



California

CITY OF OCEANSIDE

MINUTES OF THE

CITY COUNCIL

April 16 2003

ADJOURNED MEETING 10:00 AM COUNCIL CHAMBERS

Mayor
Terry Johnson

Deputy Mayor
Esther Sanchez

Councilmembers
Rocky Chavez
Jack Feller
Jim Wood

City Clerk
Barbara Riegel Wayne
City Treasurer
Rosemary Jones

The adjourned meeting of the Oceanside City Council was called to order by Mayor Johnson at 10:01 AM, April 16, 2003, for the purpose of a workshop. The Pledge of Allegiance was led by Councilmember Wood.

ROLL CALL

Present were Mayor Johnson and Councilmembers Feller, Wood and Chavez. Deputy Mayor Sanchez (arrived at 10:03 AM). Also present was City Clerk Wayne, City Treasurer Jones, City Manager Jepsen and Interim City Attorney Anita Willis.

WORKSHOP ITEM

1. **Presentation and discussion of the FY 2002-04 Biennial Budget**

A. **Police**

MIKE POEHLMAN, Chief of Police, stated that the Captains present are: Captain Reginald Grigsby - Administration, Captain Dave Heering - Investigations and Captain Manny Castillo - Field Operations.

The vision for the Oceanside Police Department is to be recognized as an organization that is a model of excellence by those we serve, our members and other safety professionals. The mission is to work with the community to build trust and provide quality service that actively prevents crime, reduces the fear of crime, and promotes safety. We have 6 core values that support that mission and that vision: trust, personal responsibility, quality service, partnership, community safety and diversity. This is the foundation of everything that we try to do and our budget reflects those items.

There are 4 program areas for the budget: Administration, Field Operations, Investigations and Public Safety Communications. Public Safety Communications was broken out this 2-year budget period so that we could better track that effort, and it does fall under Administration for its control. As a quick overview for the budget for fiscal year 2002-03: Administration dropped to \$5,583,395 -- mainly due to the break out of the Public Safety Communications which is at \$1,899,252; Field Operations is \$16,789,310 and Investigations at \$5,070,142. Both Field Operations and Investigations increased. In 2003-04 you see what was projected in the budget that was originally approved to be increases in each of those areas; there are footnotes that the Traffic Services Fund budget of almost \$400,000 brings Field Operations to over \$17,000,000. There will be an increase for the second year but that is a self-creating fund; it is not General Fund money.

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

As a comparison, there are 9 cities in the County with their own Police Department; he referred to a list of those cities showing the number of sworn officers to 1,000 population and the FBI crime index for each of the cities. The crime index was from SANDAG 2001; they have not released the 2002 data yet. The average of the County is 1.35 sworn officers to 1,000 population for calendar year 2002, and Oceanside ranks at the very bottom in that chart [1.06 per 1,000]. That is not the only measurement. He has been trying to bring in professional members to try to make up some of this where they use professional members in a lot of ways other departments do not use them because they do not cost as much as police officers. Our police budget takes up about 38% of the General Fund for Oceanside compared to other cities.

MAYOR JOHNSON interjected that looking at the comparisons, he noted that Oceanside had 1.06 sworn officers per 1,000, and the FBI index is 36.1. When we compare ours to National City and El Cajon, why is it that Oceanside's FBI crime index is lower and those two cities have a higher sworn per 1,000.

CHIEF POHELMAN believed that it is due to the partnership that has been created in Oceanside. We work hard with the community to work on the crime issues collectively. Additionally we use professional members that do a lot of things that other departments use police officers to do. As an example, our Community Service Officers do field evidence collection. Many departments use sworn personnel to do that, and that obviously reduces the number of sworn ratio. Our overall crime numbers have come down for the last 10 years; that is not the case in every city in the County.

COUNCILMEMBER FELLER asked if there was a comparison to the County of San Diego, outside of the cities that have their own service.

CHIEF POHELMAN answered yes; we can provide that. It shows the breakdown of the Sheriff's Department; we do not generally compare to them because the make up is different. They are law enforcement and have comparisons that he would supply at a later date.

Continuing with the presentation, each captain will go through their division budgets.

CAPTAIN REGINALD GRIBSBY, Administrative Services Commander, stated the Administrative Services Division provides primary support functions to police and fire via the Public Safety Communication Center, the Records and Statistics Unit that is tasked with the cataloging, filing of Police Reports and complying with the Department of Justice, both State and Federal, with regard to the release of information and the Public Records Act. The Property and Evidence function is responsible for collecting, cataloging and maintaining evidence, as well as sending it out to the various governmental entities that may need it for preparation for court cases or doing additional research that may go above and beyond what can be provided internally. The Training and Crime Prevention unit, as well as the Range, is responsible for providing in-service training, complying with the State of California and Federal mandates for training. Crime Prevention is responsible for increasing public awareness about issues relative to the quality of life. Regarding the range, staff is tasked with the responsibility of ensuring that our officers meet internal standards of proficiency with regards to firearms and also ensuring that we meet the quarterly qualification standards. Administrative Support is basically responsible for the budget, grant allocations and various other administrative functions within the Division.

The budget for the Administrative Division is \$7,482,647. He wanted to point out a significant portion of the budget that is beyond our control, which is the Interfund. The capital outlay contains items that are going to be either a certain dollar amount in value or they have a life span of 2 years or longer. The Contract Services specifically deal with various vendors and service providers. Balance Operating consists of typically special Department supplies, tools and small equipment. The Interfund charges are an administrative fee that covers general insurance, risk management for the City, and Information Technology; fleet charges a monthly rental and maintenance rate so that there will be a fund built in for the purchase of new vehicles when we retire the older vehicles;

building maintenance and operations are also included. Then the City charges a general administrative allocation that provides financial, administrative and personnel oversight to the department. The interfund charges [\$3,027,106], which are a little less than half of the division budget, are charges over which we have no control. While these costs are reflected in our budget, we do not have access to them.

Public Safety Communications provide emergency communication services to the Police and Fire Department and non-emergency services to other City departments, primarily after hours. The performance measurements are the calls for service and the call prioritization. The budget is \$1,899,252 and is funded through the General Fund. In the event that service would need to be reduced, the impact would be increased response times to fire, medical, and police emergencies and elimination of non-emergency communication services to other City departments. There would also be a significant increase in Emergency Services Dispatcher workload. The main concern with these workload increases is there could be errors made in dispatching, as well as an adverse impact to public safety.

The Police Records Unit's objectives are to comply with the California Records Act (CRA) in processing, reporting, filing and storing of criminal information and providing service to members of the public. The measurements are the compliance audits that are done on a regular basis by the State of California on the number of reports/requests that are processed. The Statistics Unit is a part of the Records Unit; they are responsible for compiling statistical information for crime reporting purposes, data entry of property, suspects, and other information for internal and external use. The database that this information is entered into is shared with other agencies in the County. The performance measurements are reports and property processes and statistical reports. The budget for both of these units is \$2,235,926 that is funded from the General Fund. If there were to be service reductions, the impacts for Records would be that there would be a reduction in service to members and the public; they provide copies of crime reports and traffic accidents. There would be problematic issues with case filings. A very important factor is that there is a timeline for filing cases once an arrest has been made, so it is very important to have competent and adequate staff to make sure that the deadlines are met. There could be issues with court deadlines for in-custody cases and there could be potential legal issues. Should we suffer a service reduction impact in the Statistics Unit, there will be a loss of timely crime reporting, which will adversely impact crime suppression efforts, create problematic issue in Uniform Crime Reporting to the FBI and loss of shared crime data county-wide.

The Evidence and Property Unit's objective is proper storage, maintenance, processing, transportation and accounting of evidence for prosecutions and civil actions; storage and processing of property for the public and other agencies; proper disposal of evidence and property as mandated by law. The measurements are the number of cases processed, the annual audit and requests for services from the public. The budget is \$517,915 and is funded out of the General Fund. Should there be a service reduction, there would be an increased workload, impact to timely submissions and processing of evidence to other agencies; quality control issues in the processing of evidence; reduced service hours to members and the public and potential issues with courts and agency credibility.

The Training Unit ensures that officers are in compliance with Federal, State, and agency-mandated training and coordinates with state agency for members' certifications. He pointed out that not only are the Police Officers required to maintain their training, but the State of California also mandates that our Record Technicians and other members of the organization also maintain specialized training relative to their jobs. The measurements are Peace Officer Standards and Training (POST) audits and performance standards. The budget is \$464,238 and is funded by the General Fund. Should there be a reduction in service, there would be a lack of timely updates and notifications of training compliance and needs, increased workload for supervisors and staff in identifying and arranging training needs, potential increased liability for improper procedures, tactics, and response by members. This is important as one of the things that we try to do is make sure that all of the personnel achieve proper conduct in the discharge of their duties; one of the ways

we do that is with a realistic and ongoing training program. Also there would be a potential impact to the department's professionalism due to less training, timely recognition of training issues, and department responses to critical incidents in the field.

The Crime Prevention Unit's objective is public education, community awareness of crime issues, personal safety, Neighborhood Watch and public safety programs. The measurements are requests for public safety presentations, partnerships with community organizations and an active role in crime series/trends. The budget is \$131,007 and is funded from the General Fund. Should there be a reduction in services, it would cause reduced presentations on public and personal safety programs, a Crime Free Multi-Housing Program would be reduced--this is a partnership with various housing projects, primarily apartments and identifies ways and methodologies that they could reduce the impact and hopefully eliminate crime within their complex. There would also be a loss of partnerships with various community organizations.

The Administrative Services Division includes his office, as well as the Professional Standard Units, which is charged with investigating allegations of employee misconduct; Training/Crime Prevention Supervisors, Public Information Officer, Accounts Payable and Payroll, Alarms, Budgeting, Grants Management and Contract Services. Their measurements are department efficiency and proper managerial/oversight of operational support functions. The budget is \$1,746,763 and is funded out of the General Fund. In the event that we were to suffer service reductions, the impact would be an increased workload for other divisions in assuming the functions of this unit; we would return to an automated phone system, whereas there is now a call taker responsible for answering calls and directing people to the right place/ person; a loss of oversight of grants and the ability to properly administer the alarms collection program; an increase of complaints due to minimized or no response to phone inquiries.

COUNCILMEMBER FELLER inquired where ARJIS fits in.

CHIEF RIGSBY answered that ARJIS (Area Regional Justice Information System) fits into the Records Unit; they compile statistical data on criminal information dealing with suspects; property; the Officer Notification System is when an Officer places a notification into the system and if a Police Officer anywhere in the County contacts the wanted suspect, they would be notified. We pay a significant amount of money each year, approximately \$87,000, to belong to that system. The fee is based on the size of the jurisdiction and the usage. In the event that we did suffer a service reduction in the Records Unit, we would have to look at whether we would continue that. The San Diego Police Department had strongly considered pulling out of that because their bill was quite excessive, but they were able to reach an agreement.

COUNCILMEMBER FELLER stated that we were having the presentation regarding ARJIS this afternoon.

CITY MANAGER STEVE JEPSEN stated the State has POST requirements for training that hold the City to a certain standard. They used to reimburse the City for that training. He assumed the requirements have not changed but asked the status of the reimbursements.

CHIEF POEHLMAN answered that currently the State has discontinued all reimbursements; POST has discontinued reimbursements. We have one local representative, Sheriff Colander, who sits on the POST Commission. We have spoken with him and other San Diego County Chiefs, and it is our position and the position of the CAL Chiefs that if POST takes away the reimbursement, then POST will have to look at what they mandate as far as training. A lot of training is mandated by POST, not by the Legislature. If the Legislature mandates it, then State Law would require reimbursement to the City. POST mandates are ones that have been created by the POST Commission. The State may take away the money, and the money comes from fines for a violation; a certain amount of the fine was to reimburse Police Officer Training. The Commission would be amenable to reduce some of the mandated requirements, and he feels that they will see some of the mandates change as far as what we are required to do. The big danger is the

liability and the ability of peace officers to do their job properly. The maximum that might be received would be ¼ of what we received last year, which was around \$160,000 in training reimbursement.

CITY MANAGER JEPSEN noted that the City does not do training in Police and Fire because it is mandated; it is an important aspect of their jobs. To the extent that a level of training needs to be supported, we need to try to find the funds for that.

The issue comes up every year that the Police Lobby is closed in the late evening hours, and his understanding is that it is a practice that is pretty consistent if not on a statewide basis, certainly in San Diego County. If there were a certain block of funds available, how does the priority for opening the lobby stack up against all of the other police priorities.

CHIEF POEHLMAN answered that if the Council give him an additional \$100,000 to spend on what he felt was important, he would not use it to open the front lobby; he would use it to put more personnel out on the street or to purchase equipment; a lot of other things take priority. He closed the lobby because of the cost return when it was open 24 hours 7 days a week in the mid 1990's; we were able to put additional people out in the street to respond to calls for service, etc. He does not know of an agency in San Diego County that has a lobby that is open 24 hours per day, 7 days a week. If someone comes to the front of the Police Station, they can pick up a phone that rings directly to Dispatch, and we can have someone respond.

COUNCILMEMBER CHAVEZ asked how many of the 62 FTE in the Administrative Division are sworn.

CAPTAIN GRIGSBY answered that there are 8 sworn personnel.

CAPTAIN MANNY CASTILLO, Field Operations Division, stated that this division is our first line of defense. He displayed a computer slide of the organizational chart of the Field Operations Division. The actual Uniform Patrol, which are the black and whites, currently have 2 Lieutenants assigned, 10 Sergeants, 1 Canine Sergeant, 10 Corporals, 76 Officers and 12 Community Service Officers. Specialized Operations are advanced patrol functions such as the Traffic Safety Unit; the School Safety Enhancement Resource Team; the Neighborhood Policing Corporals; the Beach Team; the Psychiatric Emergency Response Team (PERT), which is a County partnership with one of the City's officers; Community Service Officer Program and the Special Events Liaison. Operational Support is the backbone that takes care of the issues such as making sure that we liaison with our academy personnel that are in training; they watch over the Office Specialist, the Field Training Officer Program, Reserve Program (which currently most are deployed in Iraq); the Defensive Tactics Program, which keeps officers safe and in tune with the current practices of operating on the streets and handling arrestees; our Citizens Academy to let citizens know what we do; and the Senior Volunteer Program, for which there are approximately 100 volunteers in service.

There are 161 FTE employees; the cost is \$12,648,662. Contract Services includes the Transport System, the Booking Fees and other services and is \$915,755; Operation is \$1,028,27; Interfund is \$2,452,082, which are the fees that we pay to Fleet, City general administration, for mobile computer terminals, etc. The total costs are \$17,057,218 and are a combination of our Traffic Fund and the Budgeted General Fund monies. From the Traffic Services Fund we receive approximately \$367,908 to reach the total. To augment those funds, the Oceanside Unified School District is in partnership with the Police Department and augments our budget with approximately \$300,000 to put school safety programs in the schools. The COPS State Grant supports the neighborhood policing and also part of the school function. The COPSmore Federal Grant funds also augment the General Fund budget.

Field Operations is the uniform patrol that is in the black and whites, with the objectives of proactive and reactive responses; to reduce crime through problem solving, which is a philosophy not just a temporary program. The measurements for that are our

statistical analysis, the SANDAG report and the FBI Crime Index; the number of calls for service and demand on our resources; officer-initiated activity; and our response time to calls. Of the \$17,057,218, approximately \$11,300,000 is for that portion of the Field Operations Unit. If there were reductions in this area, the impacts would mean fewer cops on the street; it would increase response times to police, fire, and medical emergencies; the prioritization of call responses; and it would adversely impact public safety.

Specialized Patrol Operations (all the various advanced patrol functions) include: Traffic Safety Unit, Neighborhood Policing Teams, School Safety Enhancement Team, Community Service Officers, Beach Team, PERT, and Special Events.

The Traffic Service Unit promotes traffic safety and solves traffic related problems throughout the City. They are measured by statistical analysis: accident rates, high intersection crash listings, and community surveys. This unit has 16 FTE employees at \$1,327,917; with operating and interfund total costs this is \$1,693,302. Funding sources are General Fund for \$1,325,394 and \$367,908 annually from the Traffic Services Fund to offset costs.

If there were reductions in this area, it could potentially increase the accident rate and lack of strategic enforcement based upon primary collision factors. Due to lack of staff they might not be able to be in the right place at the right time. There would be increased requirements upon patrol operations to focus on traffic related enforcement, which would shift some of their focus from neighborhood policing or problem solving based on crime trends to a traffic enforcement focus and have an adverse impact on public safety.

The Neighborhood Policing Team is very interactive with the community and serves as a highly visible resource and enhances crime reduction through focused problem-solving techniques and community partnerships. Their impact on the community is measured by statistical analysis, crime reduction trends, community surveys and letters from citizens at large. This program has 5 FTE employees, and the total budget is \$567,953.

Reductions in this area could potentially increase crime; reduce community interaction and visibility; adversely impact public safety; loss of community partnerships currently in place; and reduced coordination in formulating strategic response to crime trends. That strategic formulation is with the patrol people and is the communication link that goes from the statistical analysis right down to deployment on the streets.

The School Safety Enhancement Team is a policing partnership with OPD, the Oceanside Unified School District and members of the community to enhance school safety through student interaction and staff training. This is measured by calls for service to patrol; by having the officers in the schools we do not see a significant impact upon the field operations of patrol officers on the street responding to schools to handle problems. This is also measured by a reduction in juvenile crime and the good interaction that reduces the intimidation factor of uniform to student. There are 9 FTE employees, and the total cost of the program is \$921,313, of which \$300,000 is from the OUSD, \$80,000 is from a COPS State supplemental grant, and \$541,313 is General Fund.

COUNCILMEMBER CHAVEZ stated if this is a service that is being provided to the School District and it is \$900,000, he questioned why they are not paying the \$900,000.

CAPTAIN CASTILLO responded that part of the grant was based on partnership; there was a need in the schools going back in history that stemmed from the impact of the Santana school shooting and some of the others such as the Granite Hills shooting. There was a need for safety and an organized program in the schools. Law enforcement was somewhat obligated to provide that protection to the schools. We partnership with the school to put 4 School Resource Officers into the school, which is the \$300,000. The DARE program is part of that as law enforcement was involved in DARE before any agreement with the schools; that was what the agency provided in our schools. Once we grouped the various DARE, School Resource Officers and Community Resource Officers to support that program together it required some supervision, and we included the Sergeant into the Supervision quotient.

COUNCILMEMBER CHAVEZ stated that a more direct question would be that if DARE is \$80,000 and OUSD is paying \$300,000 and the City is paying \$900,000, is this an area that the City can look at.

CAPTAIN CASTILLO responded yes; all areas could be looked at.

CITY MANAGER JEPSEN stated that the amount of support that the OUSD is providing into the program is the same as it was last year. The program has benefits for the City beyond the services that are being provided for the school district. If there was disorderly conduct on campus, this program helps prevent that but also saves having to respond in force on a more regular basis, which would be a cost factor to the City.

CHIEF POEHLMAN wished to add that the cost is \$722,000, and then the Interfund comes on that. The School District provides \$300,000 of the \$722,000 in that context because when we sit down with them we do not talk about the Interfund and all of those things that amount to \$140,000. This is a long-standing agreement that we have had with the School District; they originally wanted to try to provide half the cost. Prior to the incidents that happened in East County, we saw some trends in other states such as Columbine and other issues that were happening, and we felt it was a necessity to increase the Police presence in the schools. By having a greater presence on a day-to-day basis and getting to know the young people directly, we could intercede potentially in some of these issues. We put officers at each of the high schools prior to any incidents happening in this County. With that in mind, we picked up the difference. We shifted people from other assignments and field operations to do this job; we did not ask Council for more money. We took people who were deployed in the field and moved them over to do this job. He believes that this has been very successful. It certainly is an area that we could ask the school district to provide more money, but we would be faced with having to shift people out of the unit. It is very important for the safety of the young people in the community to have officers at every school.

COUNCILMEMBER CHAVEZ agreed that there was not a more important area of the community than our children, and being at the schools daily he understands. But the more direct question is what year we started the \$300,000.

CHIEF POEHLMAN replied that probably in the last 4 years it got to the \$300,000 level, and that is where it stayed. Every year we renegotiate a Memorandum of Agreement with them, and it comes before the Council to approve the amount that the school district is going to put forth.

COUNCILMEMBER CHAVEZ asked that over the past 4 years, as far as personnel costs, what would be the value of it today.

CAROL SWINDELL, Financial Services Director, stated that personnel costs have been going up by 5% or more per year for the past several years.

COUNCILMEMBER CHAVEZ stated that if that were to be carried out over 4 years that would be a bit of money. He is noticing a trend in all of the briefs in showing an organizational chart, what they do, and the money, and if anything is cut, here's what will be lost. He feels that will be the trend through all of the slides. Going back to the money, it makes him wonder if there are other ways to increase the revenue.

CHIEF POEHLMAN responded that we have been in negotiations with the school district; they are not at this point amenable to raise that amount. We would certainly like to see that occur, and quite candidly they had to go the extra mile to come up with this number again. They have committed to the same amount of money again for the next school year's agreement. What will happen beyond that, they do not know.

MAYOR JOHNSON thinks the school district recognizes the value of having the partnership retained and in place, primarily with what happened in 1995 when we had the "civil unrest". Something like that can damage a lot of good work by a lot of people.

CAPTAIN CASTILLO continued that the impact of reduction in that service would be the spillover of that happening on an unmonitored campus could have a significant impact on the community, and our involvement in the schools has been beneficial to being proactive in handling those issues.

The Community Service Officer Program is assigned to Patrol Teams. These are civilian positions that are acting in lieu of police officers performing functions such as collecting fingerprints, processing stolen vehicles, logging evidence and taking photographs. Traditionally, those types of things were done by police officers. These civilianized positions are paid less than police officers, we are able to keep the officer on the street and still perform these functions. This is measured by calls for service and the response time. There are 12 FTE Community Service Officers that are at the CSO II and III level. The total cost of the program is \$754,566. Reduction impact is that if they were not there to do the work, the police officers would be doing it. They would not get freed up for the next call because they would be collecting evidence, which could impact police, fire and medical emergencies response times. It could result in the re-prioritization of radio calls, what we respond to and how quickly we respond.

The Beach Resource Team is a specialized patrol function utilizing a variety of techniques such as walking, cars and bikes to provide a safe environment at the beach. They are flexible in their hours, evenings or days depending on the situation. Currently for Spring Break they are working some day shifts. They are measured by their calls for service, and what they don't do a police officer would be performing. There is 5 FTE: 1 Sergeant, 1 Corporal and 3 officers. They are augmented in summer by 5 Beach Service Officers. The total cost is \$600,427. Unique to this unit is that their workload would impact downtown patrol units. With the absence of the Beach Service, adding that responsibility to the downtown patrol sector unit would increase their workload and response time to calls for service, or we would have a reduced presence in the beach area because we would be spending time in the main street business related areas. This would have an adverse impact to public safety, the beach and our tourist areas.

Psychiatric Emergency Response Team (PERT) -- As members of a countywide program - PERT, our officers work with clinical psychologists who ride along in the patrol cars. They deal with all types of mental illnesses to utilize options other than incarceration or hospitalization: some counseling; getting them back on their medications; bringing other resources to them, etc. With the homeless faction, the use of the PERT team becomes quite a regular issue; they do quite a service; and it brings some expertise beyond the level of what a routine patrol officer would have. The County pays for the clinician, and the City provides the officer. With 1 FTE, the total cost is \$111,366. The impact of reduction in service would be the reduced expertise in handling these situations; the potential for these people to be out on the street without some type of resource help, a strain on mental health provider services, increased liability and loss of County partnership.

The Special Events-Community Service Officer is one civilianized individual who is the acting liaison person to represent the police concerns in planning special events. They assist in providing a coordinated response in support of special events. Also this individual is the department's Court Liaison to make sure that our officers are responding to subpoenas; they are getting called off in time if the subpoena is cancelled so there is some cost savings when that position is in place. It is measured by the quality of the special events that the City is involved in and whether they are safe events or not. The total cost is \$71,424. The impact in reduction of service would be minimal because the duties would fall to someone else; there would be a Sergeant that would be attending special event meetings and planning, but that would take the Sergeant out of service for the time that he is involved in special event planning.

The Front Desk Program is made up of Community Service Officers I's (7 FTE). They help the public by taking a variety of police reports at the front desk rather than sending a patrol car out to a house. They also do fingerprinting on a fee basis. There is a savings cost by not having a patrol officer perform those functions. There is 1 CSO Supervisor and 6 Community Service Officers I's. The total cost of the program is \$556,240. The impact of reductions means not having these people, which would shift that

workload responsibility to somewhere else; it would fall back probably to the field officers, and we would prioritize which calls we respond to first, etc.

The Field Administrative Support program – The Lieutenant has a variety of positions that fall under field administration: the Senior Volunteers, the Field Training Program; the Defensive Tactics Training Program; the Citizen Academy, which is an outreach to let citizens know what the Police Department does; the Academy Trainees monitoring; and the Reserve Officer Program. There is 4 FTE: 1 Lieutenant, 1 Sergeant, and 2 Office Specialists. The total cost is \$398,582. Impact of reduction is that if these positions were not there, we would not have that detailed oversight; it could cause low morale for incoming employees; there would be no support for office operations; there would be inconsistent coordination of Reserves, Senior Volunteers, the training of recruits, and clerical support if these personnel were not here.

The Field Operations Contract Services include: San Diego County Booking Fees, \$638,600; Prisoner Transport \$233,531; Transcription Services \$36,390; and a portion of the Trauma Intervention Program \$7,234; for a total cost of \$915,755.

CAPTAIN DAVID HEERING, Investigations Division, stated the Investigations Division is broken up into 2 different sections: General Investigations, which provides follow up and support for all the crime reports and all of the crime cases taken by Field Operations, and the Special Enforcement Section, which is proactive enforcement of vice, Alcohol and Beverage Control (ABC) related crimes, narcotics and gang enforcement.

The entire division budget is \$5,070,142 and is broken down as \$4,049,237 for the 50 FTE personnel; the interfund service charge is \$736,698. We also receive some grant funds, which supplements some of the positions: the RATT (Regional Auto Theft Taskforce) position is grant funded [\$85,821], the DEA reimburses overtime [\$20,000] and the Citizens' Option for Public Safety (COPS) grant [\$80,000] supplements some of the Community Service Officers (CSO) Investigative Assistants.

Division Management includes 1 Captain and 2 Lieutenants, and the total cost is for this unit is \$403,801.

The Crimes of Violence Unit, which is part of the General Investigation Section, includes 1 Sergeant, 1 Corporal, 5 Detectives and 1 Community Service Officer who is an Evidence Technician. The total cost for this unit is \$831,477.

The Property Crimes Unit conducts follow-up investigations on burglaries, graffiti, forgery, auto theft, computer crimes and identity theft. This unit includes 1 Sergeant, 1 Corporal, 6 Detectives and 1 CSO Investigative Assistant. The total cost is \$948,637.

The Family Protection Unit conducts follow up investigations of elder abuse, domestic violence, child abuse, and runaways. There is 1 Sergeant, 1 Corporal, 3 Detectives and 3 CSO Investigative Assistants. The total cost is \$748,138.

All 3 of these units do follow up and support for Field Operations, so if we were to lose any of the detectives, we would decrease the number of cases assigned for follow-up investigation, which would increase the caseload on the detectives that remain and would increase the length of time to conduct investigations. Some of the cases that we are currently investigating would not be assigned.

The Forensic Specialist is a CSO, technically assigned to the Crimes of Violence unit and does much of the major crime scene processing, which include homicides, officer involved shootings, evidence processing and follow up for the court for all of the detectives and officers in the department. The total cost is \$86,202. If we lost this position, detectives would be required to assume many of the duties currently performed by this position, which would reduce investigative time and the number of cases that can be followed-up on.

In our Special Enforcement Section, the Narcotics Unit investigates narcotics

referrals that are generated by complaints regarding street dealers, neighborhood drug dealers and other complaints that are received. Their primary focus is to target those street and mid-level type dealers and investigate referrals. There is 1 Sergeant (shared) and 4 Detectives and the total cost is \$492,497.

The Vice Unit includes 1 Sergeant (shared with Narcotics Unit) and 2 Detectives. They investigate and proactively enforce the prostitution laws, the gaming laws, and ABC violations. The 2 officers and their share of the Sergeant is a total cost of \$275, 290.

The Gang Unit contains 1 Sergeant and 4 detectives. They monitor and document the activities of over 1,600 gang members and their affiliates that are documented in Oceanside; assist the Crimes of Violence Unit in investigating gang-related violent crime; maintain the gang injunctions that the City has; and conduct gang awareness presentations. The total cost is \$618,920. If we were to lose positions in every one of the areas, we would be impacted by reducing enforcement of prostitution, ABC laws, mid-level and neighborhood narcotics dealers, and street gangs. This would also increase the responsibilities of Field Operations because we are the support unit. These factors would bring complaints from residents.

Countywide Task Forces -- In the Division and of the 31 detectives, we have 4 assigned to countywide task forces: RATT reimburses for salary/fringe at \$85,821 with the total cost at \$107,581; in the North County Regional Gang Task Force (NCRGTF) we have 1 detective at a total cost of \$107,581; Jurisdictions United for Drug & Gang Enforcement (JUDGE) has 1 detective assigned [\$107,581]; and the Countywide Narcotics Task Force (NTF) has 1 detective assigned to the North County Team [\$107,581]. The service reduction impact would most likely find the City excluded from the use of these particular task forces as they relate to crimes that involve the City. These officers share their resources. For example, if there is an issue in Escondido, the entire team would go to Escondido; if there were an issue in Oceanside, they would focus their attention in Oceanside.

CAL-ID is a State fingerprint database that provides a tool for suspect identification by being able to match fingerprints that we obtain through the State and national database. We pay into that program and one of our CSOs is assigned to that program; our fee to the County is \$43,351. We just recently acquired a station in Oceanside, and it did not cost any additional money. If we were to lose that service, there would be no local access to the fingerprint database.

Crime Analyst – We are in the process of hiring a Crime Analyst whose responsibilities would be to conduct crime trend and pattern analysis to assist officers in addressing crime problems. This is fully grant funded, and we hope to have the position filled within the next month. The position will be assigned to the Investigations Division, but they will be providing a service for Field Operations and Investigations, the Neighborhood Policing Team and everyone else in identifying crime trends and working with the different teams to address those crime trends.

Administrative Support has 2 Senior Office Specialists and 2 Office Specialists. One of those Office Specialists positions is partly grant funded. The total cost is \$191,504. They provide all the clerical support for the entire division; 2 of the positions are unfilled at this time. On service reduction impacts, we are feeling that now with the open positions. If we were to lose the 2 we have now, we would have to re-route everything to the Front Desk, and the detectives would end up answering as many phone calls as they could on their own, which would reduce their investigative time.

MAYOR JOHNSON stated that the Narcotics Unit is spending \$492,000, and the Narcotics Task Force for 1 detective costs \$107,000. Approximately 2 years ago the Federal Administration declared war on drugs, and there was a big media splash throughout the country and the naming of the War Czar to battle this war against drugs. When he looks at the dollars that are being spent to deal with some issues within the City, he wondered if something could be done to stop those drugs from coming into the City. What has become of the war on drugs and what kind of assistance can the City get if the

war on drugs is not stopping at the front line and is coming into the City.

CAPTAIN HEERING responded that the war is continuing, and the support that we receive from the Federal and the State level is in addition to what is seen in the budget. They provide manpower, and a lot of personnel and a lot of funds to do operations in the City. The operation that wound up last December arrested 72 narcotics dealers in the downtown area; this was a joint operation between Oceanside and another federal agency that they provided 2/3 of the manpower for that operation, along with most of the money that we used to do the narcotics purchases. It does continue. The focus that we put the 4 detectives on is the street-level dealer; we do not have the resources to have the impact on the higher-level dealers, which we recognize are probably in the City. That is why we participate in the countywide task force. They focus their efforts on the upper-level dealers. We hit it from both fronts: the street level and the upper-level dealer. If we can get to their sources, which is what we rely on the task forces to do, we can slow down or stem the flow of narcotics to the street. The war continues, and we are utilizing the resources that the Feds and the State have provided as part of the enforcement.

MAYOR JOHNSON related that the question had been asked him many times, and he was sure that the people using drugs in our City are not bringing drugs to the Country. He asked if the Chief had dialog with his Federal counterparts as to what is being done to stop the drugs from coming into our Country. If they spend all of the millions and billions of dollars to fight wars elsewhere, how about the war that is on our border regarding drugs coming into our Country that are destroying our society.

CHIEF POEHLMAN responded that we have a serious issue when it comes to the use of narcotics in this country, and it is not just an issue of enforcement; that is only one piece of it. It is an issue of how young people are raised, how young people view themselves and the desire to use or not use substances that can be abused. Prevention is part of this, and enforcement is also a part of it. A great deal of resources is put at the border to stop the illegal importation of drugs, and a great amount gets by those efforts. The County of San Diego, the State and the Feds work very closely together, and this community works very closely with them. He believes we have made progress. When looking at surveys done in the high schools recently on the amount of drug use by young people, we have seen those numbers going down recently, which is encouraging. This is something that we need to continue, but he believes that it is a large social issue that we as a society have to face and come to a decision on. We do a job to try to reduce the impacts at the street level in this community. It is a very big issue.

In conclusion to their presentation, he stated we are the largest general fund department in the City. We have over 500 people working in the Police Department; almost 300 of them are paid, and the remaining ones are volunteers. It is a big operation. He reviewed the distribution of the Department budget. He emphasized that the bulk of our money, almost 70%, goes to paying for those 273 FTE personnel. We have less than .2% that goes to Capital. If not for the grants of over \$4,500,000, we would really be challenged. Contract services are 4.6% of the budget; operation is 6.1%. Interfund [21.3%] and Personnel [67.8%] are the 2 big costs. The net budget is \$29,082,099. For the distribution of personnel costs: salary [68.6%] and fringe benefits [31.4%] along with a City administrative charge of 10% takes that to \$21,821,173.

To summarize some points: we currently have the lowest ratio of sworn officers per 1,000 in San Diego County of any police department; we did not receive any inflationary increases in this 2-year budget; all we received was increases to take care of the contractual mandates that our personnel had. Much of our budget is comprised of that salary, fringe and interfund charges. There is not a lot of money that goes to operating costs—around \$2,000,000. Grant funds have made the difference for us; a lot of the equipment we have been able to purchase have come through grant funds. Over the last few years we have emphasized hiring professional members to supplement our sworn personnel. The department benefits from over 138 volunteers.

COUNCILMEMBER WOOD understood from the City Manager that there are no budgetary cuts but hopefully at subsequent meetings we will see possible cuts and cost

factors from the department. Will the labor groups be involved if we have to get to cuts.

CHIEF POEHLMAN responded that he conducted meetings in the department where every member of the department was invited to come and talk about any ideas. We feel that at some point we will have to make cuts. Before we make any final decisions, he will go back to the organization and labor groups talking about the ideas for cuts. Hopefully they will not be severe. Until the State takes its actions, we do not know the level of cuts.

COUNCILMEMBER WOOD questioned if there was any cost duplications with the Police and Fire Commission with the Department. He is concerned with the use of staff, etc.

CHIEF POEHLMAN thinks there can be a little bit of duplication. When the Commission asks to do a survey and sends it out, obviously the City has to pay for that, but it has to go through the City Manager's office for approval. Staffing the Commission does take a significant amount of time in providing the clerical support, so there certainly is a cost. We are not alone in that, because almost every department has commissions. So it is a fairly universal statement for all city departments.

CITY MANAGER JEPSEN wanted to clarify his position regarding potential reductions in police and fire. Even though he has asked to hold uniformed personnel as a last resort, there are other areas that need to be scrutinized. We will be looking at the interfund cost, building maintenance, fleet, etc., separately. He did not want a lot of concern in the community because we do not know the status of what the State will do to cities yet. He is concerned about where our retirement benefit costs are going to go, not so much next year but the year after that, and we need to get ready for that. So he does not mean to say there would not be reductions in uniformed, although that should be held as an area to look at if it is absolutely necessary.

One thing the Chief brought up is that we have the lowest ratio of uniformed officers per 1,000 population, which is an area of concern, but it reflects the good job done by our police department. What you see is a more mobile, more technologically advanced, better managed/coordinated department doing a better job with fewer resources. So he does not think it is just a measure of numbers of people that are put on the street. The department is bringing in a number of non-sworn personnel to help free up the time of the sworn officers.

CHIEF POEHLMAN confirmed that and noted that if you add the number of professional members to the number of sworn members, that is also a way to look at the ratio of police personnel to 1,000; to do that we stack up about in the middle, because we have a higher number of professional members than other departments. So we do have a significant number of professionals, and that frees up officer time. It is a way that we have become more efficient.

2. Public Communication on City Council Matters (Off Agenda Items) -- None

ADJOURNMENT

MAYOR JOHNSON adjourned this meeting of the Oceanside City Council at 11:28 AM, April 16, 2003.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne
City Clerk, City of Oceanside



California

CITY OF OCEANSIDE

MINUTES OF THE

CITY COUNCIL

April 23, 2003

ADJOURNED MEETING 10:00 AM **COUNCIL CHAMBERS**

Mayor Terry Johnson	Deputy Mayor Esther Sanchez
Councilmembers Rocky Chavez Jack Feller Jim Wood	City Clerk Barbara Riegel Wayne City Treasurer Rosemary Jones

The adjourned meeting of the Oceanside City Council was called to order by Mayor Johnson at 10:00 AM, April 23, 2003 for the purpose of a Mayor and Council Workshop. The Pledge of Allegiance was led by Councilmember Feller.

ROLL CALL

Present were Mayor Johnson and Councilmembers Feller, Wood and Chavez. Deputy Mayor Sanchez was absent. Also present were Treasurer Jones, City Manager Steve Jepsen, Interim City Attorney Anita Willis and Assistant City Clerk Charles Hughes.

WORKSHOP ITEMS

1. **Presentation and discussion of the FY 2002-04 Biennial Budget**

A) **Personnel**

BRIAN KAMMERER, Interim Personnel Director, stated the Personnel Department is divided into three work groups: Personnel Services, Employee Benefits and Workers' Compensation.

Personnel Services –provides recruitment and selection services, administers the EEO (Equal Employment Opportunity) program, administers employee and labor relations, classification and compensation issues, and assists other departments with grievance and disciplinary processing. The measurements are our response time getting back to the departments/employees - how long it takes us to process a complaint/grievance, classification studies, recruiting, getting new employees on board, etc. It is also the timely adoption of collective bargaining agreements. There are 11 FTE positions budgeted; at present there are 10.34 FTE (Full Time Equivalent) employees. The funding source is all General Fund at a total cost of \$1,017,389.

Service reduction options for FY 2003-04 are to: 1) eliminate one Personnel Manager position that is a vacant position at this time, which would save \$102,000. The impact would be that response time would be slowed down as far as processing, such as classification requests, etc.; 2) eliminate a vacant Administrative Secretary position at \$45,000. The impact would be increased support staff time in getting out job announcements, etc.; 3) eliminate automated applicant tracking system at \$15,000. If this is eliminated, the impact would be that there would be more manual processing; 4) restrict the use of consultants for a savings of \$15,000. Consultants are primarily used for legal,

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

classification and compensation issues.

Employee Benefits -- this is where we administer all our benefits, insurance, health, dental, vision, long/short term disability, flex spending, etc. An objective is compliance with legal mandates, to design and implement employee health/wellness activities and provide training programs for all employees. One of our measurements is to provide cost effective benefit coverage. There is a new broker coming on board, and we will be getting new rates and are looking at various items within the benefits area. Another measurement is the response time to a customer inquiry. If there is a benefits issue, they monitor how fast the issue can be resolved. The training programs enhance our organizational effectiveness through employee development programs. Within Employee Benefits there are 3 positions. The funding sources are: employee insurance premiums [\$1,055,700], retiree insurance premiums [\$80,000], the COBRA insurance premiums [\$6,000] and the Employee Benefits Fund [\$12,054,914], which amounts to a total budget of \$13,196,614.

Possible service reductions in the upcoming years: eliminate the City sponsored SDSU program, which is the graduate program that has been in effect since 1999; 25 employees are currently enrolled who are working toward their master's degree in Public Administration--this is a general fund program at \$50,000; eliminating the use of outside trainers would save \$6,000 from the budget; eliminate the Supervisor Training Academy with a budget savings of \$50,000--there are approximately 179 supervisors and managers currently in the program and the cost is approximately \$1,200 per student; eliminate miscellaneous training and supplies at a savings of \$2,000.

Workers' Compensation and Safety -- This group administers the Workers' Compensation program and also conducts ergonomic and safety training. The measurements are: the response time in processing the Workers' Compensation claims, and also in reducing the number of work-related injuries through safety training; the lost time associated with an injury and the time it takes to return to work; the affect of ergonomic/safety training vs. injuries. There are 3 FTE positions within this group and the funding source is the Workers' Compensation Fund, which is \$2,821,693.

Possible service reductions would be to eliminate enhancements to the automated database for a savings of \$10,000. If this is eliminated, it can slow down the Workers' Comp claims as it will go back to hand processing; reducing the purchases of ergonomic equipment would save \$30,000--the impact may be that there is an increase in Workers' Compensation claims; reducing/restricting the use of consultants could reduce the proactive training programs such as CPR/First Aid, defensive driving, etc. for a savings of \$20,000; limiting the use of defense litigation could save approximately \$50,000, but it could also increase our disability awards.

STEVE JEPSEN, City Manager, stated that Workers' Comp is an issue that is being watched very closely as the City's Workers' Comp costs are higher than comparable cities in our category. One of the concerns is that the City may not be able to get excess coverage because of the way that we administer our Workers' Comp program. We are looking at options. The Personnel Director has talked about reductions but has not talked about increases that the City is trying to anticipate, even though there is not a lot of information available. The area of Workers' Compensation causes concern for potential increases, as does employees' benefits. It is a mystery to him that the State is not talking more about what the increased costs to PERS will be in two years. It will magnify the problems at the State level and probably impact all of the local jurisdictions as well. If everything that Personnel was offering in terms of reductions were taken, it would not make a dent in the potential increases that we have yet to feel from the State in this area.

MAYOR JOHNSON thanked the staff for all that they have done with regard to the reductions in Workers' Compensation claims.

B) **WATER UTILITIES**

BARRY MARTIN, Water Utilities Director, reviewed the Mission Statement of the Water Utilities Department to provide a safe and reliable water supply to the citizens of

Oceanside, and to collect, treat and dispose of wastewater in an environmentally acceptable way at the least possible cost. The Water Utilities presentation will talk about program budgets and allocations, organization, defining core services, business support services (the services received from other departments and themselves), efficiency comparison charts, what we've done, what we're doing; and what we will do.

The Water programs 2002-2003 budget chart shows where it goes through the Water Source of Supply [\$18,182,406], which is where Oceanside keeps its money to buy imported water, then it goes through the different programs of Water Administration [\$9,204,589], Water Meter Service, Desalting Plant, Maintenance and Construction, Water Treatment, Water Laboratory, Clean Water Program, Water GIS Program, Water SCADA Program, Water Pumping, Water Service Connection, and Hydro-Electric Generation. A different perspective would be how the money is spent overall. This year 12.8% was spent for Interfund Services, 9.1% for Debt Service, 0.8% for Capital Outlay, 10.9% Personnel Services, 16.7% for Operating Expenses, and the largest amount which is 49.7% is for the purchase of imported water.

The Wastewater Program chart shows that the highest amount is spent for Sewer Administration [\$5,684,221]. Most of that is debt service, vehicle rental, etc.; San Luis Rey Treatment Plant [\$4,566,416]; Collections and Transmissions [\$2,860,700] - with 34 sewer lift stations, etc.; the La Salina Waste Water Treatment Plant; Sewer Laboratory; Sewer GIS; and Sewer SCADA (Supervisory Control and Data Acquisition), a computer system that picks up remote signals from all of the important pump stations, reservoirs, and pressure stations, from which we can monitor the water quality; this enables us to have complete coverage without having to have a large amount of staff. We strive to be more efficient by the use of technology. The SCADA system is in the process of going to a different platform than we have been to in the past; a whole new concept that is being built as part of the San Luis Rey expansion. In looking at the wastewater total allocations, the largest portion is the Operating [42%] which includes the chemicals, the parts and equipment that are out in the systems; Interfund Service charges are 21%, Debt Service is 10%, Capital Outlay 2% and Personnel 25%.

The Water Utilities Department organizational chart lists all of our programs and the personnel filling the positions.

In looking at Core Services, about 1½ years ago Council and the City Manager made it clear to our Department that we needed to make the Water Department the most efficient we could and that the money was used in the very best way. The Utilities Commission decided that the department operations needed to be defined, and they needed a tool to do that. One of the commissioners, Lloyd Prosser, who does this for a living, and the American Water Works Association put together the criteria for looking at an organization and measuring/defining how efficient it can be so that it can be competitive with all the other agencies. So we started the process. They created the new Operations Oversight Committee, which the Council authorized, and that was. Work began with the Committee, the Commission and all of the staff members in the Department; the whole department was involved with the review.

Going through the process, the first thing we had to do was to look at ourselves in a different way. We had to define the most important thing that the department does. First thing we looked at was where we get our water. Oceanside gets water from different sources. We are diversified. We get water from imported sources, from the Colorado Rockies and the Sierras; water comes from our Mission Basin Aquifer, which has been with Oceanside for years, and we are just starting to tap into it and use it again. We are looking at getting water from the ocean through the Carlsbad Project that could be 5 years away. Also, we will be approaching Council this budget year to maybe put one of our own ocean desalination projects on the board to look into its feasibility. Water can also be taken from our air; it is new technology that will take the water from the air and make it drinkable. There are two water treatment plants that could also be a source of water. We need to get the water from the treatment plants into a distribution system, so the finished water goes into the reservoirs distribution system and then it loops back into the wastewater collection, disposal, wastewater treatment and water reclamation.

Next we looked at the resources that support those core services. He will not review all of them, but going through distribution and the resources, we are defining what encompasses this core service: the [423] miles of pipelines; the [4986] hydrants; Microsoft Office and computers—technology; regulator stations; over 40,000 water services; other types of software to assist; sampling stations are tested on a weekly basis as required by the EPA and the State governments; 8,007 valves that need to be maintained; the SCADA system; pump stations; air relief valves; the GIS Arcinfo, which is a tool that we are just starting to utilize in which information can be stored and retrieved; pressure zones; standby generation; and City Network.

After we looked at all of the above, the processes had to be defined. By doing this we looked at the difficulty and the importance of each process. This was a rigorous task. We looked at many things and assigned numeric values to each. We wanted to see if there was something that was difficult and wasn't producing the anticipated results and how it could be fixed. Customer Service stood out as one of the most important functions that we perform. It was considered to be a medium difficult process—so how could it be improved. All of the divisions that actually support customer service went into a room, and we sat down with the supervisors and asked them to write down the process that they go through from the minute they receive a customer inquiry, concern, or complaint. It was found that there were approximately 18 different processes. One of the major things that we found was that there were times when the communications were not what they should be, There were times when hours went by before we got back to a customer. This could not be tolerated. So we set up a procedure for handling customer concerns/complaints. When a call is received, the person that takes the call gets all pertinent information and informs the calling party that they will receive a call within 30 minutes. The crews send a daily e-mail with the names of the party who is to take the customer calls. The procedure has been pared down to a maximum of 30 minutes in which the customer is contacted. In most cases the person who is handling the situation will be on the phone talking to the customer minutes after they get the call. This has revolutionized customer service in the Department. The plans are to go through and look at the other processes and go through the same procedures to make them more efficient.

Mr. Martin stated that he was not showing the Council budget reductions; what he is saying is that we are going to make ourselves more efficient by using this model so that there will not be as large rate increases in the future. Perhaps no rate increase would be necessary. Typically we would be looking for a 6% increase in wastewater and 4% in water; but we are not asking for that this year because we have looked at our operation and have been able to make it more efficient.

Mr. Martin reiterated that this presentation was an overview of the process. We hope to finish the processes within a year and get the information back to Council to let them know what we have done to make ourselves more efficient.

Business Support Services -- are not the core services; these are the functions that provide services to the Water Utilities Department Core functions, such as Public Works, Water Utilities, Finance, Human Resources, Information Technology, outside contractors. We will be meeting with other departments and assigning numeric values to make those services more efficient.

Next displayed were efficiency comparison charts to show how efficient we are. We looked through all the North County water agencies and the number of employees per 1,000 water connections. The chart shows that Oceanside and Vallecitos (San Marcos area) are even at 0.8 employees per 1,000 water connections; this indicator shows how efficient we are. We provide a full water service to every person who lives in Oceanside, and we do it with a small amount of labor. The wastewater connections were also compared and again, Oceanside was tied with Vallecitos for having the lowest amount of employees per 1,000 connections at 0.6. We are providing the best service with the most efficient personnel possible. Another comparison was the rates that the citizens pay for water and wastewater compared to other agencies. Oceanside is below the median in the County. Oceanside has a high quality local water supply for emergencies, and a water filtration plant. These are being provided as a service that other agencies aren't providing.

STEVE JEPSEN, City Manager, informed the Council that Mr. Martin had shared with him the fact that one of the reasons some of the cities have a lower total water and sewer bill is that they had received grants to build plants, so they do not have the debt service that Oceanside is carrying to pay for their plants.

BARRY MARTIN elaborated that San Marcos, Carlsbad, Encinitas and Vista are actually members of the Encina Wastewater treatment Plant. In the 1970's they were able to get a grant to build that facility. It was not available to Oceanside because we were ahead of them. But when they built the plant, not only did they build it for what they needed then, but they built it to many years out in capacity, similar to what we are doing with San Luis Rey now.

A small list of what we have done:

- Mission Basin Desalting Facility;
- San Diego County Water Authority (SDCWA) North County Distribution Pipeline - We worked with other agencies in order to share facilities and to build a pipeline from east Oceanside to the Water Filtration Plant; Vista Irrigation District also needed a pipeline that would run from the aqueducts in that area. SDCWA was contacted because it is their policy that if there are two or more agencies involved, they could look at a regional facility. It ended up that Rainbow Municipal Water District, the Vallecitos Water District, Vista Irrigation District and Oceanside all needed that pipeline. It saved Oceanside approximately \$20,000,000, which in turn saved our ratepayers a lot of money. We are continually working with other agencies on a regional basis. We are also working with the City of Vista which sends their wastewater to the Encina Plant, and they have a parallel line in the Buena Vista Creek; we are actually in the Creek and looking at having to expand/replace the line. First we need to get it out of the creek and to make it larger for build-out. Vista has a pipeline they are willing to share with us; it will save us millions of dollars.
- Improved sewer spill response time by changing to 7 days per week, 10 hours per shift. The wastewater group worked to make themselves more efficient with taking care of our sewer lines. If there are any spills at all, as we experienced several years ago, of wastewater into the environment you are susceptible to major fines. The City of Oceanside was fined \$345,000 3 years ago because a discharge line at the Buena Vista sewer lift station broke and dumped into the creek. From that point forward, spills are no longer tolerated. So the crews are out 7 days a week, 10-hour days.
- Evaluated the Department's operational competitiveness; as discussed earlier.
- Restructured water and sewer rates. In the mid 1990's, we looked at our rate structure due to complaints from multi-families and others about the rate structure. We obtained the Council's direction and moved forward with the Utilities Commission to form a citizen's task force from all of the different user classes. Different rate structures were analyzed for 6 months, and they came up with one of the best rate structures we have ever had. Now folks actually have control of their rates by their water and wastewater usage. This, of course, has resulted in fewer to no complaints regarding usage.
- Obtained low interest loans and grants for capital projects. We are continually searching for grants and low interest loans, like the San Luis Rey plant - \$60,000,000 at zero interest. Council has been very successful in talking to the federal government and obtaining loans and grants. We have received almost \$3,000,000 for the Mission Basin Desalter.

What we are doing:

- Saving water through conservation efforts; Oceanside is a desert, and there is a need to conserve water. As a comparison, water consumption has decreased from 221 gallons per day per person in 1986 to 183 gallons in 2002.
- Developing a grease disposal control program by working with the restaurants in town to better control the grease that goes into the drain and that can plug up the sewer lines and cause a lot of expense in maintaining those lines. At present we are working with the restaurants to come up with a good ordinance that everyone will accept.
- Implementing energy savings measures at all facilities. During the last

energy crunch all of the rates went up. At the La Salina and San Luis Rey Wastewater Treatment Plants, they are studying the use of gases by converting the methane gas into a burnable gas to generate power. We are also looking at places in the water system where we could put hydro-electric stations that would convert water into electricity, etc.

- Enhancing security at all of the facilities. Since the tragedy of 9/11, it is mandated from the Environmental Protection Agency and the Federal government that we secure our systems the best that we can. Oceanside's system is very tight; there are no open reservoirs, etc., but we are enhancing the security of the systems all of the time.
- Developing local water supply projects has already been discussed with the ocean desalination, the ground water, etc., continually seeking new avenues. There is a need to get away from imported water as much as possible; it is no longer reliable. There is global warming that is also a concern, So we need to look at other avenues, ground water and ocean; if it is cost effective, we need to do it.

What we will do:

- Implement the asset management and maintenance software. This goes along with GIS but is a program that will enable us to provide work orders that will eventually go right to the utility vehicles via laptop computers, where they can receive information on what types of equipment they need to work on; look at the locations, etc.
- Develop energy cogeneration from methane gas.
- Explore biosolids hauling alternatives. The City Manager has a committee set up that is looking into biosolids. We will come to Council with a possible pilot program to take biosolids and mix it with green waste.
 - Expand water reclamation facility from 0.5 MGD to 5.0 MGD.
 - Become more operationally competitive, as discussed.

MAYOR JOHNSON commented that it is quite clear from this presentation that modern technology goes hand in hand with the Department's level of efficiency, and it shows in our rates compared to neighboring cities. It was mentioned there would be no rate increases this year, but how about next year.

MR. MARTIN responded that right now we are facing a possible filtered water increase from the Metropolitan Water District (MWD) as a pass through. They are shifting their disinfection process to Ozonation, which is about \$10/acre foot. There is also a possibility of a pass through from the San Diego County Water Authority. We have not had a chance to analyze our own operational costs as far as energy, chemicals, etc. We will need to re-analyze that prior to January of 2004.

COUNCILMEMBER FELLER asked about the possibility of our own electric generator to do our own desalting project.

MR. MARTIN responded that would be something we could look at. We will analyze the cost involved to do something local.

COUNCILMEMBER CHAVEZ stated that he had seen this presentation at the Utilities Commission. This is a lot different from the previous presentations we have seen as far as organization charts, core functions and processes. He questioned why this presentation was so different from what we have been seeing.

CITY MANAGER JEPSEN answered that regarding the organizational perspective, the Council had expressed some concerns regarding rate increases, and we needed to demonstrate that we were as efficient as we could be in order to justify the expenditures. A lot had to do with either investments in the infrastructure or pass through costs, which are the cost of purchasing the water, etc. There was concern expressed that we go through a process that values what we were doing. Mr. Lloyd Prosser, who is a consultant and does this type of work for a living, acted as an advisor to get us into a program where we could go through and evaluate the different processes. Mr. Martin has taken you through, as an example, one of the processes, which they have implemented. There are many more areas that they have gone through. After evaluating his entire organization, from a process level of efficiency, Mr. Martin has moved into looking at the service that his organization

provides. He is evaluating Information Technologies, Administrative Services and other functions that the City provides to his department. Mr. Jepsen would like to see this type of process for the other city functions; this serves as a good model. Over the last few years what they have done serves as a good model for the industry; we have realized some tough times with regard to costs, and they have absorbed those. We went through the energy crisis which raised the cost of providing water and utility services, and they were able to absorb a great deal of that and keep the costs down for the citizens of Oceanside. A lot of it is because they have taken the time to go back and value the processes and services.

COUNCILMEMBER CHAVEZ stated that Mr. Martin talked about processes and how they are being improved; so improved efficiency leads to savings while providing customer service and employee morale. This ties to his memo to Councilmembers that there are 4 elements: the process/ the efficiency; the money/savings; customer service; and employee morale and empowerment. When these 4 elements are followed, then the City will find savings. If we arbitrarily slice/cut City staff, we will go down a bad path. This process can get us on the right track.

In this presentation, however, if everything is important, then nothing is important, so he recommended a reevaluation of the importance. The next step after the processes, is to assign money to each process, and then you start with the largest money pile to save money. The next advice is to have a common dictionary of terms we are all using, so when you use the word resources in Water, it is the same for all departments.

Do a comparison of infrastructure between Oceanside and Carlsbad for this area.

BARRY MARTIN answered that the Oceanside system is larger as far as miles of pipeline by about 150 miles. We have local water storage in the San Luis Rey Basin, that is an asset that Carlsbad does not have, although they do have water rights to about a million gallons per day in the San Luis Rey Basin. That was achieved in the early 1900s, but they have not utilized those rights. They do not have a pipeline to connect them. Oceanside has the Robert Weiss imported water filtration plant in Gopher Canyon. Carlsbad has nothing like that. If there is an interruption in the treated water pipeline that comes into the County, which does happen once or twice a year, Carlsbad has to fall back on what little storage they have, and occasionally they contact Oceanside to supply them with water. The rest of their system is pretty similar; it is just the imported water filtration and ground water system that really makes Oceanside different.

COUNCILMEMBER CHAVEZ stated this is our leverage - water. Historically Oceanside was here before Carlsbad so we have a historical advantage and infrastructure which allows us to have leverage for future issues, like transportation.

COUNCILMEMBER WOOD stated that he went on the tour of all of the water department facilities, which answered a lot of his questions. We were concerned about the fixed-income residents, and Mr. Martin answered those questions. Rates are down by comparison. He asked what the cost of water per acre-foot that we supply to ourselves as compared to what we purchase.

MR. MARTIN answered that we are saving about \$90 per acre-foot by producing our own water; this is a savings of about \$300,000 per year on our own local water supply.

COUNCILMEMBER WOOD asked about loans that are being paid off, and when they are paid off how this will affect the rates.

MR. MARTIN responded that as far as water debt, there is a loan for the Mission Basin Desalting facility; there is Tulley Canyon which was purchased for the Fire Mountain reservoir and a corporation yard. Once that debt goes away, it would take the impact off the rates. But as any agency needs to build and replace facilities, there would be debt in the future.

MAYOR JOHNSON stated Oceanside is a regional good neighbor by sharing their

resources with Carlsbad, etc. At some point it would be a good idea for the City Managers to get together or that a joint session of Councils be set up to talk about regional cooperation and sharing of resources.

CITY MANAGER JEPSEN thinks that our economy is not unique in its regional issues, and it is important for all to cooperate. To the extent that Carlsbad benefits, we benefit and vice versa. Then the whole regional economy grows and everyone prospers.

In regard to the debt service, some local agencies are going to realize huge increases in their sewer bills. Encinitas is one of those because they have not done a good job of maintaining their infrastructure. Oceanside has done an outstanding job of maintaining their water and sewer infrastructure. It is very important that we maintain the integrity of the infrastructure and keep it up to date. That does cost money, and it is reflected in the ongoing bills that people have to pay for their water and sewer service. By cutting back on maintenance of the infrastructure, short-term savings can be realized, but in the long run it will cost more. It is important to make sure that the City is staying current in those areas.

COUNCILMEMBER FELLER also feels that the Department has too many "high value" numbers of importance for tasks. He asked how the Gregory Canyon Landfill could affect our water basin in the future.

MR. MARTIN responded that the Gregory Canyon Landfill is attempting to be built through voter approval east of I-15. It basically sits within the aquifer. Even with all of the guarantees of double-lining and taking the water underneath the landfill and treating it, there is never a guarantee that those sorts of things won't affect our water supply. The Council has taken the position that we are against this landfill. What is good technology today has been found not to be good technology in the future. There are failures in different landfills throughout the United States that are causing water quality problems. There are water quality problems in Orange County and Los Angeles County; they largely depend on their underground water supply. However, because they were not careful in the past, they allowed such things as MTBE, etc., to go into their basins, and it has contaminated their basins. They are shutting down wells today. Metropolitan Water District is very concerned about this reduced water supply because it means we have to get it from somewhere else. It is very important to do everything we can to oppose the Gregory Canyon Landfill.

MAYOR JOHNSON asked who owned Gregory Canyon.

CITY MANAGER JEPSEN answered that there was a consortium run by BFI.

Public Input

JIMMY KNOTT, 124 Sherri Lane, stated in the recent SANDAG Regional Visioning Process, water ranked number one as the major concern for the citizens of Oceanside and the surrounding communities. The second item is that he felt that the City should look into Dimmings Total Quality Control Management. The cities/ businesses that have trained their employees under this program have excelled, have created new ways of doing projects and have had great savings.

He wanted to thank the City Manager, his staff and the Utilities Commission for using the self critical analysis techniques because in doing so they have maximized the utility of their personnel and enhanced their service to the community. The Water Utilities Department is different than most other departments in the City; as in most areas, it is a self-governing agency. The Water Department has served the City well for many years. By developing certain systems, such as the GIS system, other departments will benefit from that; all the different agencies in the City will benefit. He thanked staff and the Commission for the work that they are doing on behalf of the citizens.

MR. MARTIN, in closing, told the Council that on their dais they have a bottle of water. With the diversity of the water supplies it can be taken from underground, it can be

imported or it can be taken from the ocean. The bottled water on the dais was taken from the air - there is a machine that takes air, condenses it and makes up to 3 to 5 gallons of potable (drinking) water; it looks just like a water cooler. The initial cost of the unit is about \$1,000. If you don't count the capital, it costs about \$.20 per gallon.

2. **Public Communication on City Council Managers (Off Agenda Items)**

JIMMY KNOTT, 124 Sherri Lane, noted that recently there have been numerous meetings held in the Council Chambers where there has been an overflow that has affected the citizens. For example, last Monday there were 250 people that attended the Planning Commission meeting. There was no place for people to sit, and they were lined up along the walls in the lobby 2+ deep. This presents a concern for safety measures. In the foyer area, the proceedings could barely be heard. When the cameras are in the room during the Council meetings you can see. Hearing, viewing and seating are problems. Another problem is parking. He encouraged Council to address this situation.

ADJOURNMENT

MAYOR JOHNSON adjourned this meeting of the Oceanside City Council at 11:20 a.m. on April 23, 2003, to a Workshop at 2:00 p.m. today.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne
City Clerk, City of Oceanside



California

CITY OF OCEANSIDE

MINUTES OF THE

CITY COUNCIL

April 23, 2003

ADJOURNED MEETING 2:00 P.M. **COUNCIL CHAMBERS**

Mayor
Terry Johnson

Deputy Mayor
Esther Sanchez

Councilmembers
Rocky Chavez
Jack Feller
Jim Wood

City Clerk
Barbara Riegel Wayne

City Treasurer
Rosemary Jones

The adjourned meeting of the Oceanside City Council was called to order by Mayor Johnson at 2:02 PM, April 23, 2003 for the purpose of a Mayor and Council Workshop. The Pledge of Allegiance was led by Deputy Mayor Sanchez.

ROLL CALL

Present were Mayor Johnson, Deputy Mayor Sanchez, and Councilmembers Wood and Chavez. Councilmember Feller arrived at 2:07 PM. Also present were City Treasurer Jones, City Manager Steve Jepsen, Interim City Attorney Anita Willis, and Assistant City Clerk Charles Hughes.

WORKSHOP ITEM

1. **Presentation and discussion of the FY 2002-04 Biennial Budget**

A. **Housing and Neighborhood Services**

MARGERY PIERCE, Director of Housing and Neighborhood Services, stated that, although the department runs many programs, today the focus will be specifically on 10 program areas: Community Development Block Grant Program (CDBG), Program Development that is funded by CDBG money, Rehab Loan Portfolio, Section 8 Rental Assistance Program, Mortgage Revenue Bond Program, Mobile Home Rent Control Program, Federal Home Program, Neighborhood Resource Centers, Code Enforcement and the CalHome Program, which is a home ownership program.

CDBG -- The objectives are to inform interested organizations and individuals about the program, to review and process all applications, conduct the required public hearings for the allocations of funding, draft and submit the Consolidated Plan and Action Plan to the Department of Housing and Urban Development (HUD) on an annual basis, and monitor the program and prepare programmatic and financial reports to HUD. The measurements are: the federal requirements are that contracts are completed, that expenditures are tracked, and review quarterly progress reports for approximately 32 projects each year; conduct on-site monitoring visits with all of the sub recipients for compliance with HUD regulations; facilitate the review of approximately 60 applications for funding both with the Ad Hoc Review Committee and various other commissions; submit to HUD the Comprehensive Annual Performance Evaluation Report (CAPER), which is the year-end

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

report on how well the City has done in meeting its goals. This report is due to HUD by 9/29 and the Action Plan with the current year application for funding is due by 5/15.

To administer this program: personnel has 1.28 FTE (full time equivalent) employees; operating money [\$1,681,986] is what we receive and in turn send out to the sub recipients; Interfund [\$43,589]; and debt service [\$90,000] is allocated to repay the Section 108 loan that was used to construct the Libby Lake Community Center. The total cost of this program [\$1,890,202] and is an entitlement program fully funded by the HUD.

Program Development -- This is a catch-all program for our general daily work in terms of what we are required to do either by federal laws or what we are doing to meet our housing element requirements. This includes the Fair Housing Program, staffing the Housing Commission, applying for federal and state grants, reviewing applications and monitoring the Transitional Housing Project, implementing the goals of the Housing Element, administering the Healthy Cities program, evaluating Homeless Shelter Programs, qualifying and administering the Mortgage Credit Certificate Program (MCC) and developing an affordable housing production plan. Some of the measurements are:

- conduct fair housing educational seminars to apartment managers
- conduct at least 12 Housing Commission meetings annually
- process 11 applications annually for the MCC program to help 11 households purchase their first home
- review, qualify, and inspect 450 restricted units; those units are through a variety of programs, such as the Density Bonus Program or Coastal Housing Program. We are required to make sure that the rents are at the rates that they are supposed to be and that they are renting to qualified lower income households. This is done on an annual basis. Some of the programs require inspection either on an annual or on a biannual basis.
- coordinate the Supporting Urban Neighborhoods (SUN) Project

This program has 5.25 FTE employees. All funding is CDBG grant money. The operating fund is \$167,308 which seems high but it is because we apply and administer a Transitional Housing Grant of \$148,786 which is passed through to the Women's Resource Center for their transitional housing program. "Operating Transfers Out" is budgeted for \$30,000, which is associated with the Old Grove Apartment construction project. [Total program budget is \$579,140]. The funding sources are the Transitional Housing Grant, CDBG and Program Income from CDBG, which is money that is paid off or unused and the Low/Mod Income Housing Fund that is from Redevelopment

CDBG-Rehab Loans - To assist owner-occupied low-income residents in Oceanside rehabilitate their residences by providing either 0% or low market rate interest loans, and many times those loans are deferred; assist mobile home owners to rehabilitate their residences with a grant for up to \$3,500 to mobile home owners to rehabilitate their homes. Measurements are to rehab approximately 10 single-family homes each year and 18 mobile homes; service a loan portfolio averaging around \$2,000,000 of approximately 200 loans; service a Rental Rehab loan portfolio of 15 loans for about \$850,000, although there is no longer a Rental Rehab Program that is operating in our department.

This program has 1.95 FTE employees; the Operating total shows the amount of loans that we are making each year. This program [\$475,001] is totally funded through CDGB and program income. Program Income would be loans that are being paid off, and then it is recycled out to new loans.

Section 8 Rental Assistance --The largest program in the department is rental assistance, where we operate the Federal Section 8 Voucher program to provide rental assistance to low-income households. We also administer a Family Self-Sufficiency Program, which encourages Section 8 participants to meet the goals of economic independence. For measurements, we maintain a voucher utilization rate of 98.3%, which is a very high utilization rate. This is achieved through the excellent customer service that is provided to landlords and to the tenants in getting landlords to participate in this program. We determine eligibility for 120 new applicants each year and review eligibility

for the other 1,525 participants who are currently on the program; we inspect 1,600 units annually to ensure compliance with the HUD housing quality standards; maintain a waiting list of approximately 4,500 applicants; issue monthly rental assistance payments to 450 landlords each month; and assist 100 Section 8 participants to develop and achieve goals towards self-sufficiency. We expect that 10% will achieve self-sufficiency and be off all government subsidy funding other than housing assistance; that is the goal.

This program budget is \$10,672,452. Depending on the lease up rate, which has been very high, and the housing assistant payments that are made each month, our real budget gets adjusted to \$11,200,000. There are 15 FTE employees in this program, and it is completely funded through HUD.

Mortgage Revenue Bonds -- In the 1980's and early 1990's, 5 large apartment complexes, approximately 2,000 units, were developed in Oceanside using Mortgage Revenue Bond financing. In order for the developer to get this very favorable financing, they have to reserve 20% of the units for lower income households. We have 400 units that are designated for lower income households. These units have to be monitored on a quarterly basis to make sure that qualified families are residing in those units. We go through the files that are kept by the apartment manager to make sure that they are documenting income and also that they are renting at the correct rent levels. We calculate the rents and pass on to them what they are able to charge.

When the bonds are funded, administration fees are collected in order to do the ongoing monitoring of these programs. We collect approximately \$203,000 per year. There are 1.79 FTE persons that are funded out of this budget [\$203,475].

Mobile Home Rent Control -- regulates the rents in the City's mobile home parks; insures the health and safety of park residents; staffs the Manufactured Home Fair Practices Commission (MHFPC); and processes rent adjustments including Special Adjustment Applications and Appeals. This program provides rent control for 19 mobile home parks consisting of 2,440 regulated spaces; (there are over 3,000 spaces); conducts an average of 5 meetings a year of the MHFPC, which can vary depending on whether or not they have items for review; convenes approximately 10 informational workshops on rent control; and conducts inspections of mobile home parts to ensure code compliance annually. Those inspections are of the common area of the mobile home parks. The parks are required to pass an inspection before being able to implement the collection of a rent increase each year.

There are 1.23 FTE personnel in this program. The operating expenses [\$60,251] are high due to the expenditure for legal and consulting services. Registration fees that are collected from the park owners have funded the program; however, by resolution, an amount is allowed to be passed on to the residents, which is \$2.38 per month. Due to the high legal and consulting fees, the program [\$195,037] is no longer self-sustaining.

HOME Program -- is not an acronym; it is the Federal Home Program. The money is received because Oceanside is an entitlement city. This program administers a first-time homebuyer's program for low-income households; implements the Libby Lake Affordable Housing Development; assists for-profit and non-profit developers to construct new rental housing; and assists a non-profit agency to acquire and rehabilitate existing rental units.

The measurements are to assist 12 first-time homeowners in conjunction with the CalHome loan program, which allows us to subsidize the first-time home buyer up to \$60,000 and if they need additional money, to cover the gap between the sales price and what they qualify for at the bank for a loan. The CalHome money is further subsidized with Home funds up to \$60,000. They also provide subsidy to 3 developers to develop affordable housing construction.

This program has 0.60 FTE personnel; we are limited by program regulations that only 10% of the entitlement can be used for any administration and overhead. Between the personnel cost and the Interfund charges, that utilizes all of the available money for administration. This program is fully funded by federal funds [\$779.033].

CalHome Program -- Provides low-interest loans to qualified Oceanside first-time home buyers and provides no-interest loans to qualified mobile home owners to rehabilitate their homes. The goal is to assist 12 homebuyers to purchase their home in Oceanside and to assist 9 mobile home owners. This is a new program that the state is operating; we were successful in obtaining \$800,000 for this program. The funds expire in October, and we plan to utilize all of the funds prior to that time.

COUNCILMEMBER FELLER asked how long the waiting list was for the first time homebuyers loan program.

MARGERY PIERCE responded that it was hard to say because it is not an ongoing program. We already have our 12 families. There were over 100 applicants when we opened the list for a short window of time. It is a labor-intensive type of program because there are people who come in and apply on a first-come first-serve basis. Even though they are asked to pre-qualify themselves, they may not qualify with the bank either because of poor credit or insufficient income. So we have spent all that time, and unless we actually close a loan, we are unable to capture any type of administrative costs. This is an opportunity that the City provides to residents as a free service, and we do not collect any money for doing this. This was the first year, and she thinks we have been one of the few successful programs in the State. We anticipate that we will be able to reapply for funding. The current \$820,000 has to be utilized by October or our contract terminates with the State. We would have to re-apply, and it is competitive; however, based on our track record, we should be able to secure funding if the City wished to continue this program.

CITY MANAGER JEPSEN interjected that there was a good chance that this program would be a casualty of the State budget problems.

Continuing, **MS. PIERCE** stated there is no personnel shown in this program; obviously there are personnel that take care of the program. When we close a loan the State gives us 5% as an administrative cost, but this is not received if the loan is not fulfilled.

The next two programs are not State and federally supported; these are the only 2 programs that are funded through the General Fund.

Resource Centers -- There are 4 resource centers that were put in targeted neighborhoods to improve communications between the City and the residents. The goals are to reduce crime and improve the quality of life in the neighborhoods by promoting community participation and solutions through support of neighborhood resident associations, community meetings and activities that contribute to community pride; to promote improved health in communities by improving access to information and health care; to provide a venue in the neighborhoods where community members can access City or other needed services; and to provide after school drop-in programs for at-risk children and teens.

The measurements are facilitates and to attend 48 community meetings held annually for collaboration with neighborhood associations, City, and other agencies; plan and implement 10 community-building events; establish community watch program in the Libby Lake neighborhood; provide Health and Nutrition classes for 110 families; provide assistance with referrals, forms and translations and other services since there are about 8,400 contacts that need these services; facilitate weekly English as a Second Language (ESL) classes at Crown Heights for 75 students; and provide 80 to 120 children and teens daily with homework assistance, computer training and positive activities as an alternative to gangs.

The Resource Centers budget has 4 full-time employees and 2 part-time employees, in addition to a Management Analyst who supervises and oversees the ongoing activities in the Centers [6.84 FTE at \$227,959]. Personnel is broken down by centers: Chavez Resource Center [\$55,583]; Crown Heights [\$63,031]; San Luis Rey Valley Resource Center [\$55,506]; and Libby Lake Center [\$53,840]. The operating costs [\$97,820] are for supplies and insurance, except the San Luis Rey Valley, which is a facility

that is rented for approximately \$44,000 per year. All of these programs are sustained by the General Fund [Total program cost = \$399,307].

A service reduction option to consider would be to reduce the Management Analyst time for Centers, which would have an annual savings of \$35,740. The impact would be that there would be reduced supervisory and management activities for each Center. There would be some money maintained to make sure that the centers are covered. Another possible reduction would be to reduce one of the part-time staff at a cost savings of approximately \$20,000. The impact would be reducing the hours of operation at the centers. We have 4 full-time and 2 part-time employees because often these centers are open in the evening hours when the resident association meetings take place, as well as for weekend activities for the residents where the whole community can be involved.

Code Enforcement -- improves the appearance and health of neighborhoods; provides continual enforcement of illegal encampment activities; and eliminates blight through enforcement of municipal codes and ordinances. For measurements, they process 5,400 complaints annually; serve as the enforcement arm for the Building, Planning, Water, Business License, Engineering and Fire Departments; respond to complaints within 24 to 48 hours, or if it is a life-threatening type of complaint, it is a same day response; handle approximately 50,000 citizen contacts annually since even though there are 5,400 complaints, some of those complaints can generate up to 12 different contacts through different agencies, etc.; achieve 90% compliance after the first contact; conduct weekly encampment enforcement details; and organize at least 2 neighborhood clean-ups each year.

There are 14 FTE personnel in this program. The budget is \$1,051,511, of which \$437,070 is funded from the General Fund; Vehicle Abatement and Citation Revenue brings in revenue of \$161,500; some CDBG-eligible code enforcement funding [\$103,009]; and a portion is funded through the solid waste program [\$349,932].

As a service reduction option, we suggested consideration of the elimination of 2 Code Enforcement officers [\$149,950]. With this reduction of 2 full-time officers, there would be a delayed response to citizen's complaints and a reverse trend of improving and maintaining the City's image. Another option would be an Office Specialist position that is being filled by a temporary employee, which would be an annual savings [\$35,160]. This would result in a reduction in customer service, and we would no longer be able to staff the counter for the south building, It would also mean that Code Enforcement would have to pick up their own clerical work, which would create more delays, etc.

We have already moved one Code Enforcement Officer to Public Services to support the recycling activities. If the Council did eliminate these two positions, there would be a reduction overall of 3 Code Enforcement Officers plus the Office Specialist.

COUNCILMEMBER FELLER asked if the transfer of the Code Enforcement Officer to recycling was shown in the budget.

MARGERY PIERCE answered that it was not shown as a reduction in the budget because there is no savings to the City by that transfer taking place, but the body has moved to Public Works and is already doing the job there.

COUNCILMEMBER FELLER questioned if the neighborhood clean-ups are citywide clean-ups that we do semi-annually.

MARGERY PIERCE responded that Code Enforcement tries to coordinate 2; we have had them at Crown Heights, Libby Lake, East Side, Myers Street, and Fireside; some are done through Public Works.

COUNCILMEMBER FELLER confirmed then that these are set clean-ups in set areas, not citywide. Is this affected by the types of clean-ups that Waste Management has done.

MARGERY PIERCE responded this is in addition to that, and the Code Enforcement Officers go out to help separate for the recycling and hazardous waste, etc.

CITY MANAGER JEPSEN wanted to clarify the response to Councilmember Feller regarding the transfer of the Code Enforcement Officer from Housing to Public Works. Council directed that be done within the existing budget, so not only was the person transferred, but the funds were also transferred. There are no net savings, and there are also no additional costs. The budgets for next year will reflect those changes.

COUNCILMEMBER CHAVEZ questioned the \$349,932 from Solid Waste that was under the Code Enforcement budget, etc.

CITY MANAGER JEPSEN stated that Code Enforcement used to be in two separate departments: Public Works was responsible for Code Enforcement in the public's rights of way, the streets, alleys and public property; and the private property was in the Building Department. They did not coordinate functions very well; whenever there was a property clean up, we had two city employees respond. In a move to be more efficient, the two services were consolidated so that now just one person responds. They do public and private property together. The public property portion has historically been charged to Solid Waste; the private property portion has been picked up by the City's General Fund. On any given response, it is difficult to differentiate between how much of the response is public or private; overall the ratio is 60% General Fund and 40% Solid Waste, which matches the old ratio of response and is consistent. They track the response calls, but it requires some judgment as to what percentage falls into those areas. Throughout the budget there are different services that are purchased from enterprise funds, and in particular Solid Waste, Water, and Sewer that transcend across departments.

COUNCILMEMBER CHAVEZ asked where Ms. Pierce was shown in the budget.

MS. PIERCE answered that she was spread across all of the programs.

COUNCILMEMBER CHAVEZ asked the status of the Inclusionary Housing Task Force that was given 90 days.

MARGERY PIERCE understood that there was to be a Task Force established at one of the Council meetings in May perhaps. Requests for Qualifications were sent to consultants, and the deadline was April 22. We are moving as quickly as we can.

DEPUTY MAYOR SANCHEZ believed that the Council had asked to have a Workshop on the Affordable Housing Task Force.

STEVE JEPSEN agreed and stated that the Council might want to discuss appointing a Task Force at that time.

Public Comment

JIMMY KNOTT, 124 Sherri Lane, noted the City Manager provided some clarification about where the money comes from for Code Enforcement, but also under it is integrated waste, with trash fees and street sweeping charges that the citizens pay, which all go into the General Fund. Those figures basically pay for Code Enforcement. We need to consider separating the integrated waste components out of the Housing area and putting them in a separate area. This would enable them to be more self-governed, and they would be able to respond more directly. This could be a co-generation project. As an example, there is methane coming out of one of the areas where we have an old trash dump. The Utilities Department talked about using this as a possible source of energy. Why can't we move integrated waste under Utilities. There is \$9,000,000 in lieu of fees that were not mentioned. There are only 2,000 buildable acres; we need to examine what available properties they are, where are they, and consider using that money soon to purchase that land.

The governing of the rent control ordinance will be shifting to the users; there will be a proposal that will be coming to Council soon, but there is no safety net built into this proposal. It would cause some extremely low-income individuals to lose a meal or defer medical care. This needs to be addressed. The MHFPC has had meetings cancelled when there were items that needed to be addressed because of a lack of appointments to the Commission. The commission has been given the power to make decisions with no appeal rights to Council; that is not right.

South Oceanside does not have a resource center; that needs to be corrected. With the new east/west rail line coming in, it may be a good opportunity to work with NCTD to develop something for my community.

CITY MANAGER JEPSEN desired Council input on a Code Enforcement issue. There is a long-standing request from the Integrated Waste Commission that we be more aggressive on issuing citations. During the presentation Council heard that we have achieved a 90% compliance rate after first contact. Part of this has to do with the potential to have this program pay its own way in terms of issuing citations, but it has been the Council's practice to try to get compliance through encouragement and contacting folks in a friendlier manner. He asked if there was any desire to take the citation issue further.

COUNCILMEMBER FELLER responded that he had no desire whatsoever.

COUNCILMEMBER WOOD would like staff to address the issue from integrated waste and code enforcement. They have the input on a daily basis from the general public. A lot of these are administrative citations; they go nowhere; there is no response back. He felt that staff should handle this and get back to the Council at a later date in time. Yes, he would like it looked into.

DEPUTY MAYOR SANCHEZ agrees with Councilmember Wood; she would like to see a little more aggression than what is now being done.

COUNCILMEMBER FELLER questioned if 90% was a bad number on the first contact.

MS. PIERCE responded that we believe obtaining 90% compliance on a first contact is good. It involves a simple letter saying that there has been an alleged violation; this is the rule; they comply; and it is taken care of. When we get to a citation level, this is usually someone who does not want to cooperate. 90% on a letter going out is efficient compared to having someone go out to issue citations. We do not have an aggressive approach towards violations such as going door to door looking for violations; we have our hands full just based on the number of complaints that come in that we respond to on an annual basis. It would be difficult to keep up with the 5,400 complaints and go out and try to look for more violations. If the Council's direction was to proactively go out and inspect each property and take an aggressive approach that it would. Now, we are just responding mostly to complaints and then if we see violations while we are in the field we do follow up.

CITY MANAGER JEPSEN wished to further explain on what he was seeking direction. When he used the word aggressive, he did not mean to go out and do more code enforcement; it is a simple matter of does the Council want staff to go out and issue citations, or do you want staff to continue with the current practice. We do not issue citations.

MS. PIERCE clarified that instead of sending out 5,000 alleged violation letters with 90% compliance, should staff skip that whole process and send out a citation stating that there is a violation. At this time when we get a complaint, we do not necessarily go out and look to see if the violation is actually occurring; we just send a letter saying that "if you are in violation, you need to take care of it".

COUNCILMEMBER CHAVEZ thinks we are being asked to look at this and find ways to be more efficient and effective. It is always good to look and have the professionals tell us how best we can help them do their jobs for the betterment of the

City. He is open to listen to that.

COUNCILMEMBER FELLER did not think that was what the City Manager was looking for. He wants to know if we want to fine someone on the first infraction, and he did not think that the Council does.

CITY MANAGER JEPSEN explained that the Integrated Waste Commission has raised the issue of the potential for the City to issue citations instead of letters asking people to correct a code violation. If a citation is issued, there is a process that goes along with it that may result in a fine being levied against the property owner. He is asking Council for direction on that.

DEPUTY MAYOR SANCHEZ remarked that we could issue a citation and, if they respond within a certain time with a correction, then there would be no fine issued. She gets an inordinate number of complaints from the Eastside that the code violations do not get fixed. It is mostly because of the attitude that they know that they will not get fined and they will not get in trouble; nothing will happen. She is suggesting something in the middle. She drives around and she sees the same violations that people complain about; they are there day after day, etc. She would like to see a more aggressive Code Enforcement, perhaps call it a "fix it ticket"; if it is ignored, then they will get a fine.

COUNCILMEMBER WOOD sits as the liaison for the Integrated Waste Commission, and they had some concerns that he has passed along to the City Manager. Let staff get together to try to address these issues. Apparently there are some concerns regarding the integrated waste issues. Council needs to pass on our recommendations to management to pass on to staff to try to address these issues.

DAVID MANLEY, Code Enforcement Manager, reported that a typical code enforcement procedure is to give a notice to tell the property owner that there is a violation on their property, give them an ample amount of time to voluntarily comply, and if they do not, then take the action, which is a citation. That is how we have been operating. We have become more aggressive over the past 5 years, and the City has improved. When he started with Code Enforcement, they were processing about 1,500 complaints a year, and had approximately the same amount of officers; now we are up to 5,400 because the word has gotten out that we are responsive. We are doing it with the same amount of staff, so we have become more efficient in processing complaints and have adopted different citation programs to address that. We did not have an administrative citation program prior to 3 years ago, and it has been a very effective tool. With any program, you can always improve efficiencies, and we are working toward that. Oceanside is at the forefront as far as Code Enforcement among other communities within the County. If there is a misconception that Code Enforcement is not out there, he suggested that perhaps they could double up in certain areas that need more enforcement by shifting resources to address this. The process that we have is to notify people first and then issue a citation. We will strive to become more efficient.

MAYOR JOHNSON expressed his gratitude for what has been done to help clean up the City. When he is driving around and he sees something that needs to be addressed, he will call the City to pass it on, and it is usually taken care within reason.

COUNCILMEMBER CHAVEZ asked Mr. Manley if they wanted the rules changed.

MR. MANLEY answered – no.

COUNCILMEMBER FELLER stated that he disagrees with the Integrated Waste Commission's concept that this would be a revenue stream. He is not in favor of changing the system.

2. **Public Communication on City Council Matters (Off Agenda Items)** -- None

April 23, 2003, 2:00 P.M.

Council Workshop Minutes

ADJOURNMENT

MAYOR JOHNSON adjourned this meeting of the Oceanside City Council at 2:58 p.m. April 23, 2003 to a Workshop on Wednesday, April 30, 2003 at 10:00 a.m.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne
City Clerk, City of Oceanside

November 7, 2007

Joint Meeting Minutes
Council, HDB and CDC

CITY ATTORNEY MULLEN titled the following agenda items to be heard in closed session: Items 2, 3(1) and 3(2) [Item 1 was not heard].

Closed session and recess were held from 4:01 PM to 5:00 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 Manager Weiss, and City Attorney Mullen.

Pastor Gene Cooper, San Luis Rey Baptist Church, gave the Invocation. Nichols Elementary School students led the Pledge of Allegiance.

PROCLAMATIONS AND PRESENTATIONS

Presentation – “Pet of the Month” presented by Julie Bank, Executive Director of the North County Humane Society & SPCA

Proclamation – White Cane Days – November 9-11, 2007—presented to members of the Sea Lions Club

Off-agenda: Presentation by North Coastal Prevention Youth Coalition on their underage drinking forum on November 13

Presentations were made.

CLOSED SESSION REPORT

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

CITY ATTORNEY MULLEN reported out on the 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 (WCE), and Unrepresented]

No closed session was held on this item.

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: Marina Towers, 1200 N. Harbor Drive (APN 760-080-23); Negotiating Parties: City of Oceanside/ Oceanside Small Craft Harbor District and Oceanside Marina Towers Association; Negotiator for the City/District: Douglas Eddow, Real Property Manager; Under Negotiations: Price and terms for the sale of the property

Discussion was held; there was no reportable action under the Brown Act.

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

November 7, 2007

Joint Meeting Minutes
Council, HDB and CDC

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

1. Alvis et al. v. City of Oceanside, United States District Court Case No. 06cv0911

Discussion was held; there was no reportable action.

2. Riverwatch et al. v. County of San Diego et al., Superior Court Case No. GIN038227

Discussion was held; there was no reportable action.

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**

ELLEN BAUR, 4037 Arcadia Way, representing concerned citizens living in Ocean Hills Country Club, stated they have 1,633 homes and some 2,500 citizens. This community was developed in the mid-1980s. At that time the developer, in order to build immediately adjacent to the Calaveras preserve and canyon, had to agree to keep natural habitat pockets within the confines of the development, but protected by the California Department of Fish and Game. There is a great deal of excess brush, which does not meet fire codes. Staff's assessment of their situation is that the fire code is not met but that nothing can be done about it since the Department of Fish and Game holds sway over those areas. There is a real danger of our community going up in flames. We are trying to find some manner in which we can have some of the excess brush cleared out. We must be able to properly prepare ourselves for a disaster through sensible preventative measures. The Calaveras area is of deep concern. A portion of it is also under the protection of the California Department of Fish and Game. We hope the Council will help us alleviate the situation.

POLICEWATCH.ORG [no name given] expressed his concerns with the police. The fires were horrible, and many good things were done by firefighters, police and volunteers. He wants the police to be accountable. He reviewed stories of police problems and violations of people's civil rights.

CONSENT CALENDAR ITEMS [Items 6 – 16]

All items listed on the Consent Calendar are considered to be routine matters or formal documents covering previous 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 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:

6. Council/Harbor/CDC: Acceptance of Joint Minutes of the Small Craft Harbor District Board of Directors, Community Development Commission and City Council of the May 31, 2002, 10:00 a.m. Adjourned Meeting; and September 26, 2007, 4:00 p.m. Adjourned Meeting
7. 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)

November 7, 2007

Joint Meeting Minutes
Council, HDB and CDC

8. Council: Approval of a purchase order in an amount not to exceed \$165,000 to Musco Lighting of Oskaloosa, Iowa, for sports-field lighting systems and related equipment for John Landes and Melba Bishop Parks, and authorization for the Financial Services Director, or designee, to execute the purchase order
9. Council: Approval of Change Order 3 in the amount of \$235,155 to EDGE Development, Inc., for additional imported soil, additional subgrade preparation, vehicle exhaust system, and revised sewer location for the Fire Station 7 project located on the north side of Mission Avenue east of Foussat Road; and authorization for the City Engineer to execute the change order [**Document No. 07-D0667-1**]
10. Council: Approval of Amendment 1 in the amount of \$14,387 to the professional services agreement with Taylor Group, Inc., for geotechnical observation, materials testing, and special inspection services for the Fire Station 7 project, for additional import evaluation, laboratory testing for bolts and masonry, special inspection (re-inspection), and earthwork calculation for construction claims; and authorization for the City Manager to execute the amendment [**Document No. 07-D0668-1**]
11. CDC: Approval to accept \$600,000 in grant funds from the State of California Department of Housing and Community Development awarded to the City of Oceanside for the continued implementation of a first-time homebuyer program under the CalHome Program, and approval to budget these funds to the Neighborhood Services Department
12. Council: Adoption of **Resolution No. 07-R0669-1**, "...designating personnel authorized to process financial documents for Federal Disaster DR-1731 (October 2007 San Diego County fires)"
13. Council: Adoption of **Resolution No. 07-R0670-1**, "...approving an agreement with Department of Boating and Waterways for an \$80,000 grant for purchasing two replacement engines for the primary Harbor Police rescue boat", accepting \$80,000 in grant funds from the State and authorizing the Director of Harbor and Beaches to execute the grant agreement [**Document No. 07-D0671-1**]; and approval to budget these funds to the Harbor and Beaches Department
14. Council: Adoption of City Council Policy 100-60, Expense and Reimbursement Policy; and deletion of City Council Policies 100-14 regarding travel, 100-15 regarding approval of travel and other expenses, and 100-49 regarding reimbursement of City Councilmembers' tickets for community events, all of which are superseded by the new Policy 100-60; and direction to staff
15. Council: Adoption of the amended Economic Development Commission by-laws to add a representative of MiraCosta College
16. Council: Authorization to terminate a contract in the amount of \$263,753 with Valley Coast Construction, Inc., of San Diego for the Skylark Slope Stabilization and Repair project located south of Skylark Drive and east of Downs Street [**Document No. 07-D0672-1** - Cost reimbursement agreement]

COUNCILMEMBER SANCHEZ moved approval of the Consent Calendar [Items 6-16]; **COUNCILMEMBER KERN** 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.

18. **Council: Approval of the Planning Commission FY 2007-08 Workplan**

DENNIS MARTINEK, Planning Commission Chair, reviewed that last year they had not completed the code of ethics, but it is now completed. For this coming year, the Commission will continue working on the mixed-use planning ordinance, which they started last year. It is a critical issue in the sense that much of the City's commercial land is in the process of moving to other uses, and they want to review that. The current mixed-use ordinance is so loose that an applicant for development can request housing; that should not be allowed if thinking long term since there would be some real long-term negative impacts on the City. We want to make some recommendations to the Council on how that mixed-use ordinance can be adjusted to preserve our commercial property, since that provides revenue for the City; the residential is usually a negative.

Two other items included are review of potential problems: guest parking regulations and signage. With the new technology, we may be able to be more flexible to accommodate the business interest in the community regarding signage.

Regarding the community education projects, they want to invite guest speakers for the Commissioners edification, as well as to get the information out to the community.

COUNCILMEMBER FELLER stated that we need to look at transit-oriented development. He hoped the Commission would invite experts and have contributions from the community and developers. Under the mixed-use ordinance, they should have the community and the people who are actually doing the work participate in this process.

MR. MARTINEK agreed that they want to hear from experts, the development community, and the neighborhoods regarding what they want in these mixed-use projects. Mixed-use projects have certain characteristics that definitely improve areas; sometimes it requires a higher intensity of development, but they are supposed to get a much better project that is walkable, has community open space and reduces trips.

COUNCILMEMBER FELLER moved approval [of the workplan], and **COUNCILMEMBER SANCHEZ** seconded the motion.

COUNCILMEMBER SANCHEZ talked about the Planning Commission's comments about economic development and ensuring that commercial land is commercially zoned, for example. She hoped that the economic sustainability study will also be looked at and incorporated in the Planning Commission's continued work.

COUNCILMEMBER KERN also encouraged reaching out to the stakeholders, those who will have to implement these plans. He asked who is driving the signage consideration, whether it came from the community or the Planning Commission.

MR. MARTINEK responded that Planning Commissioner Balma thought that signs could be more creative, but that there are some limitations that prevent creativity, especially in beach cities. It will be a matter of reviewing what we have, what other cities have, and what the stakeholders would like, and whether it is compatible. It is primarily a review.

COUNCILMEMBER KERN felt they should be in contact with the business community for their thoughts. It is hard to say what is available in technology. He appreciates the Commission taking a forward view. We really do need to nail down a definition for mixed-use to really have a true mixed-use, walkable community, especially in the urban core.

Motion was **approved 5-0**.

MAYOR AND/OR COUNCILMEMBER ITEMS

19. **Request by Deputy Mayor Chavez for discussion regarding viable immediate fire protection measures to lessen fire risk of San Luis Rey riverbed, and possible direction to staff**

DEPUTY MAYOR CHAVEZ reviewed that we had terrible fires in San Diego County. He noted that early on, the Oceanside Unified School District was already working on a plan to set up an evacuation center at El Camino High School and at MiraCosta Community College. New Song Church also set up their own evacuation site. He then showed a television news clip that had talked about the fire moving close to the San Luis Rey (SLR) River bed and the fact that Councilmembers were concerned that the heavy vegetation in the riverbed could bring the flames into the City. Therefore, he wanted some way to clear the vegetation as the citizens have asked us to, while being gentle to the environment. There needs to be a balance.

Normally we think of the SLR River as a flood threat. A lot of people living on the river have to pay flood insurance, and they want to know when they can stop paying that flood insurance. However, earlier in the year we had a problem with an arsonist along the SLR River that threatened Francine Villas and areas on the western side of the river.

He met with Fire Department personnel. There are 3 ways to look at a fire: weather - In this case we had dangerously low humidity and Santa Ana winds; terrain; and fuel, which is the heavy underbrush. We cannot do anything about the weather or the terrain, but we can do something about the fuel. There is a thing called hazard management, which has 4 phases: 1) prevention – lessening the risk for fire by taking out the fuel; 2) preparedness – pre-planning for possible events, allocating equipment, etc.; 3) response – this is the tactical phase, matching resources, mutual aid, etc.; and 4) recovery – the equipment used in response needs to be fixed while still maintaining the safety of the City.

He requested the Fire Chief to review the sequence of events that led to the precautionary evacuation warning at Morro Hills and his thoughts.

COUNCILMEMBER SANCHEZ requested a point of clarification. She understood that the Deputy Mayor's item was about the SLR River bed and possible direction to staff. She wondered if the discussion was getting to the next item, which was a request to have the Fire Chief discuss the state of the City in terms of fire preparedness.

DEPUTY MAYOR CHAVEZ stated it was not, since this discussion will lead into the question of what the next step is for cleaning the river. It is important for the public to understand the threat to the river, with the Fire Chief answering 3 questions.

COUNCILMEMBER SANCHEZ clarified that her point of clarification was to the Mayor, since there is another item, and she would not want the Fire Chief to say the same thing twice.

MAYOR WOOD encouraged that the items be brief, and that this item address the issue of the river bed.

TERRY GARRISON, Fire Chief, stated they were concerned about the Morro Hills areas. About a week prior to the fire event, we were receiving bad weather reports through the San Diego County area. We had numerous telephone conversations with other zone fire chiefs. They were starting to prepare for the fire. We started a recon early on that Monday morning to tour the fires in the Harris, Rancho Santa Fe and Escondido areas and the Witch Fire. At Rancho Santa Fe, he got a firsthand look at how dangerous and how fast these fires move based on the wind, topography and fuel. We also went to the Rice Fire and saw it jump I-15 twice. That was the closest fire in

November 7, 2007

Joint Meeting Minutes
Council, HDB and CDC

proximity to Oceanside. We toured the Rice Fire to learn how to better protect our citizens. With that fire, there was a lot of fuel; the terrain was risky; and the winds were pushing the fire in the direction of Oceanside. We met with the command team to discuss options. They received a telephone call stating that the fire was headed from Fallbrook, through Bonsall, headed toward Morro Hills, and then in Oceanside. We anticipated the fire would reach Oceanside by Tuesday morning. We were skeptical about the report, since we had driven through that area and what we saw did not indicate that. However, we decided to evacuate that area. When we talk about evacuation, we talk about the largest groups and the most threatened areas. We evacuate those people first because it takes time. So we initiated a voluntary evacuation since we were skeptical and were not sure it would cross over Morro Hills. We dispatched fire personnel to the Rice Fire incident command posts to receive direct reports and assigned some fire companies to the area to determine where we were going to make a stop. However, in the meantime, we wanted to take care of the citizens in Morro Hills, based on a pessimistic approach.

DEPUTY MAYOR CHAVEZ asked what the Fire Chief would want the City to do about the fuel in the riverbed.

FIRE CHIEF GARRISON responded that we would like to eliminate as much fuel as possible while still maintaining the necessary standards. If you eliminate or at least reduce the fuel load, you reduce the hazard and make it much safer for the citizens.

DEPUTY MAYOR CHAVEZ stated that, based on the weather, terrain and fuel, the SLR River is an issue. He asked the status of the clearing of the SLR River by the Army Corps of Engineers.

PETER WEISS, City Manager, reported that the Army Corps has received all of the federal permits necessary to initiate the clearing. The permits that are outstanding is the one from the California Department of Fish and Game, with the final step to be the Coastal Commission permit.

DEPUTY MAYOR CHAVEZ asked how many acres are being asked for mitigation by these agencies.

CITY MANAGER WEISS stated that City staff and a representative from Fish and Game have tried to address that mitigation issue. It has been the position of the City and the Army Corps that the habitat impacts that were part of the original construction have been mitigated. There were over 200 acres mitigated for with the construction project. Given the fact that the Army Corps was not able to initiate the maintenance plan that was adopted by the City and the Army Corps back when Congress authorized the project, the habitat in the river is now being looked at as established habitat, and there is discussion about providing additional mitigation for the loss of that habitat when the clearing occurs.

DEPUTY MAYOR CHAVEZ asked how much more it would cost us to take care of the SLR River, considering that we already paid for it once before.

CITY MANAGER WEISS believed that the project as defined by the Army Corps would remove roughly 230 acres of habitat. The Coastal Commission staff report was 230 acres. One of the options that Fish and Game had looked at is additional mitigation up to a 3:1 ratio. He could not anticipate the cost, because it would depend on whether we would have to acquire property. The current Army Corps proposal that federal Fish and Wildlife has approved includes an additional \$2,000,000-\$5,000,000 that would be used to provide for additional mitigation at the direction of Fish and Wildlife. We have indicated that we would coordinate the use of those funds with Fish and Game as well to provide the enhanced mitigation.

DEPUTY MAYOR CHAVEZ indicated that the flood control plan works very well

as fire breaks. We are waiting for Fish and Game.

CITY MANAGER WEISS believed they were looking at another meeting at the end of this month to try to resolve the issues. Hopefully, if those issues are resolved, they are looking at a 60-day period for the permit to be issued. The feedback from Fish and Game and the Army Corps is that they are willing to continue working with us to try to resolve those issues. If we cannot resolve them, the Army Corps' plan to start the clearing operations in February would be delayed. Further responding to Deputy Mayor Chavez, he stated the work generally has to stop from about March 15 through September. If the work was delayed, they would have to wait until September. The Army Corps' plan is a multi-year plan. The limitation for getting the clearing is a funding limitation. The Army Corps has about \$1,000,000 that they can apply to the clearing. They would structure the contract in such a way as to get as much done as possible, with incentives to use multiple crews to get as much cleared as possible if the plan were approved. If the permits are approved as submitted by the Army Corps, a 100-foot width could be cleared within the February time frame. The rest would take several years to complete.

DEPUTY MAYOR CHAVEZ stated this will take about 6 years to complete. One of his objectives was to educate the public on what is going on in the river and how long this is taking. From the Murry Bridge to the west is the responsibility of the Army Corps; the responsibility from Murry Bridge to the eastern borders of the City is the Mission Resource Conservation District. He introduced Ms. Mitchell.

JUDY MITCHELL, District Manager of Mission Resource Conservation District in Fallbrook, reviewed that the District was founded in 1944 by private property owners. We serve Bonsall, Rainbow, Fallbrook and Oceanside down to College Boulevard. The Board of Directors, who are appointed by the Board of Supervisors, recognized that an unmet need in our area were the clogged creeks and streams. In 1944, we began working on the Santa Margarita River and have cleared about 600 acres. We started at the top at Lake Henshaw. This ensures that the work being done at the bottom of the watershed will not be reinfected by the upper portion of the river. The Resource Conservation District is unique in that we are carrying a blanket permit and are working with private property owners. In the tributaries, much of the problem is on private property. We provide the funding and permits to remove the problem, working our way down the watershed. We started with arundo donax; we give it full foliar spraying and then come back and mulch it in place. We have done some replanting in the area. We plant natives and things appropriate to the area. We have been working our way down the river. We are in communication with Oceanside and the Army Corps. In the next few years, we will see far less of a fire danger, particularly with arundo, which burns very hot. We plan to continue re-spraying and controlling all of the arundo already treated. We have had a good effect on the Santa Margarita River, with very little arundo now. We are mapping the entire watershed so we can keep track of where the arundo is, as well as other invasive plants.

DEPUTY MAYOR CHAVEZ pointed out that the issue for the City now is Fish and Game. Hopefully, we will get the permits. He next introduced Ms. Lucas.

LIBBY LUCAS, California Fish and Game, was directed to answer specific questions regarding the time line. Responding to questions from Deputy Mayor Chavez, she felt February 1 was a doable date based on the time frame we have described to the Army Corps and the City. The 90-day period within which we are required by law to issue the permit is December 31. There is a provision within our regulations that allows us to establish a need for a 60-day extension. At this point, we do not foresee that need; however, it will depend on how our discussions go. We are hoping that we will be prepared to issue the permit by December 31.

DEPUTY MAYOR CHAVEZ wanted Council to hold the time lines and keep the pressure going to get this done. The threat to the City is the fuel in the river that could burn people's homes and put the firefighters at risk.

MAYOR WOOD stated the City has been battling this multiple years for the flood control channel. They questioned how the flood control channel became a habitat. We have tried for many years to clear this out. He asked for a summary of this.

CITY MANAGER WEISS stated that there is a plan in place to provide flood protection, which the Fire Chief indicated also provides adequate fire protection. That plan has not yet been formally approved through all of the permitting processes. If the City willfully went in and implemented the clearing at this time, there are potential consequences that also have legal ramifications.

MAYOR WOOD added that the City has worked with the County, State and Federal governments for many years on this flood control channel. It became a habitat, and there are laws that protect this habitat and endangered species. If we plow this area or create firebreaks, we would be in violation of federal law. It is delicate and we have to go by the guidelines and get the permits from all of the agencies. We were told that we cannot remove the vegetation and that we would be in violation of the law. However, they were also told that the City still has the right to act in the best interest of the citizens under an emergency status, such as eminent fire or flood and we would.

CITY ATTORNEY MULLEN stated that as a general rule, the City is required to obtain permits under the Clean Water Act for dredging or discharges into waters of the United States. Because there are protected species within that waterway, it brings into play the Federal and State Endangered Species Act. Under the Clean Water Act, we could obtain a permit from the Army Corps of Engineers. The Army Corps then has to consult with the Fish and Wildlife Service; they have to obtain a biological opinion; and if approved by Fish and Wildlife, authority is granted to take the species provided that appropriate mitigation is authorized. Separate and apart from that process, we need authorization under the California Endangered Species Act for a take permit under state law. In the event of an eminent threat to persons or property, there are provisions under the Clean Water Act that would allow the City to act. A specific permit would authorize the City to take appropriate action in that event. If that occurred, the Army Corps has an emergency consultation process with the Fish and Wildlife Service. There are civil and other penalties for acting in the absence of those approvals.

MS. LUCAS underscored that in an emergency situation all of the regulatory agencies would deal with repercussions retroactively since we do not have the authority to tell the City not to act in an emergency. We received an application under the Endangered Species Act for the proposed flood control project in February 2007. That is our trigger to formally respond to the City and start working on the permit process. We did determine that the form of the application was inappropriate. Since then, 2 subsequent applications have to be submitted.

Public input

DIANE NYGAARD, 5020 Nighthawk Way, stated that the fires have been devastating, and we all appreciate the need to be proactive in response. However, San Diego County has lost 95% of its historic wetlands, so it is important to put this into context. Excess clearing of vegetation along the rivers is one of the worst things we can do. It would waste taxpayer money; it has a very high cost; and it has very little real benefit. Nobody can recall any case when a fire outside of Oceanside threatened Oceanside by coming down the river. The fire experts will say that the primary fuel load in wildland fires has been houses. Excess clearing could also create more problems than it solves. It increases the velocity of the river, which adds flood risk in other areas; it increases pollution along the beaches; the SLR River is a river, and we need to protect the river and its function, rather than have a dead riprap channel; and it would be a violation of state, federal and regional laws that are all designed to protect the wetland functions. The Army Corps and the City have been working on a plan for some limited clearing. It is a compromise position that can work. She urged that we not overreact and do something rashly and damage this special resource in Oceanside.

November 7, 2007

Joint Meeting Minutes
Council, HDB and CDC

BRANDON EBELING, 917 Hillfield Court, stated his background is a degree in Forest Management from Humboldt State University College of Forestry. He has worked both as a firefighter and a forest intern for the California Department of Forestry (CDF), has managed commercial timber property, and is president of a homeowners association and chair of its landscape committee. He is working with the City on planning/implementation of a multi-year habitat rehabilitation project on several acres of their community along the SLR River. They met with the Director of the California Chaparral Institute, an expert in ecology in California's scrubland, ecosystems, wildfire, etc. and his message was that we cannot fireproof landscape, but we can fireproof our homes and communities. The SLR River bed will burn if ignited, as recognized by the recent arson fire.

His other concern is that the river will experience ongoing floods. At some time in the future, rain will dump enough water to breach the flood control channel and wipe out one or more of the bridges. The lessons are that, before proceeding, be careful who you select as experts for advice; be proactive in planning fuel reduction projects; identify feasible strategies; use objective criteria to evaluate and measure the resources, risks, benefits, successes and ongoing needs; and use formal decision modeling tools. There is an eminent danger with the habitat that is there.

JOAN BOCKMAN, 1017 Alberta Avenue, President of the Buena Vista Native Plant Society from the Audubon Center, felt the firefighters had a terrible time with the fire, but there are better solutions. We are treating our river as a flood control problem and a fire problem. As long as we see our river as a problem and not a resource, it will continue to be a problem. That has happened on Oceanside Boulevard where we treat Loma Alta Creek as a problem; we treat it as a ditch, and it is ugly. A lot of our town doesn't look good because we have treated resources as problems. We need to focus on embracing our river and creeks and doing the right thing. Regarding the fires, we cannot mow down San Diego County. The problem is with the homes, where they are and with what they are constructed. The arundo donax was not affected by fire; it will be back faster than the native plants. We should focus on the invasive plants, do the right thing for the river and have a resource for the community.

COUNCILMEMBER SANCHEZ stated we have had a devastating event in the region. The fires in the SLR River are not new because of the arson in the last year. We have had previous experiences. The idea of mowing down the arundo would make it grow right back. She urged Fish and Game to keep us on this schedule; we need this for our community. If anything comes up, she asked that they contact the City immediately. This work would ensure that we gain some control. She asked if the plan by the Army Corps is workable in terms of fire prevention in the river.

FIRE CHIEF GARRISON replied affirmatively. It would eliminate a lot of the fuel. When we reduce the fuel, we reduce the hazard. We would be happy with this plan.

COUNCILMEMBER SANCHEZ stressed that the goal is to implement this as quickly as possible, getting the permits hopefully by December 31. She urged Fish and Game not to hold us up.

In terms of the community along the river, she wanted them to understand that the City Manager has set up a plan for addressing the specific issues for those neighborhoods.

CITY MANAGER WEISS reported that a neighborhood meeting is set up with the President's Neighborhood on November 27, since they had raised specific issues regarding the river. City representatives have also met with the Capistrano/Francine Villas Neighborhood. We would be happy to meet with any other neighborhood group that has an interest.

November 7, 2007

Joint Meeting Minutes
Council, HDB and CDC

COUNCILMEMBER KERN reviewed that the City has been working on this for a while. He and Deputy Mayor Chavez are meeting with Senator Wylan on Monday. He has also been in contact with the Governor's office. Things are finally moving; the fire has riveted our attention to this. The Fish and Game representative had indicated December 31 for the permit, and Councilmember Kern asked if there was any reason not to expedite the permit.

MS. LUCAS replied that one reason is that this is a very complex project. We just started reading documentation on it earlier this year. Given our other workload, it is hard to make everything a top priority. This project is definitely a top priority. Fish and Game is allowed by law a 90-day time frame, once we deem an application complete, for issuance of a permit. We are working on this project daily, with 7 people working on different aspects of it.

COUNCILMEMBER KERN was confused since the City started in February 2007, which is way past the 90-day period. He asked for an explanation of why we are 9 months into a 90-day process.

MS. LUCAS reviewed that on February 16 the City submitted a request for a consistency determination with the U.S. Fish and Wildlife Services' biological opinion. That is a way to expedite the State's process under our California Endangered Species Act (CESA) permit. If we could have made the determination that the biological opinion in that document is consistent with CESA, we could have gone that route. However, the biological opinion includes the fact that, for our purposes for full mitigation, the mitigation requirements in the biological opinion are not adequate. Therefore, we could not have made a consistency determination. We recommended that the City withdraw the permit, which occurred on March 15. The next step was for the City to provide Fish and Game with a full application, which occurred on June 27. We have by law 30 days to determine whether an application is complete. Approximately 30 days later, we determined that the application was incomplete. During these periods, we were communicating with the City and the Army Corps of Engineers, explaining some of the problems. Our letter of July 26 identified the reasons why the application was incomplete. On September 26, we received the revised application and deemed it complete within a week. Therefore, the October 22 date was the start of the 90-day period. We are working on it as hard as we can; there are some very complex issues, including mitigation requirements. Those are issues that need to be resolved before we can submit the permit to our headquarters for review and sign off on it.

COUNCILMEMBER KERN expressed concern with the 60-day extension, asking what triggers it and who determines to use it.

MS. LUCAS stated that if the department determines that a project is so complex that it is difficult to generate the CESA permit within the 90-day time frame, they can determine that they need additional time. We are not thinking along those lines, but we will if we have to do that.

COUNCILMEMBER KERN noted that we may miss the window for the clearing.

MS. LUCAS replied that they were not intending to have that happen.

COUNCILMEMBER FELLER stated that 12 years ago the SLR River was a sandy bottom. In the spirit of mitigation, we had to replant it. Therefore, he felt the City has already taken care of any mitigation necessary in the future. He felt the agencies need to decide that human life and property is more valuable than the toad, bird and plants. Camp Pendleton sits immediately north of us. The fire inside the back gate was closer to Oceanside than any others. This project seems to be all excuses; he is not satisfied, but it is the law.

DEPUTY MAYOR CHAVEZ emphasized that no one on Council is saying to

break the law. However, we need to find a balance. While we have the ability to clean out the river if there is eminent danger. If there is raging water, etc., it is too late because it is now unsafe. The one message is that we have to reduce the fuel for fire. We can be respectful of the environment and the law, but he is concerned. Something needs to be done. This is an important issue.

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.

17. **Council/CDC: Introduction of an ordinance amending the "D" Downtown District Zoning Regulation (ZA-201-07) and adoption of a resolution approving Local Coastal Plan Amendment (LCPA-201-07) amending Article 12 Downtown "D" District regulation to allow for telecommunications facilities within the Coastal Zone – Applicant: City of Oceanside**

- A) Chairperson opens public hearing – Public hearing was opened.
- B) Chairperson requests disclosure of Councilmember and constituent contacts and correspondence – Disclosures were reported.
- C) Secretary presents correspondence and/or petitions – Emails were received by 3 persons, as sent to Council.
- D) Testimony:

KATHY BAKER, Redevelopment Manager, stated the item under discussion is an amendment to Article 12 of the Downtown "D" District to allow telecommunication facilities within the Coastal Zone. Staff is recommending introduction of an ordinance amending the Zoning Ordinance and adopt the resolution approving the Local Coastal Program amendment.

By way of background, she reviewed that in February 1996, the Federal Communications Commission (FCC) approved the Telecommunications Act, which defined local governments' authority over communication facilities. Special rules were established, limiting transmission facilities to comply with specific radio frequencies (RF) exposure guidelines. The RF limits were designated to protect public health with a large margin of safety. The limits have been endorsed by the federal health and safety agencies, including the Environmental Protection Agency and the Food and Drug Administration. The FCC rules have been upheld by federal courts of appeals.

As a result of the Telecommunication Act, Council adopted amendments to the City's Zoning Ordinance and language regarding the communication facilities. This established that local authorities cannot discriminate among providers and cannot reject all wireless communication services. Section 3025, passed in 1999, defines the purposes of these facilities, the definitions and the siting criteria. In January 2007, the CDC did approve a conditional use permit, variance and regular coastal permit for the installation of a telecommunication facility in an existing building at North Pacific Street. This project would normally have been permissible through the conditional permit section under Section 3025. However, it is situated within the coastal zone and coastal appeal area. It was subsequently appealed to the Coastal Commission. The Coastal Commission staff reviewed the appeal and thought the City's Zoning Ordinance was not clear about where the communication facilities were identified in the ordinance. They requested that staff amend that part of the Zoning Ordinance to make clear what kind of facilities could be permitted. We already have several of these types of facilities outside the coastal appealable area. She noted that recently we had a major emergency on the beach at The Strand. Due to the lack of facilities in this area, our public safety people were unable to use their cell phones. So this is an important issue to the City.

Staff is proposing an amendment to Article 12, the Downtown "D" District in Section 3025, with the definition of "utilities minor" to have the same meaning as

communication facilities. Again, this is being done with the intent of clarifying it for the Coastal Commission. On July 11 the Redevelopment Advisory Committee approved this by a 5-1 vote.

Public input

SHARON LUCARELLI, 910 North Pacific Street, asked if the antennae, poles, etc. are located on rooftops in the residential communities, what does the exposure to the RF, electromagnetic fields do to humans, especially babies, pregnant women, sick and elderly. They do not know at this point what the long-term effects are. She read information that stated exposure to RF energy has been identified by the FCC as a potential environmental factor that must be considered before a facility, operation or transmitter can be authorized or licensed. The FCC sets the maximum exposure to which most people may be subjected. A substantial margin of safety has been established to be well below levels generally accepted as having the potential to cause adverse health effects. This is short-term and not long-term. The frequency of the RF signal being transmitted is unknown. The operating power of the transmitting station and the actual power radiated from the antennae is unknown. How long someone will be exposed to the RF signal at a given distance from the antennae is unknown. The maximum permissible exposure (mpe) limits set by the FCC vary by frequency.

She stated that the antennae should be on one of the tallest buildings in the coastal zone, not on residential properties. Any unsightly antennae, poles or other apparatus will be on our coast line.

JOAN BROWN, 511 Rockledge, opposed cell boxes or towers in the area because she believes there is no control on them. If anyone wants one on their property to make some supplemental income, they can do so at the expense of their neighbors. In June, there were 8 approved cell towers. There are big boxes that will have graffiti on them. There were 34 cell towers pending. Three were very big at 53, 80 and 65 feet. Sometimes there are 3 or more on one street. She questioned why so many were needed.

MONA MERCHANTS, 959 Vine Street, was originally from Hawaii and has good reception when on the beach and talking to friends back there, which is 3,000 miles away. Therefore, she questioned what this was about and the urgency of it.

KEVIN KEANE, 910 North Pacific Street, supported the proposal. His cell phone coverage is poor, and other carriers are worse. From the garage, there would be no way to call 911 if there were a problem. He has a Masters Degree in electrical engineering. Cell phone towers work in cells, and the cells power small circuits around an antennae that your cell phone talks to. Depending on how many buildings there are, the cells can cover as small as a fraction of a mile. If there is open land, it can be several miles. In dense residential areas, you need many cell phone towers. We do not have enough, so he is in favor of this proposal.

JOAN BOCKMAN, 1017 Alberta, spent many years on the Planning Commission reviewing cell phone tower installations, and they finally came up with the administrative approval process. The City is covered with cell phone towers, and people don't even know where they are. However, there have been a couple of notable examples where full review was needed. One is on Grandview Street, which is the ugliest light pole ever sitting in front of people's homes. It is not a good example of the cell phone tower and should never have been approved. She would like to have some teeth in the ordinance that makes something like that unacceptable. There is another place on Coast Highway and Oceanside Boulevard, which has zero lot line. A cell phone tower went up, and the building was already tall. Across the street, the towers are behind the facades and can be seen from Ditmar School and all of the homes. She did not have any particular view on the health hazards because by law we are not allowed to, although the law should be reviewed given the prevalence of the towers. On the aesthetic side, the towers need to be truly stealth; they cannot stand out. She asked what is in the

ordinance to prevent these types of things that have occurred under our current administrative approval process. We need to change the way we are doing it.

PAMELA MYERS, 910 North Pacific Street, stated there are 24 antennae on Marina Towers. Some don't work; there is no regulation, and no one takes them down. She is against having the cell facilities in the coastal zone since it will open a can of worms that the City will not have legal control over. These should be located on top of our new timeshares, hotel, on top of Marina Towers or on top of the new community center. They should not be in a high density residential neighborhood for reasons of environment, aesthetics, and health. The Local Coastal Plan should not be exempt from the California Environmental Quality Act (CEQA). The proposed antennae are not 10 meters high as required by the FCC. The radiation exposure from these antennae will directly affect our building, especially her top northwest unit. Next door neighbors' houses and North Coast Village will also be exposed to the radiation. Additionally, Sprint and other companies will co-locate other antennae. It is interesting that Sprint never gave the City all the information as to the types, channels and watts of these antennae they want to install on North Coast Village. About a year ago, we had a Local Coastal Plan amendment where the 27-foot height limit was issued, with no exceptions. The staff report talks about 35 feet, so she did not think this item can legally be passed. Antennae should be accessory structures.

On the Sprint website, it says it has the best coverage in our neighborhood, and we do get reception in our garage. One website shows there are 102 towers, 50 new towers, and 461 antennae in an 8-mile radius of our neighborhood.

TREVOR FINK, telecommunications site development expert, had represented Sprint on the project that was approved. They are not hiding any information from anyone. He is not representing Sprint tonight. He has worked for every company. This proposed Sprint installation is incredibly stealth, well designed, and is the best kind of marriage between a City and cell phone company. It is completely built into the existing structure and cannot be seen. The public benefits from it since Sprint Nextel is what the City uses for their emergency channels.

To answer some of the public's questions, the FCC regulates and has access to all of the information; they know where every antennae is, the frequencies, the heights, etc. All of that information is tracked. Public safety is the number one priority of the FCC and these agencies. The cell phone companies have to comply with the FCC rules and guidelines. Regarding why so many towers are needed, he noted that 20 years ago no one had a cell phone. Before, we could have one cell phone tower that facilitated maybe a 5-10 mile radius. Now we have hundreds of thousands of people within a city sharing cell phone towers. The more people using these services – browsing the internet, getting directions, etc. – requires more and more bandwidth. That means, in a shorter area we need to supply more and more information. Therefore, antennae become more and more prevalent. The plus side is that the actual power being emitted from the antennas is inevitably less and less since now they only want to cover a short area, giving quality coverage within that area. Allowing the telecommunications facility in the coastal zone is not the problem. The problem and balance comes in the design. He encouraged them to focus on the design and installation, not the technology. Technology is not the enemy.

Public input concluded

MS. BAKER reminded everyone that there is no project before Council. This is simply a text change to our Zoning Ordinance to allow for this definition. These are already allowable uses. In response to Mayor Wood, she stated that cell towers are heavily regulated by the FCC. In order for them to obtain a license, they have to submit documentation to the FCC. The emissions are getting less, and there is probably more likelihood of danger from using the cell phone than the cell towers. There is no danger. Because of the laws, the City cannot deny a project based on health issues. It is really about the siting of the location and making sure the tower is designed properly; that is what the City has jurisdiction over.

COUNCILMEMBER KERN moved approval [of staff's recommendations to adopt **Resolution No. 07-R0673-1**, ". . .to amend the Local Coastal Program (LCPA-201-07) and to request the Coastal Commission Certification of said amendment (City of Oceanside – Applicant)" and **introduce an ordinance**, ". . . amending Section 1230 of Article 12 of the Oceanside Zoning Ordinance (ZA-201-07 & (LCPA-201-07) (City of Oceanside – Applicant)"]. There is no project. We are only making a text change and allowing these uses into the coastal zone. When those projects come forward, then we can discuss a specific cell tower in a specific spot.

DEPUTY MAYOR CHAVEZ seconded the motion.

COUNCILMEMBER SANCHEZ expressed concern about the lack of control we would have over the design. The title of the staff report goes beyond just the definition and says to allow for telecommunications facilities within the coastal zone. She understands it would be administrative, which does concern her. We want to have a beautiful downtown. The ordinance does not have enough teeth to ensure that our downtown remains as aesthetically pleasing as possible.

Following the titling of the ordinance, motion was **approved 3-2**, with Mayor Wood and Councilmember Sanchez voting no.

MAYOR AND/OR COUNCILMEMBER ITEMS – continued

20. **Request by Councilmember Sanchez for a report by Fire Chief Terry Garrison regarding the City's preparedness in light of recent wildfires; and direction to staff**

COUNCILMEMBER SANCHEZ stated we have suffered one of the worst disasters in our region. In terms of its physical boundaries, Oceanside was not touched. However, there were a lot of concerns raised during that time. During the fires, she and other members of Council called to inquire how our City and Fire Department were doing. We were assured that the Fire Department was on line and knew exactly what was happening in order to protect our City. She wanted to hear how we are doing in terms of fire preparedness in the City.

FIRE CHIEF GARRISON acknowledged the help of all the other City departments. Joe Urban, Emergency Operations Manager, would help lay out what happened during Fire Storm 2007.

JOE URBAN, Emergency Operations Manager, stated this presentation represents what the entire City did to meet the demands and support the incidents that were occurring throughout the county. Fortunately, we were not directly impacted by the fires, but we played a strong support role. The Oceanside Unified School District (ousd), the North County Humane Society, KOCT-TV, the American Red Cross, and the volunteers all played an important part in this. In order to demonstrate what was actually going on and why we were faced with supporting an incident that was impacting virtually the entire county, he presented a brief summary:

- October 21 - the Harris Fire began at 9:23 AM; with the wind, humidity and topography, it had reached 14,000 acres burning by 6:41 PM. The City started sending resources.
- October 21 – the Witch Fire began at 1:05 PM; by 7:36 PM 5,000 acres were burning.
- October 22 – the Coronado Hills Fire started in San Marcos at 2:24 PM, with 200 acres burning and structures destroyed and threatened; the Guajito Fire started at 2:35 PM, with 100 acres burning; and at 6:14 PM, our biggest threat, the Rice Fire.
- October 23 – the Poomacha Fire began at 4:10 PM; by 7:30 PM 20,000 acres were burning.
- October 24 – on Camp Pendleton, the Horno Fire had 10,000 acres burning at

November 7, 2007

Joint Meeting Minutes
Council, HDB and CDC

1:12 PM; the Wilcox Fire has 80 acres burning; and the Commissary Fire had 5 acres burning. Several were near the border of Oceanside and Camp Pendleton, but they were quickly extinguished. They posed a minimal threat to us.

- October 29 – The Harris Fire had consumed 90,000 acres; the Witch Fire consumed 198,000 acres, the Rice Fire consumed only 9,500 acres but did a tremendous amount of damage in the Fallbrook area; and the Poomacha Fire was 50,000 acres.

Oceanside was not directly affected by fire, so we supported the fire incidents and learned a lot. We were very fortunate.

CHIEF GARRISON then addressed the incident command system, which is made up of modular organizations; you only use those parts of the system as deemed necessary. We were in a support role, although there were people in the City directly affected through family members outside of the City who were affected.

[Deputy Mayor Chavez left the meeting at 7:32 PM.]

The incident command process establishes roles and responsibilities, lines of authority, flows of communication, etc. They initiated the Management Group module very early to start strategic planning and determine how the fires were going to affect Oceanside citizens. Bringing together the Management Group, they initiated the emergency operations center (EOC) plan.

MR. URBAN stated the Finance Section was next contacted, and they had sent messages to all departments to start capturing incident specific costs and times in order to have a better success rate at collection, or the recovery process. All EOC staff members were allowed to start monitoring the County's internet-based incident management system (Web EOC) to be fully apprised.

[Deputy Mayor Chavez returned to the meeting at 7:35 PM.]

BRIAN KAMMERER, Human Resources Director and Logistics Coordinator, explained the logistics support. With the cooperation of the OUSD, North County Humane Society and City staff, we were able to rapidly and efficiently staff the shelter at El Camino High School, provide all of the supplies, etc. on the first night. On the second night, with generous donations from the community, we were able to provide food, water, clothing, etc. They provided 200 hot meals three times a day, and there was even entertainment provided. Information Technologies manned the support center 24 hours a day to make sure all the dispatch and other systems were working. Also, at the shelter we had a wireless internet set up, an internet bank and a phone bank set up. As soon as any need was identified, we were able to access our logistics database. There were approximately 30 City staff members who participated in the logistics portion.
[Councilmember Kern left the dais at 7:38 PM.]

MIKE MATHAI, Operations Division Chief with the Fire Department, explained that his job during this event was to manage the tactical operations center. That means he has to balance the requests for resources and personnel from others that are impacted, while maintaining an adequate level of service in the City. At the height of this incident, we had deployed 49 people and 15 pieces of apparatus throughout the county. At the same time, we maintained a daily staffing of 31 people in the City, with 5 stations open, including 4 ALS (Advanced Life Support) rescue ambulances. That means, we had all of our suppression personal, with the exception of 2 who were out of state, involved either in City or out of City during the entire operation. That is a spectacular deployment. The wave of attack that we were able to mount in other jurisdictions in many cases may have made the difference between a total loss or quite a few saves. The work done by our people in other jurisdictions was spectacular.

[Councilmember Kern returned to the meeting at 7:40 PM.]

November 7, 2007

Joint Meeting Minutes
Council, HDB and CDC

One of the other tasks in the tactical operations center is to develop models of "what if." If the fire goes here or there, where are our break points, where do we mount our attacks, where are our defense operations going to be centered. Our primary concern was the report that the fire was heading for Oceanside through Bonsall. We had eyes on that within 25 minutes of receiving the report. We were certain that we were not going to be threatened; however, using a pessimistic point of view, there was an advisory evacuation of Morro Hills. We were going to take the fight to the fire to keep it from reaching the river basin. That would result in an unchecked and accelerated growth of the fire into the City. The second was Little Gopher Canyon. Had the fire turned south and then west along the I-15 corridor, it would have caught and come into the City via Little Gopher Canyon drainage.

The deployment question came up periodically through different sources that were concerned about our level of coverage in the City. From the tactical point of view, we were in very good shape. All 3 of our aerial devices were staffed with 4 and were in the City for the duration of the entire event. We were in a good position to handle an in-City event, at least long enough to get additional resources such as air support or additional personnel.

CHIEF GARRISON added that our normal staffing is 32 firefighters on duty. We kept a staffing of 31 firefighters within Oceanside through that week. We were able to do that because we had a voluntary recall of all off-duty firefighters. All but 2 firefighters showed up, and the only reason those 2 did not respond was because they were out of state.

FRANK McCOY, Police Chief, noted that the Fire Chief sent 2 engine companies to the Incident Commander in Fallbrook, telling him those units were to fight the fire in Fallbrook that was threatening Oceanside. The Incident Commander could have sent those engines anywhere in the County, but the Fire Chief was adamant that if those resources were not deployed in Fallbrook, they would not get those resources, doing everything possible to prevent that fire from spreading into Oceanside.

Regarding the Police Department response, we immediately implemented our A and B shift plan, which means that all police officers were put on 12-hour shifts. We opened our department operations center to monitor our staffing levels. We also had mutual aid requests from the Sheriff's office to help with evacuations throughout the county; we did send personnel to those locations. Our staff developed evacuation plans for our City; those plans were developed in depth and so that it would be done in stages. One of the issues we saw with the evacuation of Fallbrook is that the whole community was evacuated at the same time, which caused a significant traffic issue. Our staff developed an evacuation plan in stages, as well as a traffic plan to allow traffic to flow out of those areas smoothly. Staff went to the homes in Morro Hills and actually spoke to each resident to see if they had any special needs and gave them a map of the different shelters in the area, as well as the evacuation route.

MARGERY PIERCE, Neighborhood Services Director, stated that during an emergency situation, this department's job is to work with care and shelter. She had been in Michigan, so David Manley, Neighborhood Services Division Manager, acted in her absence. He did an awesome job getting a shelter set up. By 3:00 PM on Monday, October 27, it was determined that a shelter needed to be opened at El Camino High School; it opened within 3 hours, and guests were arriving. The new OUSD Superintendent and his staff were on site, and they worked closely with City staff in providing a shelter that was welcoming and well-administered. The guests in the shelter were calm. We were providing them with information and meeting their needs. Somehow we had been named as a special needs facility, and we ended up having several senior citizens, including a couple at 96 and 97 years old with a care giver. We were also taking in livestock, and the North County Humane Society played a critical role; they took care of all of the animals and their care. OUSD provided additional support that included security, janitorial and maintenance services, school psychologists and nursing. The Red Cross was called immediately, but they did not have folks in place

November 7, 2007

Joint Meeting Minutes
Council, HDB and CDC

who were not already deployed elsewhere. Therefore, for the first 24 hours, City staff operated the shelter; then the American Red Cross came in on Tuesday evening. As the animals were coming in, people from OUSD were building pens and cages. A nurse in training with the Fire Department was there and coordinated a lot of the medical support at the facility. We learned a lot. Having this experience means we will be better able to respond. Overall, it went very well, and we had very good communication.

POLICE CHIEF McCOY added that many of the City employees were affected by evacuations, and we only had one police officer and one professional staff member miss their shift. All 3 of the police captains were evacuated from their homes but were here every day.

MR. URBAN reported that the Planning Section was activated by using field observers, and we assigned incident liaisons to the Rice Fire so that they could bring the incident action plan back to Oceanside.

FIRE CHIEF GARRISON stated that usually people don't remember how the firefighters fought a fire, but they do remember how they were treated. The third largest city in San Diego County was well taken care of, and citizens can rest assured that we can come together as a group to continue to make that happen.

COUNCILMEMBER SANCHEZ noted that KOCT also played a role in getting information out.

TOM REESER, Executive Director, KOCT, stated that the City Manager's office contacted KOCT at 8:00 AM on Monday, and we immediately put up a crawl on Channel 18, letting citizens know that there was no immediate danger to the citizens of Oceanside. As the week progressed, we continued to take direction from the City and put all of the emergency information up as quickly as we could. One of the things we discovered was that CTN, the county government channel that we play, provided a great venue for county information. We left that channel up nonstop throughout the week. Starting on Monday, we stopped our regular programming and left CTN on, which provided people with the big picture. Then we used Channel 18 for local programming. We mined the City's website for information and immediately put that on the Community Bulletin Board. We worked with City staff to record information that we needed to get out quickly. We also encoded that information and put it on the City's website so people could see those videos. A lot of what we were doing was reassuring people that Oceanside was not under any immediate threat and that there were evacuation sites available. Since this has happened, he and his staff analyzed what we did, what worked or not, etc. We know what we need to do better and how to get up the information that citizens want.

CITY MANAGER WEISS stated the City is also putting together an after-action plan. That is not just locally, but also with the coordination we had with the outside agencies. This is an opportunity for us to take a serious look at what we did and where we need to improve. One of the recommendations was to look at the City's emergency plan to update it. The information in the plan is relevant and accurate; there are some things that need to be updated; the last time it was updated was in 2002. He has already met with staff to begin updating the plan. We are going to process that through the Police and Fire Commission and get citizen input as well.

COUNCILMEMBER SANCHEZ had heard the recommendation to update the City's emergency plan and to create something like a citizens advisory committee, using the one created by the Utilities Commission as a model.

COUNCILMEMBER FELLER asked if we ever considered opening our own emergency operation center (EOC) and would we have been able to use that in any way as a learning tool.

FIRE CHIEF GARRISON responded they activated the EOC, although we did

not open the EOC center. We could have used that as a learning tool, and that is something we will put on our after-action report. We need to do better at communicating with the people inside the City and explaining the EOC. It is a decision we made as the Management Group. One of the areas we are concerned with is that we want to get our City trained on their sectional responsibilities within the EOC. We will schedule training shortly.

In response to Deputy Mayor Chavez, he stated that staff will go back and look at what we did, both good and bad. We need to look at the tactical and task levels, make sure we did everything we could, and look at those areas for improvements. We will then state specific recommendations on how we can improve, and then train.

DEPUTY MAYOR CHAVEZ referred to the City's Emergency Plan, noting the Councilmembers also have tasks assigned to them. The first is to establish in the emergency mitigation the planning, response and recovery policies that will be used for the Management Group. There was an evacuation center at MiraCosta Community College. There was also a center at New Song Church, etc. The plan says that, in peace time disasters, schools, public buildings and churches will provide facilities for most of the shelters. He felt there was a role for churches.

Also, his experience has shown that in emergencies, people help out. Communication cannot just be top down; it must also be horizontally. It is important to talk to Camp Pendleton, etc. The Sheriff's Department in Vista asked MiraCosta to step up, so it is important to communicate.

All Councilmembers expressed their thanks and appreciation to all who helped.

MAYOR WOOD has never been more proud of the City. We escaped the disaster but were good neighbors. Besides the evacuation centers, we also allowed everyone to come in with their RVs, campers and tents to stay anywhere else in the City; we waived all of our ordinances. He also thanked all of the volunteers.

He then noted that national press coverage was not accurate. Others said they heard the big picture but not the local news. They did talk to other cities and Camp Pendleton, as well as congressmen. Right now there are 8 helicopters on Camp Pendleton with water buckets. People liked the fact that City staff asked them what they needed. All of the Councilmembers got involved and were concerned with what is best for the community. He thanked everyone. As a mayor, he felt he should go to SANDAG and ask what they are going to do about future zoning, etc. when people continue to build houses where they should not be, such as on canyon edges where fires come every 2-3 years. The county is going to have to look at structures, etc. Or it may be to require sprinkler systems, pumps to use swimming pool water, etc. The use of military aircraft is another issue.

CITY CLERK WAYNE reported that Councilmember Feller had to leave the meeting; he grandson has been hospitalized. [Councilmember Feller left the meeting at 8:23 PM.]

CITY COUNCIL REPORTS

21. **Mayor Jim Wood** highlighted the Marine Corps' 232th birthday; November 12 is Veteran's Day observation. Oceanside has given our old police department building to the veterans, which includes 26-28 different veterans groups.
22. **Deputy Mayor Rocky Chavez** – met with the Library Board of Trustees; we have an increasing usage; the City is invested in a program for a self checkout. The library has started a process to upgrade the Civic Center and Mission Branch Libraries. Next year, they will be needing additional money at about \$900,000.

23. **Councilmember Jack Feller** – Absent due to Grandson’s hospitalization
24. **Councilmember Jerome M. Kern** – last Tuesday night, the Oceanside Historical Preservation Advisory Commission (OHPAC) approved to start the permits to move the Graves housing offsite and demolition of all of the other buildings to make way for the resort hotel. As an afterthought, they said [the house at] 106 North Pacific Street should be made available to anybody who would like to move it off to save it. He asked the City Manager to comment on the process.
- CITY MANAGER WEISS** reported that a memo is being sent to the Council outlining the process which we will be using to solicit proposals for someone to acquire that house. We have a limited amount of time to solicit the proposals.
25. **Councilmember Esther Sanchez** – attended the OHPAC meeting. She had put on the agenda for the next meeting a presentation, showing pictures of the house, etc. Time is of the essence to move the house, and the property has to be able to accommodate a 2-car garage. She highlighted upcoming meetings: November 8 workshop on downtown redevelopment project CityMark; November 10 Eastside Neighborhood Clean-up; November 10 Fallen Officer 5K; November 10 KOCT Bonzer Tucker at Outback Steakhouse; December 11 California Senate Nuclear Energy Hearing; November 15 California Coastal Commission Energy Ocean Resources and Federal Consistency Division meeting, which relates to vegetation and sediment management in the San Luis Rey River.

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.

26. Council: **Ordinance No. 07-OR0624-1**, “. . . amending Chapter Eight of the Oceanside City Code by the amendment of various provisions regarding the operation of cardrooms” (Introduced 10/17/07, 4-1 vote, Sanchez-no)

Following the reading of the title, **COUNCILMEMBER KERN moved** to adopt the ordinance, and **DEPUTY MAYOR CHAVEZ seconded** the motion. Motion was **approved 3-1**, with Councilmember Sanchez voting no and Councilmember Feller absent.

ADJOURNMENT

MAYOR WOOD adjourned this joint meeting of the Oceanside City Council, Community Development Commission and Small Craft Harbor District Board of Directors at 8:35 PM on November 7, 2007.

ACCEPTED BY COUNCIL/HDB/CDC:

Barbara Riegel Wayne
City Clerk, City of Oceanside

February 13, 2008

Joint Meeting Minutes
Council, HDB and CDC

closed session: Items 2-A and 2-B.

No closed session was needed on held on Item 1 or 3 as titled below:

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 (WCE), and Unrepresented]

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

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

Mission Vista Condominium Association v. Earth Systems Engineering Group et al., Superior Court Case No. GIC849929]

Closed Session and recess were held from 4:03 to 5:00 PM.

5:00 PM – ROLL CALL: All Councilmembers were present.

Also present: City Clerk Wayne, City Treasurer Jones, City Manager Weiss and City Attorney Mullen.

Pledge of Allegiance: Jr. Reach Program Youth from Vista Community Clinic

Innovation: Pastor Carl Souza

PROCLAMATIONS AND PRESENTATIONS

Presentation – “Pet of the Month” presented by Julie Bank, Executive Director of the North County Humane Society & SPCA

Presentation – Smoke-Free Beaches Award by Vista Community Clinic

[Presentation – Mandatory Spay & Neuter Program, by Faye Schultz] — presenter removed item

Presentations were made

4. **CLOSED SESSION REPORT BY CITY ATTORNEY**

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

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

February 13, 2008

Joint Meeting Minutes
Council, HDB and CDC

- A) 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: City of Oceanside and SD Malkin Properties; Negotiators for the City: Jane McVey, Economic & Community Development Director, Delmar Williams and Paul Marra; Under Negotiations: Terms of Disposition Agreement and Lease

Discussed; no reportable action.

- B) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: Marina Towers, 1200 N. Harbor Drive (APN 760-080-23); Negotiating Parties: City of Oceanside/Oceanside Small Craft Harbor District and Oceanside Marina Towers Association; Negotiator for the City/District: Douglas Eddow, Real Property Manager; Under Negotiations: Price and terms for the sale of the property

Discussed; no reportable action under the Brown Act.

PUBLIC COMMUNICATIONS ON OFF-AGENDA ITEMS

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

Advance written request to reserve time to speak: None

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

SLEENE KOSINAR, 711 Pier View Way, commented on his concerns.

Changes to the agenda – Item 19

CITY CLERK WAYNE announced that today Council received a letter from Jim Bartell, Bartell & Associates, representing the applicant. They have requested that the item be removed from the agenda for further modification/discussion with staff. When the project returns, it will be re-advertised for public hearing.

COUNCILMEMBER FELLER stated this has been in the process for a couple of years, and he would like this brought back to Council as soon as possible.

CITY MANAGER WEISS noted that the letter from Mr. Bartell indicated he will be submitting for the actual use permits, so that will have to go through a review with a separate Planning Commission public hearing process. We will expedite this the best we can.

CONSENT CALENDAR ITEMS [Items 6-15]

All items listed on the Consent Calendar are considered to be routine matters or formal documents covering previous 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 Council/HDB/CDC or the public through submittal of a Request to Speak form prior to the commencement of the agenda item.

COUNCILMEMBER FELLER removed Item 11 from the Consent Calendar for discussion.

The following Consent Calendar was submitted for approval:

6. 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:

January 8, 2003, 11:00 a.m. Special Meeting of the City Council
January 22, 2003, 10:00 a.m. Special Meeting of the City Council
February 19, 2003, 11:00 a.m. Adjourned Meeting of the City Council
March 19, 2003, 10:00 a.m. Adjourned Meeting of the City Council
July 11, 2007, 4:00 p.m. Regular Meeting
7. 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)
8. Council: Approval of Amendment 1 to the Property Lease Agreement with Casa de Amparo for the construction and operation of a child development facility on Ivey Ranch Park property, modifying the property line to allow an access road for a phase two addition to the existing family support and child development center, at no cost to the City; and authorization for the City Manager to execute the amendment [**Document No. 08-D0055-1**]
9. Council: Approval of a utility relocation and reimbursement agreement with the North County Transit District in an amount not to exceed \$169,490 for the Oceanside Passing Track project located between the Buena Vista Lagoon and Oceanside Boulevard; and authorization for the Mayor to execute the agreement [**Document No. 08-D0056-1**]
10. Council: Acceptance of improvements constructed by HMS Construction, Inc., of San Marcos for the El Camino Real Street Widening at Mesa Drive project, and authorization for the City Clerk to file a notice of completion with the San Diego County Recorder [**Document No. 08-D0057-1**]
11. **Removed from the consent calendar for discussion**
12. Council: Adoption of **Resolution No. 08-R0058-1**, "... establishing certain traffic controls within the City of Oceanside (all-way stop control on Oleander Drive at Frazee Road/ Montrose Way, at Carissa Drive/School Driveway, and at Gardenia Street"
13. Council: Adoption of **Resolution No. 08-R0059-1**, "... authorizing application for grant funds from the U.S. Department of Health and Human Services for a Runaway and Homeless Youth Basic Center Program", for up to \$450,000 over a three-year period for shelter and supportive services provided by the YMCA Oz North Coast for homeless and runaway youth, and authorizing the City Manager or his designee to execute and submit the necessary documents
14. Council/Harbor: Adoption of **Resolution No. 08-R0060-1**, "...approving the application for grant funds for the Land and Water Conservation Fund Harbor Lot 11B Restroom project", authorizing application to the State of California for grant funds in the amount of \$200,000 from the State of California Land and Water Conservation Fund
15. Council: Adoption of **Resolution No. 08-R0061-1**, "...accepting New Freedom Program Funds from the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in the amount of \$16,500 and certifying the Volunteer Driver Program to be carried out under the terms in the Fund Transfer Agreement entered into with the San Diego Association of Governments (SANDAG)" awarded to the City by the federal government through SANDAG; approval to appropriate these funds to the Neighborhood Services Department to assist in efforts toward senior transportation solutions; approval of a related Funds Transfer Agreement with SANDAG; and

authorization for the City Manager to execute the agreement [**Document No. 08-D0062-1**]

With the exception of Item 11 [removed for discussion], **COUNCILMEMBER SANCHEZ moved** approval of the balance of the Consent Calendar; **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.

20. **Council: Approval of the Telecommunications Committee's FY 2007-08 Workplan**

YUKARI BROWN, Senior Information Technologies Analyst, advised that since the Chair, Bob Ross, had not yet arrived, Council had received the Workplan, which she briefly reviewed. This year we incorporated the 2006 Digital Infrastructure and Video Competition Act. The Committee has been monitoring the Act regarding the legal aspects, etc.

Following a brief discussion, and a correction to the liaison's name, **COUNCILMEMBER FELLER moved approval** of the Workplan; **COUNCILMEMBER SANCHEZ seconded** the motion; motion was **approved 5-0**.

MAYOR AND/OR COUNCILMEMBER ITEMS

21. **Request by Councilmember Kern for an update on the RFP for a private operator at the Oceanside Airport; update on the Master Plan; and possible direction to staff**

COUNCILMEMBER KERN had been getting questions about the status of the airport. All he wanted tonight was to have staff give us an update and timeline.

GARY GURLEY, Senior Property Agent, stated staff will be back to Council on March 19 with the RFP for Council action. He explained there were 3 proposals that met the RFP criteria, and those companies were interviewed. We are putting together the synopsis for Council

Items removed from the Consent Calendar:

11. **Council: Adoption of revised City Council Policies 100-09, concerning the quarterly publishing of vacancies for advisory groups, and 100-10, concerning appointments to advisory groups, eliminating the requirement that an application must be submitted to the City Clerk 20 days prior to the appointment**

COUNCILMEMBER FELLER pulled this item because on Policy 100-09, typically we receive the proposed appointments after 4:00 PM for that same evening's Council action. He suggested this should be issued timely with our Council agenda material each time appointment(s) are to be acted upon.

Also, regarding the Deputy Mayor appointment, we are presently operating against our policy of appointing a Deputy Mayor. That should also come to us right away.

COUNCILMEMBER KERN stated that we come to Council meetings and have the appointments sitting on our chair when we get here, and the public has no chance

February 13, 2008

Joint Meeting Minutes
Council, HDB and CDC

to have input on the appointments. He is bringing forward an agenda item next week on that item. What we have are policies, but he is asking for a City Code amendment. Everything else stays the same.

COUNCILMEMBER FELLER moved approval (of Item 11), and **COUNCILMEMBER KERN seconded** the motion.

MAYOR WOOD has had difficulty getting enough applications for some of our advisory groups. He noted he has not changed a standing past practice of previous mayors, and there were no complaints. We would like to see more applications. He has put in some appointments, which were turned down. To address these issues, having the nominations 72 hours or having them in the agenda packet the week prior is not a problem. He can do that.

Regarding the Deputy Mayor position, he is very satisfied with Deputy Mayor Chavez's job. He always follows through on things I have asked him if I am away. I will take any forwarded suggestions regarding all these issues. He will try to address the issue of providing the names in a timely fashion beforehand.

Motion was **approved 5-0**.

CITY COUNCIL REPORTS

22. **Mayor Jim Wood** – stated that on the SANDAG Board, the most important issue that came up recently was the regional airport issues. Since the airport is staying where it is, SANDAG is trying to address how to handle the future of the airport and the transportation corridor into the airport area, etc.

Also, the California Coastal Commission was invited to meet here. They met here last week [Thursday and Friday]. Because of the number coming for the Wednesday item, they moved that hearing to the Del Mar Fairgrounds.

Regarding the San Luis Rey Flood Control Channel clearing, after 15 years of fighting for it, we recently had an approval from State Fish and Game on some clearing to address flood and fire issues. However, the future clearing is still unknown. At least this should address the flood insurance issues.

Other items: Deputy Mayor Chavez is our NCTD representative and hopefully he will address our bus services, etc., that were cut, and also issues on the Sprinter line; official opening of Girls Softball; new Ivey Ranch track is opening; etc.

23. **Deputy Mayor Rocky Chavez** -- **noted** the grand opening of the new Wyndham project; he had been contacted by the San Diego Museum of Natural History about relocating a satellite of 20,000 square feet to Oceanside; recognized John McDonald, who resigned from the Arts Commission, and Carolyn Mickelson who will be the new chair.

He sent Council an update on the Sprinter, and the start date is now March 9. We are going to be more engaged in what is going on at NCTD; they will be reporting to us on key events. He will come back later regarding the bus lines.

He further reviewed various items/events.

24. **Councilmember Jack Feller** -- **noted** he and Councilmember Kern attended the SANDAG Retreat at Borrego Springs; we were the alternates. Much of the discussion was about what is coming in the future from SANDAG — possibly some sort of sales tax increase to provide to water quality, public transit, etc. possibly with another bond. So we will need to pay close attention to this.

He noted a few additional events.

25. **Councilmember Jerome M. Kern** -- is now on SANDAG Planning. Even though we are a ways away from starting the Highway 76 extension, SANDAG is going to try to acquire the mitigation land to provide mitigation for Highway 76 early so that it is ready.

He went to the NCTD presentation on their transit center downtown, and he had a follow-up meeting with property owners around the transit center last Saturday. Most of the input was to make a smaller footprint and taller buildings with underground parking, to preserve view corridors, etc. A term that came out was opportunity zoning, to take the zoning that is in redevelopment all the way down to wherever the transit center will be—where it makes the turn, because transit-oriented development needs to happen.

He further commented on the efficient Las Vegas airport. He will attend the League of California Cities Coastal Cities Issues group, and he was asked to take a leadership role in dealing with the Coastal Commission, since every coastal city has problems with the Coastal Commission; ways to preclude some of these problems and ways to work more smoothly with the Commission will be part of that effort. He thanked his aid for putting together a meeting at Ocean Hills to address some of their issues/concerns.

- [26. **Councilmember Esther Sanchez**] - Trailed since it was 6:01 PM

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.

16. **CDC: Consideration of a resolution approving Development Plan (D-205-06), Variation (V-208-06), and Regular Coastal Permit (RC-207-06) for a 2,025-square-foot addition and remodel to an existing four-plex apartment building located at 717 North Pacific Street – Applicant: Pierre Andre**

(This hearing is continued from January 23, 2008)

- A) Chairperson opens public hearing – hearing opened.
- B) Chairperson requests disclosure of Commissioner and constituent contacts and correspondence – disclosures reported
- C) Secretary presents correspondence and/or petitions – copies of the 4 email correspondence which was sent to Council
- D) Testimony:

SHAN BABICK, Associate Planner, gave the staff report stating this is for a remodel and addition located at 717 North Pacific Street. On June 20, 2007, the applicant had before the CDC a 2-unit project which was denied; the concern included the narrow setbacks and the basement, as well as the modification of the bluff. The applicant listened to the CDC and has come back with a remodel and a 2,025 square-foot addition on the site. The addition will be on the second story. The new apartment layout consists of two 1-bedroom units on the first floor and two 2-bedroom units on the second floor. The project proposes a 265 square-foot addition on the first floor and 1,760 square feet. will be on the second floor. The design will be consistent with the existing building. The project will not be adding any bedrooms, and the footprint of the building will not change. The setbacks will not change.

February 13, 2008

Joint Meeting Minutes
Council, HDB and CDC

In viewing pictures of the back of the building, the building is literally over the bluff; it has eroded away to an extent where it is cantilevering over the bluff. As the retaining walls are on the north and south adjoining properties, the variation is for a 17-18 foot wall height that will be a continuation of the existing wall. The existing walls are landscaped and are fairly attractive, and the wall is fairly well hidden. The project has been conditioned to landscape the retaining wall. He further displayed computer slides of the property and the addition proposed. Again, the footprint of the building will not change and there will be no added land with the retaining wall; there will not be an increase in the pad. The retaining wall is necessary for the severely eroded slope.

Regarding the retaining wall, there were a number of concerns regarding the bluff from the Commissioners at the last meeting, so he pointed out conditions that were designed specifically for this project to address those concerns: Conditions 28-31, 36, and 63 address the bluff, as reviewed. Also a condition has been added requiring this project to do a management plan, and it addresses the maintenance of the retaining wall; so conditions have been added to specifically address slope and drainage issues, maintenance, etc.

Staff believes this project meets the development standards and will be consistent with the neighborhood and the building itself; it will utilize the same material, colors, etc. All the improvements will be in the rear; the frontage will not change except for the addition of a see-through gate. No coastal views will be impacted. The Redevelopment Design Review Committee reviewed this project on December 21, 2007, and was approved by a 4-0 vote. The Redevelopment Advisory Committee reviewed the project and was approved by a 5-1 vote.

Staff recommends that the Commission adopt the resolution of approval.

Applicant

PIERRE ANDRE, applicant, stated staff covered all his points. He tried to listen to concerns of staff and the public, and this is what he came back with. This is an old building that needs a lot of work. He needs to bring it up to keep quality tenants in the building. One concern last time was the surface water. This takes the surface water back towards Pacific Street, and not the bluff; that will remain the same.

COUNCILMEMBER FELLER noted that on one of the slides a picture of the K-rail at the base of the cliff in Robert's Cottages' parking lot, from where the bluff has slid out. He asked where the property line is for this project and if there is responsibility to remove that dirt.

MR. BABICK responded that the property line goes down approximately one-third of the slope.

CITY MANAGER WEISS responded that he believed the property line was several feet to the east of the K-rail. The developer will not be able to use or access the Robert's Cottages property without their permission to do their construction. There would be civil issues regarding moving dirt from the bottom of the bluff, which may be a stabilizing factor. Once the wall is built, he would suggest that Robert's Cottages' owners meet with the developer to see if they can come up with an equitable arrangement to remove whatever sloughing has occurred.

Public Input

PAMELA MYERS, 910 North Pacific Street, wished that instead of apartments it would have been regular homes. Per one of the slides, a truck is parking sideways in front of the garage. We have a chronic problem in this area regarding parking; these people do not park in their garages; they park on the sidewalk, etc. The density of the project is not clear; the existing is 34.8 dwelling units per acre, but what is the

proposed? It looks like they are taking away the courtyard; whether that changes the footprint and setbacks is a concern.

MR. BABICK responded that regarding the parking, that is a good suggestion, and we could amend the management plan that the garage remain open at all times, and record that against the property. Regarding the density, that has not changed; they are not adding any new units; the density remains the same. Regarding the setbacks, they are not changing the footprint; the setbacks remain the same.

Applicant rebuttal – None

Public hearing closed

COUNCILMEMBER SANCHEZ questioned, with the see-through fencing, if there would be anything in the back of the property that would obstruct the view.

MR. BABICK responded no; there would be nothing to obstruct the view through to the rear. The retaining wall will be going aboveground and will be consistent with the other walls, but it will not block the view. There will be no protruding of any porch, etc.

COUNCILMEMBER SANCHEZ stated there was a question about trash cans and storage. She asked if they will be stored out of view from the side and the front.

MR. BABICK responded yes, they can be stored on the side. You can add that to the management plan for a site-specific location, such as in the garages, and not on the side, etc.

COUNCILMEMBER SANCHEZ stated she would like to do that. Regarding a request for the planned haul route, there was a request that it not go down Pacific Street towards the Harbor. She would like to condition it to not go towards the Harbor. When would the construction begin if approved?

MR. ANDRE responded that the construction hinges on the processing time through the City, etc.

COUNCILMEMBER SANCHEZ stated the revised project fits with the neighborhood. Erosion is a natural process; it is actually sand replenishment. No one complained about the walls. In response to an email from Cleo Chapin of Roberts Cottages #1 and 24, the City cannot authorize the developer to go on someone else's property; that is something he will have to gain on his own.

COUNCILMEMBER KERN questioned how the retaining wall will be constructed and what backfill material will be used.

MR. BABICK responded that they will go through the contours of the existing bluff and be consistent with the line; they will continue the same line of the north and south properties. There will be some backfilling, but they will not be adding any land with the retaining wall. It will be the same type of construction: crib wall and then they have to tie it back into the slope.

ABE CHEN, Associate Engineer, stated the main focus has to be the structural integrity of that wall; we have yet to see the design. We made it clear in the conditions that it has to stabilize the failing bluff. In addition, there will be landscaping, much like the adjacent properties. It will be covered and screened as well.

COUNCILMEMBER KERN questioned if they used individual trash containers or one bin.

MR. ANDRE responded that now it is one container, but he was going to use smaller containers and store them in their garages.

COUNCILMEMBER KERN was not in agreement with restricting garages and requiring people to park in their garages.

COUNCILMEMBER FELLER stated the applicant has compromised considerably. We have erosion of the bluff which needs fixing. He **moved approval** of staff's recommendations and adoption of the resolution [**Resolution No. 08-R0063-3**, "...approving a Development Plan, Variation and Regular Coastal Permit for a 2,025 square foot addition and remodel to an existing four-plex apartment building located at 717 North Pacific Street – Applicant: Pierre Andre"].

COUNCILMEMBER KERN **seconded** the motion.

MAYOR WOOD stated he would like the issue of the parking addressed. In looking at the slide with the vehicle parked sideways in front of the garage, he would like that issue addressed; perhaps some guidelines for management. He does not want the sideways parking, etc. This project has 6 bedrooms and 4 garages so it could be a problem.

MR. BABICK stated there is a standard condition for new projects that the garage shall be made available and used for the tenants at all times; that is something that can be added as part of the management plan. The other issue is a parking enforcement issue; they are not to be parking over the sidewalk, etc.

COUNCILMEMBER SANCHEZ would like to see the project conditioned that the haul route not go towards the harbor and that the trash cans not be stored on the side.

COUNCILMEMBER FELLER did not wish to amend his motion.

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

17. **Council: Consideration of a (a) resolution approving General Plan Amendment (GPA-3-05) to change the land use designation from Single-Family Detached and Public/Semi-Public to Medium Density Residential-C and construct 22 detached single-family residences on the northern 1.6 acres of the parcel; a (b) resolution approving Tentative Map (T-11-05) and Development Plan (D-22-05) for the entire 4.4-acre parcel and Conditional Use Permit (C-44-05) for the RV parking on the southern 2.8 acres of the Elks Lodge site located at the southeast corner of Maxson Street and Country Club Lane; and introduction of an ordinance for Zone Amendment (ZA-4-05) to change zoning from Public/Semi-Public to Residential Medium Density-C and a zone text amendment to allow RV parking in the Public/Semi-Public Zone Citywide when associated with a club or lodge; project is situated in the Loma Alta Neighborhood – Liberty Walk Development and Elks Lodge RV Parking CUP – Applicants: The Olson Company and the Elks Lodge**

- A) Mayor opens public hearing – hearing opened
- B) Mayor requests disclosure of Councilmember and constituent contacts and correspondence -- all members reviewed contacts and correspondence
- C) City Clerk presents correspondence and/or petitions – no new correspondence
- D) Testimony:

February 13, 2008

Joint Meeting Minutes
Council, HDB and CDC

JERRY HITTLEMAN, City Planner, gave the staff report, stating this is a General Plan Amendment and a zone amendment to change the northern part of the property — 1.6 acres from public/semi-public to single family and to residential medium density-C; a tentative map and development plan for 22 single family units; a zone amendment to allow RV parking for guests of clubs and lodges; and a conditional use permit (CUP) for the RV parking on the Elks Club parking lot site.

As background, the project came before Council in August 2006, and Council denied the General Plan Amendment (GPA). At that time we did not have the project or the site plan. This time we have the full package — site plan, GPA and zone amendment. The project has changed from a maximum of 31 units down to 22 units; it is a much lower density. The applicant has worked closely with the neighborhood, especially with the Loma Alta/Mission Park Neighborhood Association.

The site is at the southeast corner of Maxson Street and Country Club Lane. The residential portion of the site will be the 1.6 acres on the northern part of the site. The RV parking that is presently there will go to the Elks Club site, which is the 2.8 acres on the southern part of the site. The RV parking will be along the northern and western portions of their site.

Across the street are the apartments the City recently bought and are renovating. There is multi-family and senior housing to the north, single family homes on Cadillac Circle to the east, and the golf course and the Boys and Girls Club to the south. He displayed computer slides of the area.

A change is proposed on just the northern portion of the site to residential medium density-C, which is about 15-20 dwelling units per acre (du/ac). The actual project is only 13.75 du/ac. The access for this project will be totally off Country Club Lane for the 22 units, with 11 guest parking spaces; some open space; a bio-swell and with 2 types of units: 1,425 square feet and 1,535 square feet, all with 2-car garages underneath. They will be totally separate units (no attached units).

The Elks Club parking lot and RV parking will be reconfigured as part of the project; in phase 2 there will be 20 RV parking spaces on the northern and western portion of the site; no RV parking will be against the residences to the west. There will be a total of 108 parking spaces for the Elks use themselves with landscaping included in between the RV parking and the units to the north; this is the conditional use permit. There will be no improvements to the Elks building at this time.

This is a tentative map; the northern part will be broken off as a separate parcel; the units will be detached, but they will be condominiums.

Previous issues that have been addressed are compatibility with the existing neighborhood. The applicant has had numerous meetings with the neighborhood association and the immediate neighbors, and they all seem to be on board with this project. That was the case at the Planning Commission hearing as well. The Elks Club parking lot has been designed and will be an improvement. This is a phased project, with the homes starting to go in, and then they will start reconfiguring the parking lot for the Elks Club.

The Planning Commission recommended approval by a 5-1 vote, and staff recommends that Council take the following actions:

- approve the GPA and introduce the ordinance approving the zone amendment
- zone text amendment to allow RV parking with a conditional use permit for only clubs and lodges
- approval of the tentative map, development plan and conditional use permit.

Applicant

KIM PRIJATEL, Vice President of Development for the Olson Company, stated that about last January we scrapped everything we had done to date. We took the advice of Councilmembers and staff and started redeveloping the site with the Loma Alta/Mission Park Neighborhood group. This is an in-fill site, and Olson specializes in in-fill; that is all we do. We were not listening closely enough prior to last January. In March we met with the neighborhood, and from that time through May we had 6 meetings with residents. We listened to them and came up with a project that met their needs and was also something the Olson Company was happy with.

There were 3 main issues for the neighborhood: our access was off Maxson; the density adjacent to Maxson and Cadillac; and to reduce the impacts adjacent to Cadillac Circle. With that, we moved our access point to Country Club Lane; we decided not to have 2 product types, and we reduced the density to 22 units with all detached single family homes with private yards, attached 2-car garages, etc. The only reason it is a condominium is because the Code does not support lots this size for single family, so it is air space; otherwise it functions just like a single family home. Regarding impacts adjacent to Cadillac, we made sure units were straddling property lines so that no one person had a whole house behind them; so now there are only 2 units back by them, and we pulled back those units from them.

GEORGE BARRANTE, President Elect of the Elks Lodge, noted that Oceanside Elks was chartered on May 31, 1929. In 1968 we acquired and built our current lodge. At that time we had about 3,000 members. Since then, as with all charitable organizations, we have had a downfall of membership to about 530 members. The building is showing its age. We desperately need the funds to upgrade the building, but they are not available to us. Our RV parking is for Elks only; no one parks there on a permanent basis. They stay an average of 3-4 days. That used to mean about \$70,000 to the lodge in income. With this new CUP, the Elks parking is cut in more than half – to 21 spaces; so we will have less than \$40,000 in income. However, we feel the Elks parking has benefits to the Elks and the City.

We have a very conservative group that does not want to make any plans until they know for sure the sale is done, and the sale is contingent upon Council approval. At that time we will consider what to do with the building. We are planning to extensively fix up the building outside and inside, probably add a swimming pool for younger members, if we can, etc. This is an important thing, and we have worked closely with Olson and the neighborhood. We gave a lot. There will be a wall between the RV parking and the Olson property, and then we will be shielding with landscaping.

Public Input

MIKE VALLES, JR., 1732 Maxson Street, also speaking on behalf of my father, Mike Sr., stated this has come a long way. He expressed his appreciation for Council and Olson for listening to their concerns and modifying the project.

Applicant Rebuttal – None

Public Hearing Closed

COUNCILMEMBER FELLER did read in the staff report the possibility of moving the RV dump station.

MR. HITTLEMAN responded that is correct; either they would move the RV dump station to the west side over by Country Club Lane, or each individual RV space would have their own hook up, so it will be removed from the east side.

COUNCILMEMBER FELLER moved approval of the resolutions and the introduction of the ordinance:

[--**Resolution No. 08-R0064-1**, "...approving a General Plan Amendment (GPA-3-05) and Zone Amendment (ZA-4-05) an amendment to the Land Use designation and zoning on certain real property located southeast of Maxson Street and Country Club Lane (Applicant: The Olson Company and the Elks Club";

--**Resolution No. 08-R0065-1**, "...approving a Tentative Map and Development Plan to construct 22 single-family detached homes on the north 1.6 acres of the site and approve a Conditional Use Permit for RV parking on the southern 2.8 acres of the Elks Club site located at the southeast corner of Maxson Street and Country Club Lane (Applicant: The Olson Company and the Elks Club); and

-- **Introduction of Ordinance**, "...amending the zoning district map from Public – Semi-Public to Residential Medium Density-C and a zone text amendment to allow RV parking in the public semi-public zone on property located at the southeast corner of Maxson Street and Country Club Lane (The Olson Company and the Elks Club – Applicant)"].

DEPUTY MAYOR CHAVEZ seconded the motion.

COUNCILMEMBER SANCHEZ stated the developer has come up with a compromise. She would like to see reduced density, but the developer did what she asked in meeting with the community and compromising. She is happy the Elks will be addressing the issue of the RVs because they never had permits to park RVs; this will help the Elks get into compliance.

DEPUTY MAYOR CHAVEZ stated the term he uses is we are not compromising but rather finding a balance. When we communicate with each other, there is often a balance where everyone enjoys the product. He thanked all for finding the balance for this project.

COUNCILMEMBER KERN stated a major issue with the Elks Lodge is the parking lot deterioration. He asked when the parking lot will be done.

MR. BARRANTE responded that the parking lot is done immediately. We have to do the parking lot because of the CUP before Council. We are building the new parking lot with 20 inches of concrete so that the RVs do not ruin it. That will be done immediately, depending on how we coordinate with Olson on their wall and the building. The parking lot is the No. 1 priority.

MAYOR WOOD is glad we are to this point. The Elks don't have money to renovate because they constantly give their money back to the community. He is happy the neighborhood was involved.

Following the titling of the ordinance, motion was **approved 5-0**.

18. **City Council: Consideration of a resolution approving General Plan Amendment (GPA-4-07), Development Plan (D-11-03), Conditional Use Permits (C-15-03, C-29-06, C-18-07, C-19-07) and Variances (V-2-07, V-5-07, V-6-07) and introduction of an ordinance for Zone Amendment (ZA-3-03), for portions of the property to change from Single-Family Residential and Commercial Limited to General Commercial, and renovation of the existing gas station to include a convenience store and car wash; project is located in the Airport Neighborhood – Mohsen Mission Avenue – Applicant: Mohsen and Susana Arabshahi—southeast corner of Mission & Carolyn Cr.**

- A) Mayor opens public hearing – hearing opened

February 13, 2008

Joint Meeting Minutes
Council, HDB and CDC

- B) Mayor requests disclosure of Councilmember and constituent contacts and correspondence – disclosures reported
- C) City Clerk presents correspondence and/or petitions -- None
- D) Testimony:

SCOTT NIGHTINGALE, Planner II, gave the staff report, stating the project is located at the southeast corner of Mission Avenue and Carolyn Circle. He reviewed the surrounding land uses of vacant to the east, single family to the east and south, and commercial general to the north. The site consists of .49 acres and was developed in 1963 over 2 separate parcels that currently possess a single family and commercial limited zoning. The project scope includes:

--GPA-4-07 to change Residential Single Family (RS) to Commercial General (CG);

--ZA-3-03 to change RS and Commercial Limited (CL) to CG

--D-11-03 to demolish the existing service bay and construct 2 gas pump canopies, a 757 square-foot automatic drive-through car wash, a 2,725 square-foot mini-mart and associated landscaping;

--Conditional Use Permits to: construct and remodel the existing service station; construct a 2,725 square-foot mini-mart in a commercial district; and construct a 756 square-foot automated drive-through car wash;

--Variances to: allow encroachment into the corner side yard and interior setback area; allow less than 50% of the required setback area to be landscaped; and permit 7 parking stalls rather than the 15 required.

He displayed computer slides of the site plan, elevations, etc. The canopies will encroach 3 feet into the required 10-foot corner side yard setback, so a variance is requested. The 2-story mini-mart with the second-story office will provide a modern design and will complement the property and the neighborhood. A slide was shown of the elevation of the car wash; it meets the vehicular stacking requirement of 5 cars and has been analyzed by staff in mobility throughout this site. The project meets the minimum landscaping percentage but does not meet the requirement of 50% of the setback area being landscaped. The project provides 40% landscaping in the setback areas and the variance for this reduction is warranted due to the lot constraints, the grandfathered development, and the constraints due to placement of the existing gas pumps.

The project was subject to a Mitigated Negative Declaration environmental review. It has been analyzed for traffic, noise and storm water impacts. The total project will have total daily trips of about 560 vehicles. The total trips will not adversely impact the neighborhood and will consist of a daily Level of Service A, which is an excellent service.

Staff has analyzed the project and found that it is consistent with all the required findings-- land use compatibility and balanced land uses, architecture, noise control --, and is in compliance with the Zoning Ordinance and General Plan. Staffs recommends that Council support the recommendations of the Planning Commission for approval and approve the Mitigated Negative Declaration; adopt the resolution for GPA-4-07 and ZA-3-03, adopt the resolution for the development plan, conditional use permits and variances, and introduce the ordinance for the zone amendment.

Applicant

MOHSEN ARABSHAHI, applicant/owner, also owns the station on South Coast

Highway. We have been in that location since 1995. We have been trying to put this building in since 1999, but because of FEMA we were not eligible since the property was in the 100-year flood zone. That no longer is the case, so since 2003 we started trying to develop a new building. With the help of staff, we were able to bring this forward. He requested approval of the plans.

Public Input

JERRY LANYON, 4624 Calle del Palo, has been driving past and buying gas here for a long time. He supports what is happening; it is a great project that comes at the right time and the right place by the right people. They also support the community.

Rebuttal – None

Public Hearing Closed

COUNCILMEMBER KERN expressed concern with the location of the trash bins because you would see them while driving down Mission Avenue. He would like the trash bin moved towards Carolyn Circle. He **moved approval** [including adoption of:

--**Resolution No. 08-R0066-1**, "...approving a General Plan Amendment (GPA-4-07) for certain real property located at the southeast corner of Mission Avenue and Carolyn Circle (Applicant: Mohsen and Susana Arabshahi)";

--**Resolution No. 08-R0067-1**, "...approving a Development Plan, Conditional Use Permits and Variances for renovation of an existing gas station to include a convenience store and carwash located at the southeast corner of Mission Avenue and Carolyn Circle in the Airport Neighborhood (Applicant: Mohsen and Susana Arabshahi)"; and

--**Introduction of Ordinance**, "...amending the Zoning District Map from Single Family Residential (RS) and Commercial Limited (CL) to Commercial General (CG) for property located at the southeast corner of Mission Avenue and Carolyn Circle (Mohsen and Susana Arabshahi – Applicant)".]

DEPUTY MAYOR CHAVEZ seconded the motion. With the way the economy is going, we really need to help such entrepreneurs to move business along. He would like staff to move these a little quicker and be proactive in helping them do it.

In response to **COUNCILMEMBER SANCHEZ, MR. ARABSHAH**I responded there is a bathroom on both floors, and the downstairs restroom is open 24 hours.

COUNCILMEMBER SANCHEZ stated the last time a gas station/car wash was before her, she wished she had not voted for it because of issues with setbacks, etc. This project does not have a setback in the back; it is 15-foot rear yard with a zero lot line development, so it is up to the wall. She understood that the adjoining property was okay with that. The applicant concurred that the property owner is in agreement with this project. She is surprised because most property owners would not want to be so close to a very busy business. The zero setback is a concern of hers. Also there is less parking than required and the second story office is so close to residential; she is surprised that no residents are here with concerns. Those are her concerns. However, she is not hearing any residents' concerns and plenty of notice was given, so she will support it.

MAYOR WOOD had discussed issues with the applicant, mainly about the noise from the car wash. The applicant is having the doors that close the car wash also installed, so that helps and his concerns have been addressed.

Following the titling of the Ordinance, **motion approved** 5-0.

19. **[Council: Consideration of a resolution denying General Plan Amendment (GPA-2-07) and Zone Amendment (ZA-1-07) to change the land use map from Medium Density A Residential (MDA-R) to General Commercial (GC) and to amend the zoning map designation from Medium Density A Residential (MDA-R) to General Commercial (GC) District on 0.66 acres of the lot situated on the northeast corner of Mission Avenue and Douglas Drive; project site is located in the San Luis Rey Neighborhood – Mission View Manor Lot – Applicant: Cole and Associates]**

At the applicant's request, this item has been removed from agenda; it will be re-noticed at a later date.

26. **Councilmember Esther Sanchez** – reviewed past and upcoming events. Also, the Army Corps of Engineers is sponsoring a groundbreaking for the clearing of the San Luis Rey River on February 22. She reported on meetings with Ocean Hills and the Wildlife Agency and the Fire Department in trying to come up with a resolution regarding the fear of fire in this area. We have several issues around the City regarding non-native species plants. It has been such an issue, especially with Arundo and Pampas Grass, that she is meeting on this. So next Wednesday she is bringing forth a request for an ordinance to ban 3 species of invasives that have caused the biggest problems.

ADJOURNMENT

MAYOR WOOD adjourned this meeting to a Workshop at 4:00 p.m. on Tuesday, February 19, 2008. This joint meeting of the Oceanside City Council, Community Development Commission and Small Craft Harbor District Board of Directors was adjourned at 7:41 PM, February 13, 2008.

ACCEPTED BY COUNCIL/HDB/CDC:

Barbara Riegel Wayne
City Clerk, City of Oceanside



California

CITY OF OCEANSIDE

MINUTES OF THE

CITY COUNCIL

TUESDAY, FEBRUARY 19, 2008

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

ADJOURNED MEETING 4:00 PM COUNCIL CHAMBERS

Mayor

Jim Wood

Deputy Mayor

Rocky Chavez

Councilmembers

Jerome Kern

Jack Feller

Esther Sanchez

City Clerk

Barbara Riegel Wayne

Treasurer

Rosemary Jones

The adjourned meeting of the Oceanside City Council was called to order by Mayor Wood at 4:01 PM, Tuesday, February 19, 2008.

PLEDGE OF ALLEGIANCE -- Led by Chief McCoy

ROLL CALL

Present were Mayor Wood, Deputy Mayor Chavez and Councilmembers Feller and Kern. Councilmember Sanchez arrived at 4:10 PM. Also present were City Clerk Wayne, City Manager Peter Weiss and City Attorney John Mullen.

WORKSHOP ITEM:

1. **Fourth of July planning recommendations for the Beachfront Area**

FRANK McCOY, Police Chief, gave the staff report, stating we are here to make recommendations to Council regarding this year's 4th of July event. For the next 3 years we will have a tremendous amount of people coming to our beaches based on the fact that this year the 4th of July falls on a Friday; next year it falls on a Saturday, and the following year it falls on a Sunday, with Monday being a holiday. We find that the crowds are greater when July 5th is not a work day; the crowds come out for a longer period of time.

The Oceanside beaches have long been a destination for residents and visitors alike over the 4th of July holiday. Staff is providing a number of recommendations regarding planning for the 2008 4th of July holiday and is also requesting direction regarding the fireworks display. Due to the fact that the 4th of July weekend in 2008 falls on a Friday-Saturday-Sunday, staff is making these planning recommendations in order to have adequate time to distribute information to the public regarding the events. These recommendations will apply over the next 3 years.

This will be a mandatory work day for all operational Police personnel, and it also will require additional staffing for Fire and Public Works personnel. Consideration will be given to add additional Police staffing options from outside agencies. The factual considerations are the issues of public safety and event management. An estimated 200,000 people were in the beachfront area during the course of the day last year. Staff's ability to provide adequate public safety, timely emergency first response, and venue environmental services are significantly constrained. Ingress/egress to the beach venue is critical for first responders and other City providers. Adequate crowd monitoring and control are key components for successful event management. Instituting pre-event plans will minimize the day-of-event

issues for us.

Some of the challenges that we face on the 4th of July, in addition to the extremely large crowd, are alcohol violations, public intoxication, disturbances, medical emergencies, and crowd control, as well as lost children.

Traffic flow and control is an issue, along with emergency service access. Environmental issues such as trash pick-up, attractive nuisances and private party events impact public services.

He displayed computer photos of past 4th of July events depicting the crowds, access for emergency services, etc.

After thorough review, we feel these recommendations would help us manage the 4th of July for this and coming years. Recommendations staff would put forward to Council are:

RECOMMENDATIONS:

1. Eliminate the MainStreet-sponsored carnival or reschedule to another date.
2. Eliminate the MainStreet-sponsored street fair or reschedule to another date. The street fair location at Mission and Pacific has been problematic for us in our ability to get emergency access.

[Councilmember Sanchez arrived at 4:10 PM]

3. Schedule the Samoan Cultural Event to another appropriate weekend (not July 4th).
4. MainStreet would provide a food court, music, and vendor services in the beach amphitheatre, Betty's Lot, and Pier Plaza area.
5. MainStreet would provide a children's area, vendor services, and food with appropriate activities including music at Tyson Street Park.
6. Convert a portion of Betty's Lot into a "resource area" to provide for an increased number of portable toilets and large trash bins. Having this resource area will move trash and portable toilets off The Strand and will provide for better emergency vehicle access.
7. Create a public safety zone to include the entire beachfront—with enhanced fines for violations--from Wisconsin Avenue to Breakwater Way and Pacific Street to The Strand. Dogs, skateboards, and bikes would not be allowed on The Strand on the 4th of July, and fines currently allowable within the zone would be tripled.
8. Restrict vehicular access from 6:00 PM on July 3, and close roadways to vehicular traffic from 6:00 AM to 12:00 Midnight on July 4 along Pacific Street from Surfrider Way to Oceanside Boulevard and The Strand. Post no-parking on Pacific Street and Seagaze. Resident-only parking would be allowed on Myers Street from Wisconsin to Mission Avenue. These restrictions will allow for emergency vehicular access to the beachfront area.
9. Staff is also requesting direction from the Council on the provision of a fireworks display for July 4. It is estimated that the cost for the fireworks including the barge will be approximately \$40,000. Due to the elimination of the street fair and carnival which have been revenue sources for MainStreet, the cost would have to be paid by the City.

If these recommendations are put in place, it would enhance our ability to manage this event, it would heighten deterrents to criminal activity, it would improve emergency response, we would have better crowd and traffic control, it would improve the beachfront environment overall, it would reduce the impact to our residents, better resource allocation and deployment of our personnel, etc. The projected costs for the 4th of July holiday is \$178,000 [Police: \$86,000; Fire: \$29,000; Public Works: \$8,000; Harbor & Beaches: \$55,000]. If fireworks are included at \$40,000, the total costs would of \$218,000.

Public Input

KIM HEIM, Executive Director of MainStreet Oceanside, stated one of these things we have had an ongoing concern about is public safety. Anyone coming to downtown we feel is a guest of ours, and we want people to be safe and have a positive experience. One thing we strongly support is the public safety zone. If the City wants us to continue to investigate the opportunity to provide additional hospitality services on and around The Strand, we would be happy to look at that. We are completely aware that downtown is changing and with the advent of the new development that will occur in and around Pacific Street and the residential units, there has to be a change and a refreshed look at the 4th of July. But it is our City's longest and biggest tradition; it is probably the single biggest gathering that ever occurs in the City with guests and residents.

MAYOR WOOD wished to emphasize that in no way is this a plan to discontinue our ability to celebrate the 4th of July. After last year's gathering with the criminal activity under the pier, he noticed a major influx of outside gang activity from other areas. Our event draws from surrounding communities and counties. So he wanted this to be addressed for public safety, costs, etc. It seems we are entertaining the surrounding communities at our cost without any assistance. Those issues are what we are trying to address here. We want to celebrate the fireworks and 4th of July, but if it does not improve, along with the cost factor, then we need to look at those issues. Last year with the stabbing under the pier, with hundreds of law enforcement officers already down there it did not deter that. We need to discuss this.

DEPUTY MAYOR CHAVEZ stated this report refers strictly to the downtown area but does not really include the entire beach area in the City from border to border. The question is what does Council want to see for the 4th of July. It is for families, for all ages. He would like to see something more encompassing. He was at a South Oceanside business meeting, and their concern was Buccaneer Beach, which is not mentioned in this report at all. He talked to some people at the Harbor, and they have their issues. So he wanted to have a more all-encompassing approach. Also with the future development, perhaps next year streets would be closed due to construction, creating a larger traffic problem. So when the hotels and Citymark are in, what is the impact. He talked to NCTD, and they are prepared to adjust their Sprinter times and increase the hours if we do have fireworks. They will get people in and out as another means of transportation. He appreciates staff's work, but it is looking in the past and not looking to the future. He would like a more all-encompassing look at the entire beach area, have it be a family event, and think about the new development we will have, and also the impact with the Sprinter.

COUNCILMEMBER SANCHEZ questioned the restrictions on vehicle access on Item 8; do we have a proposed plan for access into the beach area. As to no parking on Pacific and Seagaze, how many slots are we losing and where will those go. If they cannot park too close, will there be a shuttle.

CHIEF McCOY stated staff did talk about displaced traffic on Pacific Street and where they would park. A recommendation staff is looking at is to block vehicle traffic west of the railroad tracks; that would provide for those displaced off Pacific to park in the City lots. That is part of our plan at this point, which would cover those slots.

COUNCILMEMBER SANCHEZ questioned that when staff talks about the entire beachfront from Wisconsin to Breakwater Way as a public safety zone, are you referring to the sand or on The Strand.

CHIEF McCOY responded that we would define an area from Pacific Street down to the water; all the way from Oceanside Boulevard down to Seagaze would be our public safety zone. That would mean that in that area any criminal violations would have double or triple the fines, whatever the Council decided.

CITY ATTORNEY MULLEN noted that if that is Council's direction to create the safety zone, we would bring back an ordinance that would affect both the geographical restrictions of where it applies and the fines that would apply for violations of City Code sections. This would be a 1-day item only. He is not aware of any Coastal Commission action needed.

COUNCILMEMBER SANCHEZ questioned the circulation plan for Item 8.

CHIEF McCOY responded that we have not yet set up a circulation plan nor a staffing plan. We were waiting for Council direction before proceeding with those plans.

COUNCILMEMBER SANCHEZ stated it is her understanding that the City would need permission from the Coastal Commission to close traffic on The Strand.

CHIEF McCOY responded it is a public safety issue, and we have the authority to close traffic on The Strand out of a public safety necessity.

COUNCILMEMBER SANCHEZ questioned the extent that fireworks attracts people from outside the City, especially people who get into trouble.

CHIEF McCOY has no statistical information, but we have visitors from San Bernardino County, Riverside County, Orange County, and San Diego County. He does not know what brings them here. While he has interacted with some gang members that were from Riverside County, but he does not what drew them here.

COUNCILMEMBER SANCHEZ stated the Samoan cultural events at the bandshell were held every single 4th of July, and they have never had any problems, yet staff is recommending no cultural events on that day.

CHIEF McCOY is not familiar with having the cultural events on the 4th of July. In his last two 4th of July events we have not had those activities. They have been held on different days. Our goal was to minimize the amount of activities that would draw people to our beaches. We had approximately 200,000 people without those activities. To add activities would increase those numbers.

COUNCILMEMBER SANCHEZ questioned if the parade was scheduled for the 4th of July.

CITY MANAGER WEISS believed the parade was scheduled for June 28th.

COUNCILMEMBER KERN felt the 4th of July parade should be on the 4th of July. He would like to move forward with that. It is important because it is a celebration. Regarding the fireworks, we have had the 4th of July fireworks since 1903 according to a local historian. So he does not want to stop that. Regarding the street fair, what is the ability to move that up to where the evening farmers market is to take the impact off the beach/Pacific Street area.

MR. HEIM responded that the premise behind all the activities is centered around the concept of hospitality. We believe these guests come by virtue of the holiday; not necessarily our event. So we structure activities, music and food/beverage to try to meet the needs of the crowd. As a result, the proximity to the beach is important in terms of meeting those needs. Also, the area of the Sunset Market has been looked at; it has potential, but it has consequences that add to traffic/circulation issues. One of the things we feel helps temper a crowd that size is keeping them fed and watered. So there is a proximity issue that has to work. We posed recommendations regarding utilizing some of the areas on The Strand; there are specific advantages that can be achieved by having some parks/plazas under a special events permit to control what is going on. It is clear there is going to be a paradigm shift on how we will address the 4th of July. For us, it is how we treat our guests.

COUNCILMEMBER KERN questioned input on the cultural events.

WAYNE GODINET, advisor for the Samoan cultural event, stated it is usually a 2-day event. We are flexible. We love the fact that we are doing things in conjunction with the City around the July 4th event; connecting to some efforts in the different neighborhoods—particularly the Back Gate area. There is some sensitivity, and we have never had any problems in the past. We think the outreach is very important. We have not been on the 4th of July for a few years now. We are connected to that. That was one of the first things of coming off the 4th, to work with staff due to crowds, etc.

COUNCILMEMBER KERN stated we would have to work out ideas on this. He questioned how people would off-load all their beach and kids gear.

CHIEF McCOY stated we are hoping we do not get as much stuff on the beach in the future. We have too much stuff on the beach, which hinders our ability to move around the area. Some items do not belong on the beach.

MAYOR WOOD is concerned about public safety. Other cities have stopped these activities. Many people are there to cause problems, so we have to do something. Let's continue with the 4th of July and probably the fireworks, but if the impact is so great on our community, we will have to take drastic actions on what to do at the beach. He is not sure all these people buy stuff in our stores; they bring a lot of it with them. In the last few years he is seeing some elements down there that we do not want. We have to look into all angles. He agrees with the Deputy Mayor that we cannot rule out the harbor and other beach places. We still need solutions. We need to advertise the safety zone in ours and surrounding communities and counties, etc. This is just a start at what we need to do, but it is not complete. We could expand it to make sure the harbor is involved. If we start off with a year of trying this out for the parking, safety zone, and have the fireworks, then we will look at it again for the future with the new businesses, hotels, etc. We need to do something now for safety reasons. We should go forward and at least test something like this.

DEPUTY MAYOR CHAVEZ agrees with recommendations 1-6. On Item 7 regarding the public safety zones, he would like to perhaps include the Buccaneer Beach area. For the public safety zones, they had discussed external lights underneath the pier, at Betty's lot, Tyson Street., etc. Item 8 is smart. He would like to add Item 10 to have the 4th of July parade on the 4th of July. On Item 9, he is still open on the fireworks.

COUNCILMEMBER FELLER asked the Chief to report on the crime rate for the last 30 years.

CHIEF McCOY reported that he had handed out to Council this evening a report showing that our 2007 crime statistics are the lowest they have been in 10 years. We conducted more research back to 1975, and we found that our crime levels today are the lowest they have been in over 30 years.

COUNCILMEMBER FELLER stated we have a chance to really show off our community one day a year—the 4th of July. It may cause some stress for those working it and being a part of it. The \$178,000 amount will probably be spent anyway, even without the fireworks show. So the issue is the \$40,000 for the fireworks. He agrees with Deputy Mayor Chavez's recommendations. In the backup it says people that live on Myers will be allowed in their for parking; how are those people identified because everyone will want their friends to park in those parking lots as well since Pacific Street will be closed with no parking. Everyone west of Coast Highway may need to be notified of this parking issue. We will not end up with less people on the beach if we did not have fireworks; they just might disperse earlier. People will still come to the beach, and this is our opportunity to show it off. We cannot live in fear of everything. We have to continue to live our lives. There will be issues when there are 200,000 people; the Police Department is a strong department, and the officers know what they are doing; they are professionally trained.

Another issue is handicapped parking, so that needs to be addressed in this plan. More toilets are needed at Tyson, if that is where it is going to be; that could be a staging area for the environmental needs.

If the Council will vote to have the event as stated, he would be willing to go out and raise probably all the money for the fireworks show to save the \$40,000 expense to the City. We have handled this event for years, our crime is down, and people know that we mean business here. So he would offer up that we raise the money outside the City if we are not willing to spend the money.

COUNCILMEMBER SANCHEZ stated the point is to protect us from outside people. That is a concern. A critical part of this will be the circulation/parking plan. She agrees we need to have food and drinks closer to people for purchase. With the added bathrooms and trash, she would like to see recycling bins. She was one of the Councilmembers that worked with MainStreet on their contract, and their contract included fireworks. So when we talk about their funds, it includes funds for providing fireworks. The fireworks are a tradition, but public safety comes before tradition. She had not had that type of fear until last year that someone was going to be seriously hurt, and it was not going to be a gang-banger; it was going to be some innocent bystander. The circulation plan will be critical, and it needs to be advertised. We came close to a really bad situation last year. She would like to see the 4th of July parade on that day.

COUNCILMEMBER KERN hopes we do not get caught in this "us vs. them" attitude to outside people. We spend a lot of time, money and effort to bring people here. For the most part they are all Americans coming down here to celebrate the Nation's birth. We need the attitude that we are the host, and people come away from this community thinking Oceanside is a great place. We do not backtrack just because we have had a problem. We are planning for it and will deal with it; he has full faith in the Police Department coming up with a plan. The 4th of July is everyone's holiday; we should welcome the people.

CITY MANAGER WEISS wished to summarize where we are now and get further direction. From what he has heard regarding the recommendations, for at least Items 1-8 there is general Council concurrence on those items, with the exception that Item 7 include Buccaneer Beach in the safety zone, which will come back to Council for formal adoption. For Item 8 we recognize that vehicular access is an issue, but as part of the overall planning of the 4th of July event, we would develop a comprehensive circulation plan that would address all of the various issues discussed. We are looking for direction from Council to work with MainStreet to have the 4th of July parade on the 4th of July. The only other issue is if there is Council concurrence on having the fireworks or not.

MR. HEIM stated there is a reason for the 4th of July parade not being on the 4th; because it was a stressor for the Police to accomplish both things on the same day. And there is enough mobilization issues on the morning of the 4th with the activities that have been historically conducted that police have found it beneficial to stage the parade on a day other than the 4th. The other item is that the parade participants have told us that their choice is to spend time with their family on the 4th and wanted to have the parade on a different day.

Regarding the issue of hosting the event, MainStreet invested \$96,000 on that same day; not necessarily to produce the street fair, etc., but to program music in the amphitheater, provided up to 210 man hours of additional security for the downtown area in areas where the police were not necessarily managing; we introduced downtown portable toilets because of the storefront issues being impacted; additional refuse collection downtown; etc. So to host is a broad concept. As we move forward with this discussion, there are services rendered beyond what the City provided just to meet the demands for the public.

MAYOR WOOD was concerned about the parade on the same day for several reasons. Many people who would be in the parade do not want it on the same day, so it conflicts with those wanting to do the parade. It is a busy day. With a parade we shut off all the downtown streets when everyone is trying to get to the beach; so there is a major conflict for traffic issues. He will go either way, but that is a concern. We are also talking about \$250,000 to have an event to host people outside of our City. Yes our citizens attend as well, but it is an expensive and time-consuming issue. We do not have all the facts, but all the calls/complaints last year is the reason we brought this up. If this does not work this year, then there may not be a fireworks next year since, in his opinion, this does bring in outside crowds.

COUNCILMEMBER FELLER stated that in the staff backup it says to create a public safety zone along the entire beachfront; does that mean something different than going to the harbor, etc.

MR. MULLEN responded that staff has not formulated the exact boundaries of it. We are open to Council's direction. When we return with an ordinance for introduction, we would have specific boundaries, and we could include down to Buccaneer Beach if that is Council's direction.

COUNCILMEMBER FELLER noted he did not get complaints about last year unrelated to the stabbing. We have professional people in place who know exactly what they are looking at. We need to go forward with the fireworks. This is asking for a 3-year commitment but we need to look at this again next year. He is willing to lead the way regarding raising the money for the fireworks if we want to do it privately. This is important. Many people watch the fireworks from a distance.

With the City Manager's consensus summation, **COUNCILMEMBER KERN moved** that we have the fireworks; **DEPUTY MAYOR CHAVEZ seconded** the motion.

COUNCILMEMBER KERN stated that Councilmember Feller and he could work as a committee to raise the money. So the direction to the City Manager is that we establish some type of a fund and put it in the magazine so that people can donate; maybe put it in the water bill, etc. for contributions to the fireworks.

COUNCILMEMBER FELLER questioned if it would cost \$178,000 without the fireworks.

CHIEF McCOY responded that the fireworks means that it would add about 4 hours to our work day; either from 6:00 AM to 10:00 PM or 6:00 AM to about 2:00 AM with the fireworks. So the only additional cost would be the money in personnel hours.

DEPUTY MAYOR CHAVEZ commented that regarding the parade, he talked to the Police Chief and he said he had no problem with the 4th of July parade being on that date. He would like to see the 4th of July parade on the 4th of July.

He **moved to call for the question** [discontinue discussion and vote on the motion].

COUNCILMEMBER KERN seconded the call; motion was **approved 4-1**, Councilmember Sanchez – no.

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

2. Public Communication on City Council Matters (Off Agenda Items) - None

ADJOURNMENT

MAYOR WOOD adjourned this Adjourned Meeting of the Oceanside City Council at 5:24 PM, February 19, 2008. [The next regular meeting is at 4:00 p.m. on Wednesday, February 20, 2008.

APPROVED BY COUNCIL:

Barbara Riegel Wayne
City Clerk, City of Oceanside