales days of the year.

The event was a fund raiser for the Oceanside schools, and they raised almost $16,000. They had 31 schools participate. This year they expect to double or triple the school attendance. While realizing that the demographics of the schools is tough, $15 per child adds up in a family of 3 or 4. A lot of the money last year came from outside of the area. The top schools for fund raising this year are El Camino High School, Oceanside High School, South Oceanside Elementary and St. Mary's Elementary. Right now, over $4,000 has already been raised this year with just about 200 participants. Their goal is to raise $30,000. In order to do that, they would need more than $5 per participant. They hope the community will help bring more money in. People can donate through the foundation website, and it will go directly to the schools.

Last year, they had a total sponsorship of $30,000. This year, sponsorship has not gone as well. With a 3-year agreement, they hope people within the community would help underwrite some of the major costs of the event, which is pricey to produce. Their direct costs are between $70,000 and $80,000 before the foundation gets any money.

Their future goals for the Turkey Trot include getting a title sponsor with a 3-year agreement. This would help to cover the costs for police, traffic, course certification, insurance, etc. They anticipate annual revisions of the course. If they get the $20,000, it would allow them to keep the entry fees reasonable and the value high. For every $15, $5 goes back to the schools. Additionally, each child gets a T-shirt, finisher medal, and a chipotle burrito.

They also have a goal of increasing participation to 8,000-9,000 participants. They would like to include the harbor for the course once the bridge is completed. They are willing to provide contingency courses when downtown streets are not available. Ultimately, they hope to see thousands of Turkey Trot T-shirts all over the country, promoting Oceanside as a city for active families. She thanked Council for helping get this event off the ground last year.

LARRY BARRY, 3973 Brown Street, stated this event is a hallmark of Oceanside in what it will bring in future years. He had volunteered last year and would do so again this year. However, he would also run this year. It is a great event for Oceanside, giving us a reputation as a fitness city. Whatever we can do to help this event and show off our City, we should do. This is a family event and a home-grown event. It will only get bigger and better.

COUNCILMEMBER KERN moved approval [of staff's recommendations, including in-kind services in the amount of $1,159].

DEPUTY MAYOR CHAVEZ seconded the motion.

At Councilmember Sanchez's request, **MR. GOODMAN** reviewed the adult race course.

COUNCILMEMBER FELLER asked if the $1,159 is assuming that everybody would pay to park there if required. The City is not really giving up something regarding parking downtown.

MR. GOODMAN concurred. This would be to provide parking at no cost. Typically on Thanksgiving, they would not see a lot of parking downtown. Therefore, it is an easy thing to provide for this quality event.

COUNCILMEMBER FELLER agreed that this was a simple decision because the parking would not be used anyway.

Motion was **approved 5-0.**

6:00 PM – PUBLIC HEARING ITEMS

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.

12. **Council: Approval of the 2005-2010 Housing Element as revised**

MAYOR WOOD opened the public hearing.

Regarding disclosure of constituent contact, **COUNCILMEMBER FELLER** and **COUNCILMEMBER SANCHEZ** reported contact with staff and the public. **DEPUTY MAYOR CHAVEZ** and **COUNCILMEMBER KERN** had contact with staff, Building Industry Association members and the public. **MAYOR WOOD** disclosed contact with staff, the Housing Commission and some public.

MARGERY PIERCE, Neighborhood Services Director, reviewed that Council held a workshop last week on the Housing Element. She has responded to their questions. Staff is recommending Council approval of the Housing Element. Upon their approval, staff will be submitting the document to the State Department of Housing and Community Development (HCD) for certification of the Housing Element. Mike McLaughlin, the City's consultant, has prepared the document and has been in regular correspondence over the last 2 years with HCD to ensure the City would get a certified element. We will be the 8th city in the County to get certified.

Public Input

NADINE SCOTT, 550 Hoover Street, Loma Alta Neighborhood, knew a lot of work went into this document. She noted that a lot of the material was dated; perhaps there was no newer information to study. The price of homes, replacement costs, vacancy, and affordable units data was old. Oceanside's median income is the lowest in coastal North County. It does not seem to be the time to add a lot of low-income subsidized housing. While she supports inclusionary housing, it does not seem that Oceanside should be the only ones carrying that burden. It would be nice if it was spread around. Regarding the homeless program, we only get 3.71% back, and she was curious if we could get something back that is more in proportion to our population. The other cities seem to be getting a lot more back in percentage to their population. Being on the vision task force, she read a disturbing comment that staff is actively working with SANDAG to create the Ocean Creek Town Center on the Sprinter line. She had never heard of this or where it is planned. She had attended all of the smart growth meetings, and people are adamantly against any town centers on the Sprinter line.

There is a big push for high density, as well as rezoning from commercial to residential high-use density on Vine, Barnwell and Crouch Streets. This conversion and intensity are not going to cut it for those of us in the corridor. Put some of this around in the rest of the neighborhoods.

DAN BOONE, 1434 Calle Goya, would strongly urge Council's support to approve the Housing Element as stated. It is much needed.

With no one else wishing to speak on this item, **MAYOR WOOD** closed the public hearing.

COUNCILMEMBER KERN had received emails stating that the vision task force had never heard of the densifications around the rail stations. He had heard of those a long time ago. If it is a staff driven process, then the staff should have addressed densification with the vision task force, whose members are within ¼ mile of the train platforms. Transit oriented development can only be around transit. Therefore, it is around the Sprinter line. If they had transit somewhere else, they would have densification somewhere else as well. They are also doing this in other neighborhoods such as at North River Road, where there will be a transit center for buses.

On page 67 of the draft Housing Element, it states that in Oceanside encampments, about 100-120 homeless people are found daily. If that is true, they would have 3,600 homeless people out there every day, finding 100-120 people in the riverbeds everyday. This is more of a wording problem, and maybe they can fix that so it does not sound worse than it is and matches the statistics.

Part of his concern is that they are getting numbers that do not make any sense. SANDAG says we are going to have 16 new mobile home parks added to Oceanside by 2020, while we are not building any more mobile home parks. It seems that they are going through this charade of numbers, and then we are not going to do anything.

On page 140-141, the document states that the impact of the cost of inclusionary housing is certainly arguable. This paragraph is also in there twice. He would like both paragraphs removed. The paragraph also states that the highly profitable market suggests it is highly unlikely that the cost of an inclusionary program would impact the price of the housing market. He does not agree with that remark. This sounds more like an editorial remark rather than being attached to backup data.

COUNCILMEMBER SANCHEZ moved approval of the Housing Element [**Document No. 07-D0636-1**]. Referencing Councilmember Kern's comments, she indicated that, while they have not done it in the past out of respect to developers who make a lot of money, they could analyze the profit margin in housing. Investing in real estate is very profitable.

She supports the Housing Element. However, there were some statements made at the workshop [September 26, 2007] that concerned her, basically regarding the Multiple Habitat Conservation Plan (MHCP). The MHCP is something that received a 5-0 vote from Council in terms of the concept. It was a study done over 12 years, and the majority of the group involved in coming up with the plan for Oceanside were developers. In a City that is basically built-out and has little left to preserve, the compromise that was made by all groups, including the developer community, was that areas along transportation corridors would be the wildlife corridors. It seems that we are now willing to take back support for the MHCP for Oceanside. We have very little to preserve, and we have given approvals for other areas that we agreed not to preserve. Those are being built without any constraints by any of the wildlife agencies in deference to what was agreed upon. She wants to ensure there would be no friction or problem in dealing with both of these important issues: 1) the Housing Element and being able to provide affordable housing, especially if we want to have jobs for residents; and 2) open space and wildlife preserves. The land we agreed to is along El Camino Real and along parts of the Sprinter, where the terrain and vegetation played a part in the consensus for the wildlife corridors. We have several critical projects, including the Pavilion, that depend on full support of the MHCP. She does not want to hurt any of these projects. If they start to tinker with things that have gone on for the last 10-15 years, she is concerned about what could happen to some of these projects. Hopefully, the City will deal with these challenges, and the market will rebound. They want to have economic development in the City and want to support the best projects possible. She just wants to make sure they do not cause a collision course between these 2 important issues.

COUNCILMEMBER KERN reiterated that the paragraph discussed earlier sounds like editorializing and does not sound like it is backed up with data. He did not want to go one way or the other regarding the profitability of the housing market. He then asked about the 216 mobile homes the document mentions.

MR. McCLAUGHLIN, City's consultant, stated this question has come up before. It is a SANDAG model quirk. When they try to estimate mobile homes, they apply certain percentages and assumptions across the board. In some jurisdictions it works, and in others it doesn't. We will go back and add text to clarify how that number came up and what the reality is in Oceanside.

MAYOR WOOD seconded the motion.

DEPUTY MAYOR CHAVEZ had not been able to attend the workshop due to health issues. He felt the question for the City is how they help people. People want safe neighborhoods, clean streets, jobs, easier traffic flow, parks, nice schools, etc. Therefore, the Housing Element is just a piece, and he wondered if this is really where they are going, i.e. 6,000+ homes that SANDAG's model says we are going to be producing, with 2,000+ in a particular price bracket. We need more jobs. We will not get any more land, so we need higher density jobs per acre, rather than a warehouse with one job per multiple acres. Higher density jobs are generally higher paying jobs. That is what they want to see for the community. They also like to see the Pavilion, restaurants, etc. We need to look at the transportation corridors. Rancho del Oro needs to go through. This report talks about thousands of jobs in the Rancho del Oro area. The reality is that it has not filled out the way we wanted it to because Rancho del Oro has not gone through. Behind the nice buildings, there is a lot of manufacturing, which does not have the higher wages they thought they would see. That is because of transportation.

However, he agrees with Councilmember Sanchez that we need to protect the MHCP. He does not want Oceanside to become Los Angeles, with cement forever. The challenge is how to have higher density jobs and preserve the open space. It is a balance. He would support Councilmember Kern's changes to the Housing Element. Additionally, page 124 of the draft element talks about opportunities for energy conservation. We as California residents need to recognize that we are living in a desert; energy is important, and we need to be protective of it. He referenced a report from the Department of Energy called "Moving toward Zero Energy Homes in California," which says that the zero energy design will save the home owner about $1,900 in energy costs in one year. If we are trying to do affordable housing or any housing, we can assume savings of $1,900 per year by using technologies that are already out there. For families starting out, this amount is a lot of money. By just building houses differently, we can do that.

He then referenced a report called "The Importance of Government Leadership," which states there are 3 ways the government can address energy: do new laws, provide new incentives or invest State, federal and local money in rebuilding projects. We need to make houses affordable so that families can make ends meet. He would like to see the comments on energy conservation dressed up more in the element.

The Housing Element also addresses transit oriented development, stating that in our program for 2005-2010, we are looking for higher densities along the Sprinter corridor. It actually calls out 6 sites to have higher density. He supports that. We are building hotels in the beach area to capture the TOT dollars. However, people working in these hotels would be classified in the report as low income. If we build the high density, partnered with the market through zoning and not government driven, we can get quality housing for people working there. We need to zone correctly. He does not want to build hotels and not allow the people working in them to live here. What makes Oceanside great is that we are diverse.

He would like to recommend changes regarding energy, would support the TOT, and asked that the City Manager understand the Housing Element is only one component of the City. They need to look at the rest of the General Plan for transportation, MHCP, etc. It is time for Council to really talk about a vision and not just do a report, which is a bureaucratic exercise.

COUNCILMEMBER FELLER supports putting the finishing touches on the MHCP. That makes the builders' and developers' jobs easier. It serves the cause. He agreed with Councilmember Kern's comments on the paragraph about housing being profitable. Right now it is not; it is depreciating and may be that way for a couple of years. This paragraph does not fit right now. Some of the issues regarding zoning were discussed at the workshop. He received e-mails from many people regarding higher density along Oceanside Boulevard; however, it is a transit corridor. It is one of the more heavily used roads in the City, and now the Sprinter is being added. He would welcome having some zoning opportunity to allow development at Oceanside and College Boulevards. Oceanside Boulevard is 8-9 miles long. The vision task force is focused on the 2½ miles between I-5 and El Camino Real. There is still another 7 miles of Oceanside Boulevard. This is not the only transit corridor. Mission Avenue, College Boulevard, Rancho del Oro, and El Camino Real are all transit corridors. SANDAG wants bus rapid transit to be in the future for Oceanside with the widening of I-5. Coast Highway is also a transit corridor. We have to do the zoning. We have to do the things necessary to provide some affordable housing, and developers say they can do that given the opportunity with zoning. Maybe there is an opportunity to really look at the First Time Homebuyers Program and the use of our dollars there.

He supports comments made by other Councilmembers. He would like to know if the Housing Element has to come back to Council or if they can make the changes now and be done with it.

MS. PIERCE does not believe there is any problem striking the two paragraphs; it will not change the Housing Element and what they propose. In terms of enhancing the energy and conservation, they can also dress that portion up. They can take Council's input tonight, make the changes that Council directs staff to make, and then submit the element to HCD with Council's approval to do so.

CITY ATTORNEY MULLEN did not think there was a problem removing the language that Councilmember Kern referenced. We probably would want a little more specificity into the record, if Council is so inclined, to include the language that Deputy Mayor Chavez requested. They do not have to write it right now, but he was not sure the record was as clear as it should be on that language.

CITY MANAGER WEISS noted that the statements in the Housing Element regarding energy conservation really do not require developers to do zero energy and improve the efficiency that the Deputy Mayor read about. If this is something Council is interested in, he recommended that Council direct staff to bring back a separate ordinance that would require enhanced energy efficiency outside of the Housing Element so that it would address all levels of development, including residential, commercial, industrial and City projects. An enhanced statement in the Housing Element would not really provide enhanced energy efficiency in the design of new developments. Staff would need to bring some other document back to Council.

COUNCILMEMBER SANCHEZ stated they do not have to provide specific guidelines in the Housing Element. She would like to see green building, using solar panels, etc., especially at a time when the State has made the goal of 1,000,000 homes to be solar. New construction is one way of doing that. There is $2,500,000,000 to $3,000,000,000 that has been made available statewide to make this happen. She felt the City could encourage that via some considerations, but not require it other than for affordable or where the land is City owned.

CITY MANAGER WEISS reviewed that Council had previously directed staff to

look at developing some sustainability criteria. We are in the process of doing that, working with the Economic Development Commission. If Council is interested in higher energy efficient designs, they would include it as part of the sustainability criteria.

MAYOR WOOD explained that we are obligated to submit the Housing Element to the State for approval. He was not happy with some of the unfunded mandate issues, including housing. We are spending a lot of money to provide only a few affordable housing units. That does not address the 2,500 needed or the future needs. A lot of the items raised tonight are ones that we can bring up at a later date regarding what we what for future building in Oceanside, i.e. green building or energy efficient. He had asked the City Manager earlier today about secure mailboxes as brought up by San Diego to keep identity theft at bay, and he said they already do that for new buildings. The issues raised could be addressed in another form.

MS. PIERCE stated they could strike the 2 paragraphs that Councilmembers had a concern with. The City Manager's idea of creating a policy for energy efficiencies is a good way to go, without having it in the Housing Element. In our affordable housing programs, we are asking the developers to, at a minimum, lead standards. Council has not asked for anything substantive that would require us to come back to another public hearing forum. It is beneficial to the City to get the Housing Element submitted to HCD so that we have it certified in order to apply for available monies. Time is of the essence.

MAYOR WOOD expounded that it would impact us regarding federal and state funds. He is not happy with a lot of the Housing Element. He does not think the City does a good job of supplying affordable housing. People said they could have bought houses or condominiums for the same or less amount of money the City spent; that is frustrating. Then SANDAG tells us they want 2,500 more units, when we are lucky to get 426. We all agree that we want to do something about affordable housing. However, the Housing Element needs to be done or we will not get state and federal funding. The element can be approved, and the subsequent issues such as zoning can be addressed at a different level.

CITY ATTORNEY MULLEN clarified for the record that the motion included adoption of the Negative Declaration, which has to be done along with the resolution adopting the Housing Element. He then asked if the maker of the motion agreed to the change to eliminate the paragraphs as discussed.

COUNCILMEMBER SANCHEZ clarified her motion to adopt the Negative Declaration' adopt **Resolution No. 07-R0636A-1**, ". . . Approving a revision to the Housing Element of the General Plan (GPA-4-05)"; and eliminate the 2 paragraphs in the Housing Element.

MAYOR WOOD, as **second**, concurred.

COUNCILMEMBER KERN asked if staff can get back to him on the 216 mobile home units and how that figure was determined.

MR. McLAUGHLIN indicated they could add some language in the Housing Element that defines the SANDAG methodology and then establish the Oceanside future mobile home scenario more accurately.

COUNCILMEMBER KERN just wanted the question answered; they did not have to add anything to the document. He asked that they get back to Council and explain how they came up with that number. He did not want to delay the document in any way.

DEPUTY MAYOR CHAVEZ understood it is important to get the Housing Element through. He understands there is a time line, and they need to push this through. However, the time line for this showed it was due in 2005. He questioned

whether there really is a time line. He would like a comment in the report regarding energy. He agrees with the City Manager that Council can address the energy issue later. However, he has a problem with pushing through boiler plate documents without asking questions. If he had been able to attend the workshop, he would have raised his concerns then.

MAYOR WOOD noted that Council did raise a lot of comments and concerns during the workshop. He was also frustrated with the Housing Element, questioning whether the City is doing the best job on affordable housing or whether developers could do it better. It came down to pushing the element through in order to not hinder ourselves from getting funding for anything in the future. We are spending a lot of taxpayer money to get the 426 affordable units; we have to do a better job than that. Then a larger entity, SANDAG, dictates to us how many houses we are supposed to be building, without even knowing if we are at build out, etc. We have a Housing Commission to provide input. The Building Industry Association and real estate associations have different concerns. They try to hit somewhere in the middle. For this item, I don't want to go through blindly.

Motion was **approved 4-1**, with Deputy Mayor Chavez voting no.

[Recess was held from 7:00 to 7:06 PM.]

At this time, the Mayor determined to hear Items 21-23.

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.

21. **Ordinance No. 07-OR0638-1**, ". . . amending the Zoning District Map from Residential Medium Density-A (RM-A) to Planned Development District (PD-22) for property located along the north side of North River Road between Calle Montecito and Lamplighter Oceanside Mobile Home Park (ZA-5-06) – Libby Lake Village (San Diego Habitat for Humanity – Applicant)" (Introduced 9/19/07, 5-0 vote)

Following the reading of the title, **COUNCILMEMBER SANCHEZ moved** to adopt the ordinance, and **DEPUTY MAYOR CHAVEZ seconded** the motion. Motion was **approved 5-0.**

22. **Ordinance No. 07-OR0639-1**, ". . . amending various sections of the Oceanside Zoning Ordinance to add a new use classification and amend related code sections to regulate payday loan/paycheck advance establishments and limiting where such establishments may be permitted (City of Oceanside – Applicant)" (Introduced 9/19/07, 5-0 vote)

Following the reading of the title, **COUNCILMEMBER SANCHEZ moved** to adopt the ordinance, and **COUNCILMEMBER KERN seconded** the motion. Motion was **approved 5-0**.

23. **Ordinance No. 07-OR0640-1**, ". . . amending Chapter 34 Section 14 of the Oceanside City Code regarding Transient Occupancy Tax definitions, Tax Administrator" (Introduced 9/19/07, 5-0 vote)

Following the reading of the title, **COUNCILMEMBER KERN moved** to adopt the ordinance, and **COUNCILMEMBER SANCHEZ seconded** the motion. Motion was **approved 5-0**.

CITY COUNCIL REPORTS

16. **Mayor Jim Wood**

MAYOR WOOD had attended the NAACP Blue and Gold awards. Kaiser Permanente opened their new medical offices in Oceanside off Rancho del Oro. The 10th annual Senior Citizens Day is October 13 from 10:00 AM to 2:00 PM.

17. **Deputy Mayor Rocky Chavez**

DEPUTY MAYOR CHAVEZ stated there are a lot of great things going on in the City, and he is excited to be part of the Council.

18. **Councilmember Jack Feller**

COUNCILMEMBER FELLER attended the Boys and Girls Night Out at La Costa for the Boys and Girls Club of Oceanside. Harry Singh donated $100,000. Councilmember Feller also attended a meeting of 4 Oceanside churches for World Communion Sunday in Carlsbad. We should figure out a way to have the churches hold this celebration in Oceanside.

Tomorrow 7 new police officers are being sworn in, as well as a Records Technician and Dispatcher.

He announced he upcoming Oceanside Rotary All-you-can-eat Crab and Rib Feast at the Mission San Luis Rey Parrish Center n.

Capozzoli's will give 15% of their October 15 lunch proceeds to support Project Care.

19. **Councilmember Jerome M. Kern**

COUNCILMEMBER KERN reported that he had also attended events such as NAACP Blue and Gold and the Boys and Girls Club Night Out.

The Youth Commission is working on events to sponsor this year. Their first event is Movie Night at the bandshell on October 27.

He attended SANDAG's Transportation Committee last Friday. They talked about the regional bike project, where they are going to coordinate all of the bike paths within the County. Currently, the trails are scattered. SANDAG is going to come up with some type of funding mechanism, strategy and a plan to tie them together.

He will be attending the Water Conservation Conference on October 12 that is being put on by the San Diego County Water Authority. Water will become critical in the coming years. Hopefully, strategies and ideas will come out of that for the policy makers.

The community outreach at Mesa Margarita is on October 13. He and Councilmember Sanchez meet with that group regularly to promote community outreach by the Interfaith based group. It has been a very successful series of outreaches.

20. **Councilmember Esther Sanchez**

COUNCILMEMBER SANCHEZ also attended the NAACP Blue and Gold event. The Surf Museum's Old Timers event was wonderful.

The 2007 Fallen Officer 5K Memorial beach walk/run in honor of police officer Dan Bessant will be held on October 27.

ADJOURNMENT

MAYOR WOOD adjourned this joint meeting of the Oceanside City Council, Community Development Commission and Small Craft Harbor District Board of Directors at 7:18 PM on October 10, 2007.

ACCEPTED BY COUNCIL/HDB/CDC:

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Barbara Riegel Wayne
City Clerk, City of Oceanside