



California

CITY OF OCEANSIDE

MINUTES OF THE

CITY COUNCIL

February 13, 2002

ADJOURNED MEETING 2:00 PM COUNCIL CHAMBERS

Mayor
Terry Johnson

Deputy Mayor
Jack Feller

Councilmembers
Betty Harding
Carol McCauley
Esther Sanchez

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 2:00 PM, February 13, 2002. The Pledge of Allegiance was led by Deputy Mayor Feller.

ROLL CALL

Present were Mayor Johnson, Deputy Mayor Feller and Councilmember Sanchez. Councilmember Harding arrived at 2:02 pm. Councilmember McCauley was absent due to a doctor's appointment. Also present were City Manager Steve Jepsen, City Attorney Duane Bennett, City Treasurer Jones, and Assistant City Clerk Charles Hughes.

WORKSHOP ITEMS

1. **Review of the Proposed 2002 Water and Sewer User Rate and System Buy-in Fee Increases**

BARRY MARTIN, Water Utilities Director, presented the proposed rate structure for 2002. Last year was a dramatic year for the Water Utilities Department, with a commodity increase from the San Diego County Water Authority (SDWA) of \$5.00 per acre-foot surcharge; they will be taking on half of the San Luis Rey River flood control project debt service, if approved; and they will take on the administration portion of the clean water program. As we all know, the energy costs in the wastewater division this past year have been incredible. The upcoming energy costs are expected to remain higher than they were originally budgeted. The biosolids hauling also had a big impact on the Wastewater division.

Staff has worked on creating the rate increases along with Karen Keyes, financial advisor from Keyes Company, who has worked with the City since before 1995 when the rate structure was restructured and again on the financial plan that accompanied the master plan.

The financial plan for water and wastewater user rate and system buy-in fees is based on the model created when the City restructured the rates. The current spreadsheet system allows staff to input numbers impacting the department now or in the future to make sound projections. It is a very useful tool that is updated annually as Council directed in 1995, when they approved the rate restructuring, and again in 1997, when Council

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MEETING BY CITY COUNCIL**

approved the water and sewer master plan and financial plan. When the water and wastewater financial plan and system buy-in fees were updated again in 2000, it was important for the Council to have staff give an annual report of the impacts for the previous year.

In 1995 during the rate restructuring, a Citizens Advisory Committee was appointed, and they spent 6 long months evaluating the existing rate structure. The Committee felt the rate structure was not equitable to all the uses, so they brought folks in from different user classes throughout the City to sit on the advisory committee. They came to Council and recommended a tiered rate structure that is currently in place. Since the adoption of that rate structure, there have been less complaints.

Getting to the details, the Water Division cost increases include a SDCWA rate surcharge. Before January 1, the surcharge was \$90, which is in addition to what the City pays the Metropolitan Water District (MWD) to get the water to Oceanside. It is for the conveyance system for the Water Authority from the Riverside boundary to San Diego County. A \$5 per acre-foot increase equals a \$172,500 increase. A cost increase of \$600,000 is a result of the San Luis Rey River Flood Control Project debt service; and the clean water program will cost \$250,000. Both the San Luis Rey River project debt and the clean water program will be discussed more at the public hearing this evening.

There is also a capital program requirement of \$1,200,000 for 2 projects they added into the program this year: the citywide radio system and the waterline needed at Peyri Drive. The Department's share of the citywide radio system is approximately \$800,000. The Peyri Drive waterline that will lie next to and through the Mission will assist in providing fire service.

The current water rates include service charges that vary by meter size. The service charge on the water bill includes a basic service charge, the SDCWA infrastructure access charge and the MWD readiness-to-serve charge. Through the years, Council has directed staff to itemize each charge so people could see the real costs of water. The City has no control over the costs from the SDCWA and MWD; they are straight pass-through charges. With the commodity charge, which is the cost of water, there are tiered rates.

Explaining why we have a fixed charge and a commodity charge, he stated the reason for the fixed service charge is it pays for the pipe in the ground that takes the water from the filter plant to the customers. It also pays for the replacement and operation of those facilities. The commodity charge is what the water costs the City. The City differentiates between the 2 charges because SDCWA and MWD charge the City according to the commodity charge. So in years when these agencies are selling a lot of water, the City receives excess revenue. In fact, Oceanside just received \$481,000 in excess overcharges from MWD that went into a rate stabilization fund. SDCWA is also looking at returning approximately \$400,000, but that decision will not be made until March or April of this year. Likewise, if it is a really wet year, these agencies sell less water so their revenues decrease, and they charge the City more. The Oceanside rate structure allows for the fluctuating revenues of these agencies. Oceanside also has a uniform rate for non-residential customers, such as irrigation and the SDCWA surcharge.

The typical single-family water bill for a 5/8" meter service charge is currently \$11.46. Staff is proposing an increase to \$12.24. The MWD RTS will remain the same; they are not considering an increase this year. Through the Citizens Advisory Committee, Council approved a water conservation tier structure. The first tier is for those who use 13 units or less; staff is proposing an increase from \$18.98 to \$20.28 for tier 1 users. The second tier is for those customers who use more than 13 units; and the proposed increase is from \$3.32 to \$3.54. The Water Authority is considering increasing their surcharge and the cost to the City would be an additional \$.30 for the 15 units per month user. Therefore, the total monthly bill will increase from \$36.51 to \$39.11. This is an increase of \$2.60 per month.

To minimize future rate increases, they plan to seek low-interest State revolving fund loans for major capital projects, such as the water purification facility, which is now

under construction to increase from 2 million gallons a day to 6.3 million. After that, to expand the capacity any further would be a major change to take it up to 13 million gallons a day. Right now, we are living off the storage in the aquifer. In order to expand it, the City will have to consider options such as ground water injection, seawater barriers, water reclamation, etc., to supplement the supply. For that kind of a project, which is in the financial plan for fiscal year 2004-05, it will cost \$38,000,000. We will need to seek zero-interest loans or low interest loans to help finance those types of things. The reclamation portion of the San Luis Rey wastewater treatment plant will also be funded by the water fund because it is sold as a water commodity.

When the City last updated the buy-in/connection fees, they had to double the fees. Council gave direction to staff to update those fees more frequently to avoid having to double fees again. Staff's strategy is for moderate, annual rate increases rather than the large, infrequent increases. This is accomplished by utilizing the rate stabilization fund to avoid increasing the bills each time there is a spike in costs.

The wastewater division was over budget in electrical costs for FY 2001 by \$2,000,000 due to the energy crisis; they normally budget \$1,500,000. The department plans to make up for that over a 5-year period at \$414,071 per year. The energy costs for this year cost the wastewater division an additional \$989,915. Council approved a contract for biosolids hauling operations and maintenance costs, but those costs also increased this past year. Staff found a good rate and will present Council with a 5-year contract for \$202,000 a year at the regular Council meeting tonight. Additional operation and maintenance costs led to additional chemical and labor costs.

He emphasized that, when the rates were restructured in 1995, it was a revenue-neutral rate restructuring that did not add any extra costs. The wastewater rates had not increased since the early 1990s. The current wastewater rates are made up of service charges and commodity charges. The service charges are charged to single-family, master metered and manufactured homes and is based on a 5/8" meter. The multi-family and non-residential service charges vary by meter size. The commodity charge is separated into tiered rates of low, medium and high to allow equitability between different rate users. For example, a person living alone no longer pays the same as a large family does. The restructured rates are based on use of water during the winter quarter average, which starts in November and goes until April. The low rate is based on use of 0-5 units; medium is 6-10 units; and high usage is 11+ units. This system is much more equitable than it was before. Separate flat rates are charged to master metered single-family and manufactured homes based on flow and strength of the user class, and flow based rates for multi-family. For non-residential, such as commercial/industrial, flow rates are based upon the strength of their wastewater.

Presently, a typical medium user, single-family 5/8" meter sewer bill includes a service charge of \$9.47. The low for the service charge would be \$4.75 and the commodity rate would cost \$5.70. Approximately 1/3 of our users are in the lower rate structure, which means they would be substantially lower than the rate that is being considered for increase. The medium use in the commodity rate is \$11.12. The current total monthly bill for the medium user is \$20.59. Staff is proposing the meter service charge increase to \$11.36 so the total monthly bill would cost \$24.71 [for medium use]. To minimize increases in the wastewater division, staff is looking for low interest State revolving funds [SRF] for major capital projects. For the future they are considering upsizing the land outfall, which is where the treated wastewater goes through a pipe to the ocean outfall. They are proposing this will be a \$10,000,000 expense in FY 2006. Again, they will be looking to acquire low-interest loans and SRF funds to do that type of project.

The San Luis Rey wastewater treatment plant is under expansion right now with a total project cost of \$60,000,000. In FY 2006-2007, staff is considering increasing the plant capacity once again, and the cost will be \$10,000,000. That is considerably lower than what is currently being spent because we are installing all the fixed structures at San Luis Rey now. Staff plans to update the buy-in fees to ensure that new development pays for capacity in the system. They will bring that back to Council every year and apply a strategy of moderate annual rate increases rather than the large, spiking increases.

Staff provided a rate comparison sheet to other cities in San Diego County. With a correction to Santee's information, in comparison, Oceanside's water and sewer rates are 6th from the lowest. The proposed increase will go up slightly, but it will cover all our costs. In the combined water and wastewater bill, the proposed increase goes from \$57.10 to \$63.82..

Council previously requested that staff bring back the system buy-in fee increases, which staff reviewed through the rate model. The current buy-in fees for the typical residential 5/8" meter is \$3,098; the proposed buy-in fee is \$3,360. It is necessary to increase those fees to keep up with future development.

In comparison with the rest of the County, Oceanside's water connection/buy-in fees are just above the median. Therefore, in buying into the Oceanside water system, they are getting a good purchase for the dollar. During the last week there was a filtered water shutdown, and many of the surrounding communities were asking for water from Oceanside. We have the ability through our water filtration plant to take raw water, which was not shut off to the County, and treat it. So Oceanside did not suffer during the filtered-water shutdown, which is a great advantage the City has. Oceanside also has a choice to either buy filtered water or produce our own. It costs us \$25 an acre-foot to filter our own water. Buying it from the County would cost an additional \$70 an acre-foot. Oceanside saves a lot of money by filtering its own water. The current water connection buy-in fees are \$3,098, and the proposed is \$3,360.

Looking at wastewater system buy-in fees, the recommendation is an increase from \$3,793 to \$4,114 for a 5/8" meter. In comparing fees, Oceanside's buy-in fees are a little higher than the median of communities in San Diego County, but that allows for a very sound infrastructure. It is important to be ready for industrial and commercial growth in the City. One of the selling points and reasons why IDEC Pharmaceuticals decided to build here is Oceanside's water and wastewater systems, and the fact that Oceanside does not defer maintenance. Since there is continual service 99% of the time, it is a very reliable system.

COUNCILMEMBER HARDING was concerned that Oceanside is above the mean in connection fees for water and sewer, in that regarding the cities that are higher, with the exception of Escondido, the home costs in Oceanside are half the cost of the homes in the comparison cities. For example, an \$8,000 buy-in fee is not much on a \$4,000,000 home in Rancho Santa Fe. On the water rates, the Council has to be aware that our families' income is one of the lowest in the County. It is lower than any city with higher connection fees. The connection buy-in fees really hit the less expensive homes because the profit margin is not as much on a \$200,000 home as a \$7,000,000 home.

DEPUTY MAYOR FELLER added that Oceanside is close to build-out. There may only be land to build a few thousand more homes, so he does not see the buy-in fees as a major deterrent.

COUNCILMEMBER HARDING agreed the City is almost at build out, but build-out does not stop population growth. Houses get torn down to build new ones, so there will always be water and sewer connection fees.

Public Input

WILLIE LITTLE, 3201 Mesa Drive, noted that Oceanside's water and sewer user rate is higher than any other city on the coast, but Oceanside has the lowest income of those cities. It is unclear how richer cities can operate with lower rates than Oceanside. In the past, he was under the impression that the funds would come from buy-in fees but was surprised to discover that users are paying these fees. He understands that Oceanside has no control over the fee increase from MWD, but their increase is only \$1. Oceanside is raising the rates by \$4 per bill. He suggested that staff go back to find a way to be more fair and equitable to the low-income residents who cannot afford this hike in rates every 2 or 3 years. He asked Council to represent the people and get some relief for the residents.

LLOYD PROSSER, 1618 Kurtz Street, has been a member of the Utilities Commission for about 10 years. He had the privilege of serving as the Chair for both Citizens Advisory Committees that recommended the water and wastewater fee structures being presented now, as well as the current method the City uses to assess buy-in fees. It is an annual occurrence to raise the rates because costs increase every year. In this type of business, costs rarely go down. The City is running an enterprise that has to make money to stay afloat. He is not sure the rate increases being presented now are really adequate for the long-term because the City did not raise buy-in fee rates for about 12 years. Therefore, it is way behind. There was a 2-year delay in implementing the recommendations from the Citizen's Advisory Committee. As you may recall, there were developers who had projects already in the pipeline who were grandfathered and not affected by the changes. He encouraged Council to ask staff where we are with that; whether all are developers now on the new rate structure. He has heard that some developers are not.

The Utilities Commission and the Budget Committee of the Commission have not yet seen the recommendations that were presented today, but Council needs to pass these rate increases now since it is winter and supposedly water use is down. The replacement reserve is a concern of his, as well as the developer fees that were not collected, since the rate model was based on when we made our original recommendations. As the chair of the budget committee of the Utilities Commission, he would like to take a better look at this through the Commission structure at this point.

Public input concluded

COUNCILMEMBER SANCHEZ asked if it is possible for the Utilities Commission to look at this information before Council makes a decision.

MR. MARTIN responded affirmatively; that is part of the process this will go through since staff is currently working on their 2-year budget. They will take these recommendations, minus the storm water increases, through the normal process with the budget subcommittee and the Utilities Commission for a public hearing before staff comes back to Council (in late March/early April).

CITY MANAGER JEPSEN cited the reason this is before Council right now is so that Councilmembers can have a glimpse at the overall factors regarding water and sewer rates in relation to the issue before Council tonight. Staff intends to take this back to the Utilities Commission, but the Council had asked the question relative to how the clean water order fit into the bigger picture; this is the bigger picture.

COUNCILMEMBER HARDING noted the staff report recommends Council approve the proposed 2002 increases, but she would not want to make a recommendation until it has gone through the Utilities Commission for their recommendation. Council should defer making a decision.

MR. MARTIN indicated it was staff's intent to have the commission discussion before Council action. That is an error in the staff report.

COUNCILMEMBER SANCHEZ stated her previous request was to find out what increases are expected over the next 5 years. For example, the \$53,000,000 expansion project will start next year or the year after. A loan in that amount even at 0% interest for 25 years would require annual payments of more than \$2,000,000, not to mention the Clean Water Act and electricity costs. Also, Mr. Martin indicated we had received one refund and are expecting another. At the last Utilities Commission meeting, some of the Commissioners were hoping that could go back to the fund and/or be used for the first year costs for the Clean Water Act.

DEPUTY MAYOR FELLER asked how much of a refund could be given to the residents if they distributed the \$481,000 refund from MWD.

MR. MARTIN said this one-time refund would boil down to \$0.60 per customer. By

putting it into a rate-stabilization fund, the City can offset costs over a longer period.

MR. JEPSEN confirmed they will take this item to the Utilities Commission.

2. **Approval, in concept, of the City of Oceanside Cultural Arts Plan**

JOSE APONTE, Deputy City Manager, presented the Cultural Arts Plan. This presentation was postponed from last October. This Cultural Arts Plan came from Council's strategic planning efforts as one of their major focuses.

In view of the uncertain national and regional economic indicators, staff recommends that Council review and consider the plan in concept and to consider delaying any specific funding considerations for the immediate future for 3 reasons:

- The impact that the current economic recession will have on the City budget is unclear.
- There are also uncertainties as to how the State budget will play out; and
- There are uncertain, lasting effects of the September 11 attacks on our State's economy.

This concept plan is a good plan. With Council's concurrence, in light of the changing economic climate, staff intends to revisit the funding issue by the end of the next year.

The strategic planning objectives identified at Council's Retreat include:

1. Develop a long-range fiscal plan
2. Enhance the City's image
3. Build a beach resort
4. Increase the City's economic position
5. Establish cultural arts strategic and financial plan.

The project team was charged with crafting a strategic and financial plan for the City's cultural services. Staff organized a team that has met regularly since May 2001. The planning team consisted of representatives from the Library, Recreation, Randy Mitchell with the Oceanside Cultural Arts Foundation, and Kathleen O'Brien, Arts Commission [and Vision 2020].

The intent of the plan is to develop the institutional as well as the financial framework to support and expand cultural assets of the Oceanside community. The newly crafted cultural arts plan uses the Vision 2020 cultural arts element as the foundation for the document. Using Vision 2020 and the work they completed 3 years ago as its basis, the team felt the mission statement was fine as follows: "The City of Oceanside will recognize and support all of the arts as essential to the quality of life in the community and as a motivating force to awaken the economic potential of the community."

The key elements of the cultural arts plan include to:

- Establish a cultural arts office
- Look for a performance venue at the east end of the City
- Develop a downtown arts district
- Develop a public relations plan for community awareness of the programs
- Expand the cultural arts events
- Promote the arts as a tourism vehicle

The key to the plan is the establishment of a cultural arts office with the necessary staffing component to accomplish the desired tasks and to create the framework for long-term collaboration with the Economic Development's cultural tourism and hospitality plan.

The second element in the plan articulates a vision for an increased performance venue in the City's east end. It does not look to build anything; they are looking at the

spaces they have. The Rancho Del Oro space is good and could be improved in a landscaped approach.

COUNCILMEMBER SANCHEZ inquired if the Mission Statement encompasses all of the arts, including youth dance activities.

MR. APONTE reassured her that the City has and will continue to support those activities.

Continuing, the Cultural Arts office will operate in the capacity of event coordinator, arts leader and a community liaison. The projected personnel funding and operational budget for an arts office would be around \$100,000. The City would transfer \$25,000 that is currently in the theater manager's budget, so it would require \$75,000 of new money. Parks and Recreation Services would recruit and hire a Cultural Arts Coordinator to staff the arts office to provide leadership and coordination of the arts.

The Cultural Arts Coordinator would assume management of the Brooks Theater, design an annual calendar for art and cultural events, serve as a liaison for community arts events, provide staff support to the Arts Commission, coordinate public art projects, develop and distribute public information materials, identify sources of funding for the arts, monitor the arts and theater budget, coordinate with vendors and consultants, participate in those events in order to evaluate them, possess entrepreneurial skills to initiate and build the program and set the direction for the community's cultural establishment.

COUNCILMEMBER HARDING asked about one of the job duties being the management of the Brooks Theater. There was a lot of discussion about the Star Theater managing the Brooks Theater. The Council at the time thought that was a wonderful idea. She asked if the grants would go through the grants team, which is a collaborative of many departments.

MR. APONTE indicated that any grants work would continue to be centralized through the City's grants team. However, departments have a role in the formulation and writing of those grants. For the arts, there is no one.

When we speak about establishing a centrally located performance venue and amphitheater for arts in the City's eastern portion, that is what the citizens have said. A staff team would plan the development of a performing arts amphitheater in the Rancho Del Oro Park. Establishing a performance venue in the eastern portion of the City would provide a place and a focal point for fundraising to initiate a capital campaign for sound and performance infrastructure under the umbrella of the, soon-to-be established, Parks and Recreation Conservancy. The construction and completion of a naturally landscaped, tiered amphitheater in the area of Rancho Del Oro Park, east of the tennis courts, would happen in year 2 of this funding plan. Staff would bring forward a proposal for Council's approval in a future year's CIP.

Regarding establishing an arts zone in the MainStreet Oceanside corridor, there is already an arts zone in downtown with museums, 2 theaters and galleries. They would like to work with the MainStreet Oceanside staff to identify the boundaries for an expanded arts zone and theater district detailing public art opportunities, performing arts venues and potential centralized facilities. Something as simple as downtown kiosks to point people in the direction of the theaters, museums and galleries would be an improvement.

COUNCILMEMBER SANCHEZ asked if this plan includes the incorporation of the amphitheater for more art activities such as dance and music.

MR. APONTE responded absolutely. They see MainStreet as a leader in developing a sense of performance and excitement in downtown. They will continue to expand the use of the amphitheater.

COUNCILMEMBER SANCHEZ recognized that the downtown area is a distance away from the majority of the residents and inquired if more year-round activities would be

planned since Oceanside has the kind of weather that people can enjoy year-round.

MR. APONTE stated the City was moving in that direction. However, someone needs to coordinate all of these ideas and volunteers. The coordinator would coordinate the calendar and activities throughout the year.

COUNCILMEMBER HARDING suggested Councilmember Sanchez was referring to the amphitheater but the decision of management, scheduling, etc. for the amphitheater will not be determined until the Manchester Project is decided, regarding the days of use, who will manage it, etc. Therefore, this is somewhat of a moot subject until the Manchester Beach Project is determined.

Regarding the arts district, **MR. APONTE**, stated the Cultural Arts Coordinator, working with MainStreet Oceanside, would contract with a graphic artist to produce a promotional brochure to detail the City's assets and events.

The public relations plan would address how to get the message out. It would coordinate an event schedule, and publish a quarterly events schedule for distribution. The person would also rally the quarterly Arts meetings to schedule the events calendar. The Cultural Arts Coordinator, working with the public information office, will complete and implement a PR plan for the municipal arts program. The Cultural Arts Coordinator would assist in developing a theme, logo, and motto regarding arts.

In year one of the implementation of this plan, staff would do a needs-assessment to determine the strengths and weaknesses and identify ways to approach those. The Cultural Arts Coordinator would initiate a needs assessment instrument to determine the community interest and priorities. They would also develop a biannual request for proposals (RFP) process for cultural events seeking City funding or sponsorship. Currently, requests come in sporadically throughout the year.

The plan includes the expansion of cultural arts events. Staff recommends an increase in special events funding from \$62,000 to \$93,000, with half of the increase in the initial year of the program and the other half in the following year. The Arts Commission's dedicated cultural arts fund would provide \$40,000 in subsidy to the arts community under the direction of the Arts Commission and with Council approval.

A new area to be explored in the cultural arts plan includes implementing art events at the Harbor. The Cultural Arts Coordinator would work closely with the Harbor District to develop a plan for arts and collaborations in the Harbor area. Staff would also like to explore alternatives for expansion. Working with the Seagaze committee, the arts coordinator would study the Seagaze model and explore alternatives for expanding and adapting the series to Oceanside's changing cultural landscape.

Regarding arts and tourism, we need to recognize the role of cultural arts in enhancing business and tourism by integrating the cultural arts activities into its overall plan for economic development. For example, in year one, analyze the City's art and cultural assets, develop an inventory from an economic perspective and develop measures to quantify their benefits.

The Cultural Arts Coordinator would work with the City's banner program to design and promote artistic banners and secure funding for a phased increase in banners devoted to cultural arts, such as the Arts Alive project. A call for artists would actually promote Oceanside as a cultural venue. The Arts Commission would have the opportunity to review the cultural arts banners on an expedited, advisory capacity. Seasonal banners would be excluded from this plan. In years 2 and 3 of the plan, staff would request that Council approve an increase in the cultural arts banner program.

Staff is seeking Council's approval, in concept, of the general direction, strategic objectives and short- and long-term goals. The plan includes an arts office, performing arts amphitheater, establishment of an arts zone, public relations materials and expansion of citywide cultural events, as well as to explore and capitalize on the role of culture and arts.

In view of the uncertain regional and national economic indicators, staff recommends that Council review and consider this plan in concept while delaying any specific funding considerations for the immediate future. In view of the changing economic climate, staff will revisit the funding of this plan before the end of next year.

COUNCILMEMBER SANCHEZ sees the beach amphitheater as a great resource, even though it does have some wear and tear. She likes the plan to do more things in the east because much of our population resides there, but we should not ignore the western part. We have not done what we could do with the amphitheater. The current plan for the amphitheater is for the City to retain the rights to it and decide the use of it. The City may not keep the maintenance of the amphitheater, but she does not want people to get the impression that the City is giving up the amphitheater to the beach resort.

It is important to target youth with the arts whenever possible. By focusing on youth, a lot of people will want to participate in the events. In the short-run, the City should do something about the amphitheater and have more activities there. Oceanside wants to attract tourists, but the City should plan these activities for the community, as well. She understands the need for coordination. She is glad the City is making this commitment to youth and dance.

MAYOR JOHNSON advised that the City is supportive of all public facilities, including the amphitheater. There is no question that he has been and will continue to be supportive of the youth. Programming costs money. The focus on youth is important. The City of Oceanside is like a family. The more resources a family has, the more that can be done for that family. During the years he has served on Council, each and every year has been a better year financially for the City; each year we do more for our residents and guests. We have cleaned up the City, added programs, assisted the homeless, etc., considering our limited resources.

At the workshop this morning they discussed finances. Council is aware of what needs to be done to bring more money into the City in an effort to do more for our families, the seniors, the youth, and to provide better protection for our residents and guests. The City needs to build its financial base in order to continue to improve the quality of life here. The City will obtain assistance from Federal and State governments to address issues that Council cannot control such as traffic. However, regarding those items that we can control, we need new/more money coming in to address things discussed earlier.

DEPUTY MAYOR FELLER agrees that youth are important to the community, but just planning art activities for youth will not further the cause here. It is so important to the whole community to support this.

COUNCILMEMBER HARDING said this Council and the past Council is very supportive of cultural arts. She presented Vision 2020 to the Council and is proud of their efforts over that yearlong timeframe. The past Council put all the emphasis on youth. It restructured the CDBG funding so a large percentage went to youth. The number of events in this City has increased 2-3 times since her time serving on the Council. Oceanside also has twice as many events as other cities. Oceanside is larger than the other cities, but it does not have more financial resources than the other cities. The City has done a great job with the help of volunteers. Council is aware of the need to increase culture. The City is doing a very good job, and has helped the Star Theater, the Brooks Theater and the Museum of Art.

Staff is recommending that Council not fund this right now, but the City is doing that with everything. We must really step back and look at our financial picture over the next 4-5 years so we can provide police, fire and public works projects. Cultural arts are very important to this Council and the previous Council. She is a proponent for funding what needs to be funded as soon as possible. As leaders, Council needs to be careful in distributing resources evenly among the population. The yuppies in their 20s who live in Rancho Del Oro need cultural arts as much as the youth or seniors or anyone else. It is incumbent on the leaders to evenly distribute resources. Without volunteers, the arts in Oceanside would not be where they are today. The citizens are going to be the ones to

move this City forward.

COUNCILMEMBER SANCHEZ noted that when children are taught to value art at a young age, it gives the community the opportunity to expand the value of art within a culture and a community. Her intent was not to exclude anyone else from enjoying the benefits of art.

Public Input

RANDALL MITCHELL, 161 Parnassus Circle, approves of the entire program as presented. The City would be well served if Council unanimously approved the immediate implementation of this program; fund it now. The City has needed an arts office for years. The arts have received strong approval from Council. Art projects in downtown have been a catalyst for development of the area. It has brought attention to the community by bringing citizens and people outside of the community downtown. Downtown is on its way to being completely turned around. Oceanside is behind other cities, such as Escondido and Carlsbad, in bringing more art and culture into the community. With more emphasis on cultural arts downtown, Oceanside will greatly benefit. The City will never excel in these forms of public service until Council determines it is ready to move forward. The City can find the money. Council should approve this right now.

KATHLEEN O'BRIEN, 1818 Leonard Avenue, Chair of the Arts Commission, stated the Commission supports this proposal. Since becoming Chair of this Commission last June, she has met with many of the Councilmembers and staff personally. She has spent considerable time seeking advice from the staff of arts Commissions in Los Angeles, San Diego and Escondido. For example, the arts consultant in Escondido pointed out the priorities for a Commission such as ours, which is just beginning to make use of Capital Improvement Programs (CIP) funds. A staff member from San Diego sent brochures highlighting public art projects throughout San Diego to give the City an idea of what it is capable of in years to come. San Diego also sent a copy of the procedures they follow for CIP projects with public art, whereby they have team artists. She plans on distributing that to all of the Councilmembers. Both San Diego and LA Metro were generous in forwarding their mailing lists so Oceanside could begin to compile a reliable, updated database for our call for artists. An Arts Coordinator could have expedited all of this information for the Commission much more efficiently, which is a reason to have this person.

There is a very important venue for art in the City: the planned light rail from Oceanside to Escondido. She suggested that Councilmembers take the blue line train to LA from Long Beach some time. Every station has public art that reflects the community. Most of it was funded by money from the City, but some of it was privately underwritten. There are 4 stations planned from east to west in Oceanside, which would provide an area to celebrate the City and its identity. However, without an Arts Coordinator who is well versed in negotiating public art with agencies involved in something like the light rail, an opportunity like this could pass the City by. She is a musician, therefore, performing arts is equally important to her, but she is specifically addressing public art to the Council. If we have a seasoned professional on staff, it could have a real impact on public art. Public art is lasting; it allows citizens to reflect upon our identity; it educates and enhances our lives.

JUDY LA BOUNTY, 2351 Cartegena Way, is in favor of the Cultural Arts Program for the City. She comes as a founding member of the museum board, a past president of OCAF and Chair of Vision 2020. There were 36 volunteers who came together for that project, representing the Arts Commission, the Museum, the Cultural Arts Foundation, KOCT, the education community and the theater. After assessing needs and defining their goals and objectives, at the end of the study they unanimously agreed that their first goal was the foundation of a cultural arts office for the City. She supports this plan.

ELEANOR P. MAYBERRY, 4138 Pindar Way, is a member of OCAF. She agrees that children need to be exposed to art. Art is one of the things that helped her decide to move to Oceanside. The City is really exciting, but it is tough to get anything going because no one knows where to go to find out when to do anything. This City is such a marvelous place, and she would like to see it go further, which is why she would like to see this plan

happen now.

MARY AZEVEDO, 1783 Woodbine Place, supports this plan. She understands the financial crunch that the City is experiencing and it will be difficult, but she would encourage anything that could be done to expedite any portion of this plan. Event coordination is important. Sometimes there are several different activities taking place the same day. She would like to attend them but one could either run all over trying to attend what you can or you have to miss some activities. Then the next day comes along and there is nothing happening. It is difficult for residents and tourists to decide what to attend when everything happens at the same time. As a tourist, she and her family most enjoy the places with quaint, smaller events. Oceanside has everything Balboa Park does, including the museums, dance, amphitheater and entertainment in the parks. She supports the plan and hopes they can find a way to make this all happen.

R.J. WILLIAMSON, 121 Parnassus Circle, is one of the 3 remaining original Arts Commissioners. This recommendation was one of the primary recommendations at the formation of the cultural arts foundation 12-13 years ago. It was one of the primary focuses of the first Arts Commission. He asked Council to keep that in mind. It is extremely important that Council focus on the concepts, not the facilities; that takes a full-time person to help keep that focus. Projects can run by volunteers, but you lack consistency and continuity because volunteers get tired and back away. Regarding financing, the DOW closed 11 points under 10,000 today; it is on the upswing and will go above 10,000 by the end of the week, and the finances will get better. The City can find the money if it wants to. He asked that Council fund this position and get this moving.

Public Input concluded

COUNCILMEMBER SANCHEZ said her direction would be to bring this back as quickly as possible as a high priority when we are in the position of proceeding with the budget. She asked when Council would be moving forward with the budget process.

CITY MANAGER JEPSEN cited April or May as the timeframe for departmental budget meetings.

COUNCILMEMBER SANCHEZ indicated this would be her priority.

COUNCILMEMBER HARDING felt it should come back during the budget process. It is an important priority, but they need to consider additional priorities in the budget process and decide at that time. We have needed this for a long time but we also have to have staff look at funding. It is not just this year; this morning in the financial forecast, it was not a good picture because of the San Luis Rey Flood Control project, the Clean Water Act and many other projects that are also priorities that Council will have to decide upon.

She suggested perhaps the current events coordinator could start working on coordinating the calendar. The Council has to be fiscally responsible right now.

MAYOR JOHNSON believes staff has direction. He is supportive of what has been presented.

3. **Public Communication on City Council Matters (off Agenda Items)**

JEAN KUJAWA, 4914 Glen Haven Drive, wished to discuss transportation. The City should not discriminate when using transportation funds. Fast Forward Services service the resort area of seniors living at Mesa Drive and El Camino Real, but they do not offer the same services to seniors living at Peacock Hills at Oceanside Boulevard. There has been a deliberate attempt to deny the 311 bus service to cross the railroad tracks at Temple Heights to make contact with the 318 bus service, which runs along Oceanside Boulevard. This is important because the 311 bus service runs to the mall and the hospital, but the 318 runs directly to downtown. They are told to make a connection in Vista to get back to

the City of Oceanside. This is not right. It is discrimination to offer one senior community services and deny another those same services. When using transportation funds, you have to be fair. This is discrimination.

**JOINT CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
CLOSED SESSION ITEMS:**

4. **Conference with real estate negotiator on transactions previously authorized in open session (Section 54956.8)**

CITY ATTORNEY BENNETT titled Items 4A and 4B to be discussed in Closed Session.

[Closed Session and recess were held from 3:43 PM to 8:40 PM]

Following closed session, **CITY ATTORNEY BENNETT** reported out on the following items:

- A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR** – Property: El Corazon – Vacant land, north of Oceanside Blvd. and east of El Camino Real (APN 162-082-04 through 12); Project: Championship Golf Resort; Negotiating Parties: City of Oceanside and Manchester Resorts, LP; Negotiators for the City: [Bruce Ballmer] Murray Kane, Special Counsel; Joyce Powers, Redevelopment Manager; Under Negotiation: Terms and Price

Direction was given; no formal action was necessary.

- B) CONFERENCE WITH REAL PROPERTY NEGOTIATOR** – Property: Area bounded by The Strand, Seagaze Drive, Myers Street and Civic Center Drive; Project: Hotel/Conference Center; Negotiating Parties: Oceanside Community Development Commission and Manchester Resorts, LP; Negotiators for the Commission: [formerly Bruce Ballmer] Murray Kane, Special Counsel; Joyce Powers, Redevelopment Manager; Under Negotiation: Terms and Price

Direction was given; no formal action was necessary.

ADJOURNMENT

MAYOR JOHNSON adjourned this meeting of the Oceanside City Council at 8:41 PM, February 13, 2002.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne, CMC
City Clerk, City of Oceanside



California

CITY OF OCEANSIDE

MINUTES OF THE

CITY COUNCIL

February 27, 2002

ADJOURNED MEETING 10:00 AM COUNCIL CHAMBERS

Mayor

Terry Johnson

Deputy Mayor

Jack Feller

Councilmembers

Betty Harding
Carol McCauley
Esther Sanchez

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, February 27, 2002, for the purpose of a workshop. The Pledge of Allegiance was led by Deputy Mayor Feller.

ROLL CALL

Present were Mayor Johnson, Deputy Mayor Feller and Councilmembers Harding, McCauley and Sanchez. Also present were City Clerk Barbara Riegel Wayne, City Manager Steve Jepsen and City Attorney Duane Bennett.

WORKSHOP ITEMS

1. **Review of condominium conversion procedures**

GERALD GILBERT, Planning Director, asked for Council direction on evaluating the current condominium conversion provisions in the City's zoning ordinance. The provisions were created in 1988. The City had not had a conversion request in nearly 20 years. However, over the last several months, the City had several people interested in doing condo conversions. The owners had looked at the City's provisions and felt they were onerous or excessive in the information requirements and in the policy questions built into the documents themselves. Based on that discussion, staff believes that they need to look into this and do some comparisons to other cities. One of the issues brought forward was that other cities do it differently. State law and case law had changed over the years, so if Council directed staff to evaluate this, it would at least provide an updated ordinance provision. One reason staff was asking for Council's direction was the scope of work. It would take some staff time and energy. Much of this was initiated by Councilmember Harding asking Mr. Gilbert some questions. Through staff's analysis, it warrants some review. He did not believe it would be a tremendous amount of time and expenditure, but it was something that several departments would have to participate in evaluating. He reiterated that the City may not get any fundamental policy changes from the review, but it might provide updated regulations.

MAYOR JOHNSON had some concerns. He asked which units or which property owners were considering possible conversion from apartments to condos.

MR. GILBERT said there were a few. The concentration has been on Poplar Ridge by Jefferson Middle School. In addition, there was an older project known as Hidden

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Canyon that would possibly like to do a condo conversion.

The City has received 3 active condo conversion requests, which was more than we have had simply because the market was making sense to people out there. In the early 1980s, the City had several conversions because it made market sense. This was also an opportunity to infuse the housing stock since condo projects were not being built. The biggest policy issue would be how we view that housing stock—is it a rental operation or does the City want to change some rental property to ownership. It was a fundamental policy issue that is worthy of investigation and discussion among staff and then with Council.

MAYOR JOHNSON asked if Mr. Gilbert had shared with property owners that the City was concerned about the lack of affordable housing.

MR. GILBERT said the property owners believed this would offer a different type of affordable housing. It would offer affordable ownership rather than rental affordability. The City's provisions are very detailed in the information required. There are a lot of questions that need to be answered. The City did not prohibit property owners from going through this process, but they would like the City to look at it differently and see how other jurisdictions look at it. He had also shared with the property owners that it is important for the City to know what other places do, but that the City's regulations need to be catered to Oceanside's needs.

MAYOR JOHNSON stated he was not in favor of taking any affordable housing stock out of the range of those who have a need by doing condo conversions, even though they may be considered affordable home ownership. He asked how this would legally affect the City if it chose not to do any more condo conversions.

CITY ATTORNEY BENNETT said that he knew of no legal requirement upon Council that required it to direct conversion of apartments to condos, or vice versa. Staff would have to look at any proposals coming forward and analyze them in terms of the affordable housing. If it were to impact affordable housing, that could be an issue. In terms of whether or not developers or apartment owners decided to convert their units, he did not know if Council had much to do with that issue one way or another from the standpoint of a mandate or regulation.

COUNCILMEMBER McCAULEY believed Council should create an ad-hoc committee on this issue. Over the years, the City had said they would like more home ownership within the City and the ability for young families to buy property. The developers were still hesitant to build condominiums. She was not in favor of converting everything to condominiums, but it is worthwhile to have an ad-hoc committee work with staff to understand what was available in rentals and what areas are interested in conversions. This is an opportunity to at least update the ordinance. She would be in favor of an ad-hoc committee looking into it.

COUNCILMEMBER HARDING pointed out that she brought this forward because she had met with one of the developers, and the City Manager arranged for Mr. Gilbert to meet with us. She had no strong opinion. With the economy the way it is, very few people are able to afford ownership. Condos offer a way for young people and seniors to own with less yard work and less care. Condos were taking the place of small houses as the entry-level ownership, because small houses were out of the average person's price range. Oceanside had a very low vacancy rate in apartments, but over the years the market had taken care of that. When there is a low vacancy rate, more people come in to build apartments. She thought it should be looked at since it was a 17-year-old problem with condominiums because of all the lawsuits, so the ordinance was made very strong. Additionally, when Councilmember McCauley and she came on the Council, Council said they would streamline. This ordinance is in no way streamlined. It did not need to be easier to get a conversion, but it could be a more streamlined process.

She agreed that an ad-hoc committee was needed. Home ownership was moving to condos in Oceanside because houses were too pricey. Her daughter rented a

condominium that sells for \$200,000. In Oceana, where Councilmember Harding lives, the unit across the street from her just sold for \$175,000. That is not affordable for most young people, and they are little places. She thinks the process could be streamlined.

COUNCILMEMBER SANCHEZ shared concerns with the Mayor. When talking about affordable housing, they were looking at rental units. Last time she looked, Oceanside had a 0.3% vacancy rate in apartments, which could be 0 at this point. In order to submit an application for conversion, the vacancy rate must be over 5%, and there was a reason for that. It would be premature to be looking at what would work better because Oceanside was not in that position, especially with the current housing crisis. The only affordable housing project was Old Grove. That would hopefully relieve some of the very overcrowded situations in places like Crown Heights where 4-5 families are living in one apartment because there was no place else for them to rent. This may be something the City should look at in the future when there is a vacancy rate, but it is not a good idea now. The City Attorney said there was nothing requiring Council to do this, so we are really just discussing policy and where we want to go at this time when there is a recession with people who may be losing a job. The City should not touch/remove rental units from the market, because we do not want any more working homeless. The City was doing as much as it could for the homeless, so it should not turn people out onto the streets. This is premature. When the City has a healthy vacancy rate, then Council should revisit this. The market makes the rents go higher. She understood that a one-room place in San Francisco is \$1,500 a month. With a low vacancy rate, it was not a good statement for Council to take units out of the market.

DEPUTY MAYOR FELLER asked what the vacancy rate was.

MARGERIE PIERCE, Housing Director, said that she was not sure of the exact figure. She would guess that it was still less than 2%, though the City was starting to see some more opening in the rental market.

Public Input

WILLIE LITTLE, 3201 Mesa Drive, was a homeowner and a rental property owner. Condo conversion is a bad thing to do to low-income families. Like Mr. Gilbert said, the City tried this back in the 1980s. When all of the condos in a converted complex did not sell out, they were converted back to apartments. That left the people who purchased the condos owning in an apartment complex. To fit developers every time the market changed did not make sense. When a person purchases a condo, they have condo payments and homeowner association payments. The average low-income person would not qualify to get into one of these condos. The property owners would end up re-renting that property out little by little. Eventually, it would turn back into an apartment complex, and the people who purchased the property would be left holding the bag.

SAM WILLIAMSON, 1717 Downs Street, looked at what apartments do in the community and why Oceanside needs them. Oceanside's population was growing, and the youngsters cannot afford to buy a condo or a home. They need some place to live. The master plan dictates a mix of rentals and apartments to ensure affordable housing. The City would lose a lot of the medium-income people. There was a big difference between what a person can rent for and the price of a condo. Getting rid of rental properties would drive the young people who live and work here away from Oceanside. He suggested doing exactly what the master plan calls for. The City needs rentals and apartments; condos were not the solution to that.

Public Input concluded

DEPUTY MAYOR FELLER was concerned that people with money would buy the converted condos and then rent them back to those who could not afford

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to buy. It would be just as Mr. Little said. They would be apartment complexes with various owners. He was leery of that.

COUNCILMEMBER McCAULEY said she was not sold on either idea. It was interesting. She saw this happen in San Fernando Valley in the 1970s when many apartments were converted to condos. The conversation from this dais was leading to whether or not Council wanted condos or apartments. The body was addressing low-income individuals, but Council was actually looking at 2 segments of the population. The City did need more low-income housing, and housing is needed for first-time property owners. There are offsetting benefits to the expenses of buying property. There are no tax deductions for renting, but there are quite a few tax benefits for home ownership. Council was not looking at changing the ordinance but at creating an ad-hoc committee to take a look at it. In that process, staff could also look into the viability of condominium conversions. The City does this now, but it has been 13 years since we looked at the ordinance. She was not opposed to looking at anything new. It would be difficult to make a decision without more information based on the community at large. She supported an ad-hoc committee looking into this.

MAYOR JOHNSON was not in favor of an ad-hoc committee looking into this.

COUNCILMEMBER McCAULEY questioned if there was no making a motion as to whether or not there would be an ad-hoc committee.

MAYOR JOHNSON heard no motion and reiterated that if there were a motion, he would not be supportive of it.

CITY CLERK WAYNE said that Council could give direction to staff, but a motion was not in order since the agenda only indicated 'direction to staff'.

[Consensus of Council was to not pursue review at this time.]

2. **Public Communication on City Council Matters (off agenda items) --**
None

ADJOURNMENT

MAYOR JOHNSON adjourned this adjourned meeting of the Oceanside City Council at 10:22 AM, February 27, 2002.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne, CMC
City Clerk, City of Oceanside



California

CITY OF OCEANSIDE

MINUTES OF THE

CITY COUNCIL

April 3, 2002

ADJOURNED MEETING 10:00 AM COUNCIL CHAMBERS

Mayor

Terry Johnson

Deputy Mayor

Jack Feller

Councilmembers

Betty Harding

Carol McCauley

Esther Sanchez

City Clerk

Barbara Riegel Wayne

City Treasurer

Rosemary Jones

The adjourned meeting of the Oceanside City Council was called to order by Deputy Mayor Feller at 10:00 AM, April 3, 2002. The Pledge of Allegiance was led by Councilmember Harding.

ROLL CALL

Present were Mayor Johnson [arrived at 10:01 AM], Deputy Mayor Feller and Councilmembers Harding and McCauley. Councilmember Sanchez was absent. Also present were City Treasurer Jones, City Attorney Duane Bennett, Deputy City Manager Jose Aponte and Assistant City Clerk Charles Hughes.

WORKSHOP ITEM

1. **Overview of Multiple Habitat Conservation Program (MHCP), Subarea Plan and Draft EIS/EIR**

COLLEEN O'HARRA, MHCP Advisory Board Chair, was present to give an update on the MHCP, specifically the EIS/EIR because the public comment period concludes at the end of April, and they are anxious to get comments from the Council and from members of the public who wish to contribute. She thanked Council for the opportunity to continue with this plan. She has been involved in this project for about 8 years. When the San Diego Association of Governments (SANDAG) invited her and Council endorsed her to continue with this project even after she left Council, she was delighted. Her commitment is to stay with this plan until it is adopted.

By way of history, they are developing this plan for 2 main reasons: to preserve our environment and to enhance economic development. The MHCP is part of a larger plan, but they are focused on what is happening in San Diego County. The southern portion of the County has already developed the Multiple Species Conservation Plan (MSCP). Camp Pendleton has already adopted its plan; the unincorporated areas in the northern section of the County are working on their plan; and we are nearing completion of the MHCP, which focuses on the 7 North County cities. This plan is challenging because the 7 North County cities are so developed that they have very few large pieces of land left to preserve. All of the plans in the County are parts of a puzzle that have to match up with each other. The biologist and the planner will go into more details and explain how the Oceanside plan, in

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particular, matches the surrounding communities. Oceanside has very little land left but would make a very important contribution to the overall plan of the MHCP.

To explain how we got to where we are today, there are several groups working on this effort, which was headed by Janet Fairbanks of SANDAG who put together a team of consultants, biologists, planners and financial experts to help finalize the plan. In addition, about 10 years ago, an advisory committee was formed that met with these consultants on a regular basis. The committee included planning representatives from the 7 North County cities, representatives of the State and Federal Wildlife agencies, representatives from all of the environmental groups such as the Sierra Club, which have been participating since the beginning, and representatives of the development community, large property owners, Chambers of Commerce representatives and representatives from the Building Industry Association. Additionally, a few years ago, a committee was formed with elected officials from each of the 7 cities. That group wrestled with the issues, specifically how to keep the plan alive once it is adopted, how to continue to meet all the State and Federal regulations and how to fund this plan.

In the end, what we hope for the cities is that each city would have permit authority over all development within its limits. Currently, any development that comes to the cities is done on a piecemeal basis: the land is surveyed, if there are endangered species or habitat there, the developer must go to the State and Federal agencies to obtain permits. Many delays are involved in purchasing other lands to preserve for habitat to mitigate for those. This plan would now identify the lands that would be preserved, allowing the local authority to issue permits. Although the plan is not adopted yet, Oceanside has been in the process of acquiring the lands needed for the plan. Some of the developers who need to mitigate were asked to purchase land located in the proposed plan. They are hopeful that by the time this plan is adopted by Council, most of the land will already have been acquired for the City of Oceanside.

She introduced Janet Fairbanks, who would discuss the environmental documents and the schedule for getting those adopted.

JANET FAIRBANKS, with SANDAG, reviewed the schedule for getting the environmental documents adopted. They are presently in the process of a 120-day public review period for the environmental document and the sub-regional MHCP plan for the 7 cities and the 5 sub-area plans for Oceanside, Carlsbad, Escondido, Encinitas and San Marcos. They are hoping to get comments on those 7 documents by the April 29th, 2002 deadline. At that time staff and consultants will review the public comments and prepare responses to those comments, which will take about 1 month. Then they will prepare an administrative document for the environmental report. Keep in mind they have 5 clients/cities for the environmental document. So, before they can prepare another document for the public, they must prepare a document for all of the clients to review and comment, giving the cities a month to review that, going through June. By the end of July, they hoped to have a final document to submit back to the public and the elected officials, with the goal of having the sub-regional plan, the MHCP, approved by the SANDAG board at their September meeting, and the environmental document certified by the SANDAG Board at that same meeting. At that point, the sub-regional and its environmental document will be set, and the cities then can focus their efforts on preparing the final sub-area plan, any necessary General Plan revisions, ordinance revisions, or policy revisions that each city needs to prepare to implement their own section of the plan, as well as preparing the implementing agreement, and working with the wildlife agencies to receive permits. That entire process should be completed during the year 2003.

WAYNE SPENCER, with the Conservation Biology Institute, led most of the biological studies for the MHCP and for Oceanside's plan. He gave a computer presentation with an overview of the plan and biological goals specific to the City of Oceanside, how they fit with the overall goals of the regional planning efforts, some of the preserve design issues that are specific to Oceanside, and the resource protection guidelines and land zoning guidelines that have evolved while trying to address these goals and issues. He will briefly address preserve management and monitoring, which is the final big issue to be resolved, which addresses who is responsible, how the management will be done and the

monitoring of these lands as required under State and Federal laws. This is still in negotiation with the wildlife agencies.

The reason we are here is that Californians seem unaware that they are living in one of the most biologically diverse areas on earth, with one of the highest concentrations of threatened and endangered species. The California Floristic Province was one of 25 areas identified by a collaboration of hundreds of biologists throughout the world as one of the hottest of the hotspots of biological diversity on earth and a place where the world should be focusing attention on conserving natural resources. We usually think of the Amazonian Rain Forest or Indonesia as the places where all natural diversity exists, but we are sitting in the heart of one of the most diverse places on earth. In fact, California is the most diverse out of the 5 Mediterranean climate regions on earth. Oceanside sits in the heart of one of the extremely hotspots where there are more rare, threatened and endangered species than anywhere else in the continental United States except for Hawaii. This fact causes major conflicts with development and economic interests, etc.

Focusing on Oceanside, 2 major groups of habitat that the plan focuses on are the wetland habitats and the narrow endemics. An example of wetland habitats is along the San Luis Rey River. The San Luis Rey River and Pilgrim Creek have excellent examples of riparian habitat, which is extremely endangered in California, and one of the largest populations of Least Bell's vireo remaining in the world. Despite the large degree of development, Oceanside has some excellent representation of a coastal sage scrub ecosystem and some remarkably large populations of the threatened California gnatcatcher. Oceanside has the perfect climate and topography for this species, which is one of the leading species of focus for all of the conservation planning in south coastal California. Oceanside will play an incredibly critical role in the preservation of this species, in spite of the small acreage available because of the location of the acreage.

Oceanside also supports a number of narrow endemics, especially plant species that have extremely limited ranges. Some of these species are only known to exist in one or two locations and maybe only a couple of acres each. The 4 narrow endemics still found in Oceanside are: Thread-leaved brodiaea, Prostrate navarretia, San Diego button-celery, and Nuttall's lotus. Conserving these is critical to the survival of these species, as opposed to their extinction.

Overall, the City's plan would take authorizations from the wildlife agencies for 60 species: 35 animals and 25 plants. Of the 35 animals, 20 are already listed as threatened and endangered, and habitats in Oceanside are considered critical to the conservation of at least 20 of these. Similarly, 10 of the plant species are already listed as threatened or endangered, and Oceanside has populations considered critical to the survival of 5.

The first step in the planning was to map the vegetation. The original vegetation map was created in 1992 by SANDAG and Dudek and Associates, and it was updated in 1996-1997 with new information on some of these lands. These types of maps are always a little out of date because things change; developments have occurred and some communities have grown back. A Vegetation Communities map showed areas that were developed with no habitat remaining, agricultural fields in the northeast part of the City, remaining grasslands and remaining coastal sage scrub. Grassland and coastal sage scrub are the two types of habitats that are a focus of the City's plan. Of course, the San Luis Rey River had a lot of important wetland habitats such as riparian forests, marshes, etc.

The habitats in the City are highly fragmented; they exist as little bits and scraps surrounded by development. The exceptions are the relatively large areas along the boundary with Camp Pendleton and a few areas that correspond with the San Diego Gas and Electric (SDG&E) transmission corridor, located roughly along El Camino Real. El Corazon, the City-owned parcel, has some relatively large blocks of habitat that play a critical role in the plan.

DEPUTY MAYOR FELLER inquired about the kind of habitat located on the land adjacent to the City of Carlsbad in the southeastern part of Oceanside.

MR. SPENCER explained that the map does not show the type of habitat outside the City of Oceanside, but there is coastal sage scrub, chaparral, grassland and some riparian areas in Carlsbad. The area Councilmember Feller referred to was a focus of Carlsbad's plan to protect habitats there that makes them an important link into Oceanside.

DEPUTY MAYOR FELLER asked what type of land was in southeast Oceanside prior to the development of hundreds of homes.

MR. SPENCER identified it as mostly coastal sage scrub.

Continuing with his presentation, the broad preserve design objectives for Oceanside are to:

- Conserve representation of all the remaining vegetation communities, with a focus on sage scrub, grasslands and wetlands.
- Maintain functional wildlife corridors and habitat linkages, which is hard to achieve because most of the habitat patches are disconnected from one another
- Maintain viable populations of native plant and animal species.

Oceanside could not fulfill all of these objectives on their own. It depends on the connections with Camp Pendleton to the north and the other cities to the east and south. Oceanside is an important, but small, piece to a big puzzle.

Constraints to preserve design are pretty obvious. Vegetation communities are already highly fragmented. What remains of the upland habitats, like the coastal sage scrub, is mostly on steep slopes. A lot of the undeveloped slopes in Oceanside were not developed because of erosion and geological problems such as landslides, etc. Those steep slopes are open space but not necessarily the most valuable habitats for some of these species. The wetland habitats are very valuable in the City, but they are not well buffered. In many cases, the upland habitats adjacent to the wetlands are totally removed. So the buffering that some of these sensitive species require in the wetlands is not there. There is no continuous north-south connection from the habitats in Carlsbad to the habitats on Camp Pendleton, which is why he will discuss a stepping stone corridor for birds. Most of the habitat areas are small and edge effected. Edge effects are things such as weeds, ants, trampling and other things that come in from the urban edge into the habitat areas and degrade the quality.

He reiterated that the California gnatcatcher is one of the focal species for this planning. Oceanside plays a critical role in the conservation of this species on a regional level. The gnatcatcher stepping-stone corridor would function for other species as well, but the gnatcatcher was the species used to design the plan in this area. He showed Council a map displaying the California gnatcatcher nesting territories. There are quite a few on Camp Pendleton and in the area of Carlsbad just discussed. In Oceanside, there are a lot of nesting areas associated with the coastal sage scrub. Oceanside plays an important role in connecting these larger populations on Camp Pendleton and in Carlsbad and further south into the MSCP area in San Diego. Looking further inland, gnatcatchers become extremely scarce and essentially disappear in Escondido where the habitats are different; they are higher; they are a different composition of sage scrub; and because of existing development patterns, there is no way for gnatcatchers to get around the City of Escondido. They are channeled through Carlsbad through a little stepping-stone, bottleneck corridor to get between Camp Pendleton and Carlsbad and larger populations to the north and south. These birds disburse short distances over urbanized areas. They are nesting in little parcels in the heart of Oceanside. Those nestlings need a place to go when they fledge. They will fly to the next patch and hopefully raise their own young the following year, and then their young may make it to Camp Pendleton or Carlsbad. If these habitats are developed in Oceanside and this intergenerational stepping-stone network is lost, all of the birds to the north and south would be separate from one another and can no longer interbreed to maintain the viability of the species.

Looking closer at that corridor, the main backbone of it is along the SDG&E transmission line corridor, which is mostly undeveloped because buildings do not usually go

under transmission line corridors. He noted that SDG&E already had their plan approved in 1994 or 1995. Their plan allows cities like Oceanside to use their ownerships as preserve areas and to use their transmission line corridors as backbones for preserve systems. So, Oceanside's plan under the City's land use authority will not allow paving or building underneath transmission line corridors. Also, there are various incentives and restrictions that would allow for building off this backbone and protecting these remaining patches along the SDG&E corridor to maintain this system. There is also an alternative route along the largely undeveloped steep bluffs.

The plan tried to achieve these goals through a land use/zoning approach with incentives for landowners. It starts with existing reserves in public lands, such as mitigation banks, including Whelan Lake and Pilgrim Creek, the City-owned lands along the San Luis Rey River and other City-owned lands, such as Benet and Tuley Canyons. We have defined pre-approved mitigation areas, which are areas with high biological value. People who own this land are pre-approved to set it up as a mitigation bank or to sell their land for mitigation purposes to others who want to develop elsewhere. The Wildlife Corridor Planning Zone, along the SDG&E transmission line for these stepping stones, is a receiver site for mitigation. For example, development of another patch may require the landowner to try and purchase land in another area to build and protect this important corridor.

Off-site Mitigation Zone 1 is an area where people can develop on their land with a preference for mitigating in the corridor zone or in pre-approved mitigation areas. The remaining portions of the City are called Offsite Mitigation Zone 2. Their development can be mitigated in any of these areas: in the corridor zone, in existing mitigation banks or in pre-approved mitigation areas. He noted that the displayed map is in flux as negotiations have continued: some lands had been purchased that were not shown on this map, landowners continue to work with the wildlife agencies to resolve design issues on their properties, etc. This map is not a final version, but it is close.

Finally, there is an agricultural exclusion zone where the remaining agricultural fields are. The plan has no effect on ongoing agricultural activities, but when the landowner decides to convert from agricultural uses to other uses, certain requirements would kick in, including mitigation and buffering with restoration of upland habitats adjacent to the wetlands, such as the San Luis Rey River and tributaries.

In review, the principle goals in the corridor planning zone are to maintain and enhance the habitat connectivity and to conserve and manage sensitive resources where they occur. The principle means are to:

- Avoid impacts.
- Mitigate within the zone.
- Acquire key parcels. The City has purchased several key parcels with help from State and Federal grants and some developers.
- Restore coastal sage scrub in key locations.

The pre-approved mitigation areas support significant resource values. They are a high priority for acquisition. Some development is allowed, subject to resource protection guidelines, and these sites qualify for onsite mitigation credit. That is, if the landowner has a small development, he could mitigate onsite, and get credit for that. They could also do offsite mitigation, as long as it is within one of these other important areas.

Under the agricultural exclusion zone, ongoing practices would continue, but discretionary actions or conversions to non-agricultural uses would require mitigation and wetland buffers. Regarding the off-site mitigation zones, the mitigation for Zone 1 should be directed into the corridor-planning zone or into the pre-approved mitigation areas. In Zone 2 developers could mitigate in any appropriate place designated within the City.

The plan also has a narrow endemic policy for these incredibly rare species that occur in very small areas, such as the Blochman's dudleya. These populations must be maximally avoided by any development plan. Species-specific mitigation, which is spelled out in the MHCP document, is required to achieve no net loss within the designated

preserve areas, and no more than 20% loss can occur throughout the entire City. Any locations that are designated as critical in the document must be totally avoided. For the most part, those areas that are considered critical are already in reserve areas, but there are a few exceptions.

The plan also has wetland standards, which are in keeping with the Federal no-net-loss policy. Developments would need to create 100-foot biological buffers along the San Luis Rey River, which is particularly true in the agricultural exclusion zone. Along the tributaries and smaller drainages, a 50-foot biological buffer is required plus a 50-foot planning buffer where recreational activities could occur. Biological buffers mean no new development, and you must restore and manage the natural habitat value. The planning buffers calls for no buildings, roads or intensive uses, but you could have trails, passive recreational uses, etc.

In spite of all of these resource protection zones and policies, it will be very difficult to maintain viable populations of some of these species because of the existing degree of fragmentation and habitat degradation. What that means is during implementation, there must also be a very strong management and monitoring program integrated together. State and Federal laws mandate that monitoring include both compliance monitoring, which makes sure that all parties/signatories to the implementing agreement/contract between the cities and the State and Federal governments are all fulfilling their obligations, and effectiveness monitoring, which makes sure the resources are responding the way they should. Adaptive management means that the results of the monitoring informs management decisions. For example, if it is discovered that a species is declining because it depends on fire, and the City does not have many uncontrolled fires, there may have to be a management step to mimic the effects of fire, or a controlled burn or some other method of overcoming these obstacles.

He reiterated the importance of sage scrub restoration. Within the wildlife corridor planning zone, the MHCP identified a number of high priority restoration sites where degraded areas could be restored with coastal sage scrub to improve the gnatcatcher stepping-stone corridor. These areas qualify for full credit for restoration. If a developer wanted to restore an acre of coastal sage scrub in one of the important areas, they would get the same credit as if they had bought an acre of coastal sage scrub. Previously, the State and Federal wildlife agencies would not have approved restoration as achieving mitigation requirements the same way buying land would. A developer could essentially purchase land and restore it to get extra credit.

JERRY HITTLEMAN, Senior Planner, explained the costs of the plan Dr. Spencer presented and explained the City's conservation goals. Once the plan is fully implemented, the City's target is that approximately 2,400 acres of habitat will be conserved. That amount would be composed of 1,200 acres of publicly-owned land, including parcels such as Benet Canyon, Tuley Canyon, San Luis Rey River and some of the other wetland corridors, such as Loma Alta Creek. It would also have 1,200 acres of privately-owned land conserved as habitat, which would be mostly maintained by non-profit organizations, such as the Environmental Trust. The City is now requiring developers to give an endowment to these organizations to maintain them as habitat areas. An example is Foss Lake, which consists of 65 acres managed by the Center for Natural Lands Management. The Environmental Trust also maintains quite a bit of land in the City, including the 50-acre Vista de la Valle parcel located to the west of El Camino Real and north of the power station.

For the 1,200 acres of public lands with habitat, approximately 950 acres are City-owned. State agencies maintain 250 acres, such as the Buena Vista Lagoon. Guajome Park and other areas are maintained by outside agencies. Of the privately owned habitat to be conserved, approximately 850 acres are hard-lined, which means they are existing conservation areas. There is the 126-acre Whelan Ranch mitigation bank in the northern part of the City, as well as other properties already mentioned, such as Vista de la Valle, etc.

City staff, property owners and wildlife agencies agreed to conservation on specific areas as part of future development. A good example of that is a property located north of the river that used to be owned by the Deutsch Company. In that area, the City went through a General Plan process and designated 30-40 acres of open space and also defined a location to develop homes. This is a win-win situation for everyone; the development is designated on a certain part, and they get open space that is maintained in perpetuity.

The City hopes that approximately 350 acres of additional private habitat would be conserved in the wildlife corridor area through standards. One example would be El Corazon, where the City would like to preserve wetlands in the western portion and in the northern portion where Garrison Creek comes through the property. Hard lines have not been drawn on the map, but the City has standards that call for the preservation of those areas. The sub-area plan also identified approximately 90-100 acres of high priority acquisition areas in the wildlife corridor area. That acreage has been reduced to about 40-45 acres because the City recently purchased the 35-acre Myers property, located north of Eternal Hills. The City also purchased some other parcels, including a 4-acre parcel along El Camino Real. Through the Wildlife Conservation Board, the City also purchased the Doctor's property along Buena Vista Lagoon, located west of Jefferson Street and south of Highway 78.

Habitat restoration is also an important part of the plan. Staff hopes to restore approximately 130 acres of disturbed habitat, mostly in the wildlife corridor planning zone. Staff estimates the costs for the rest of the acquisition that the City, and/or with help from public agencies, would need to purchase, which is 40 to 50 acres. The City has been very fortunate to receive grants for most of the past purchases and would hope to obtain grants for future purchases. Habitat restoration can be fairly costly at \$2,000,000 to \$3,000,000. Hopefully, these purchases will occur through mitigation of other projects, whether public or private, and through grants from State and Federal agencies.

The annual maintenance and management of a 600-acre preserve, excluding the separate project of the San Luis Rey River, is estimated to cost \$130,000 per year, or \$80 to \$100 per acre. The Myers property was 35 acres, and staff estimated maintenance of that property would cost between \$1,000 and \$5,000 per year. The actual cost depends on how much trash needs to be removed, if there is any homeless activity, or if brush management is needed. Those are the major costs for managing habitat land.

Regarding funding sources for the sub-area plan, which also goes for the MHCP program, staff is looking at off-site mitigation to direct mitigation to the wildlife area. That would be at no cost to the City, hoping they would purchase property and maintain it. The City has been very fortunate to get grants from State and Federal sources and will continue to do that into the future. Regional funding sources are also being investigated, but nothing has come forward yet. Possibly a future ballot initiative or bond similar to the recent park bonds could direct money to this program, not only in our City but possibly throughout the County. Another option would be a habitat fee for impacts to various habitat types. Oceanside is quickly running out of opportunities because so much development is already occurring. The City might not be able to collect enough fees to buy properties. Staff is still considering that option.

Regarding the implementation schedule, SANDAG is hoping to get the overall program for the 7 cities approved by the end of the year. In the meantime, Oceanside will finalize its sub-area plan, taking into account comments from the public, the wildlife agencies and Council. Staff will also take into account any new biological information and other sources. After SANDAG approves their plan, Oceanside would like to do an implementing agreement with the agencies in early- to mid- 2003. Staff would then bring the implementing agreement and the final plan forward to Council for approval by fall 2003. Then we will be responsible for amending portions of our General Plan, Local Coastal Program and other ordinances throughout the City, similar to the process for the storm water program. Oceanside will continue to do monitoring and management, which is already taking place. If all goes according to schedule, by the end of 2003 this plan will be in place and up and running.

DISCUSSION

COUNCILMEMBER HARDING asked if the grants did not arrive and some of the agencies that are monitoring the land could no longer monitor the land, what the bottom-line cost would be to the City.

MR. HITTLEMAN advised that the worst-case scenario, bottom-line cost would be \$2,000,000 to \$3,000,000 for actually purchasing habitat. In the absence of grants, staff is hopeful that the majority of funding would come from development in those outer zones that would direct mitigation to the wildlife zone, which is in the middle of the City. Staff hopes to keep City costs under \$1,000,000.

COUNCILMEMBER HARDING stated then there would be the \$100,000 per year for monitoring costs, and **MR. HITTLEMAN** confirmed that would continue to be a hard cost to the City.

COUNCILMEMBER McCAULEY inquired if there is an opportunity to add areas to the pre-approved mitigation areas or if that list is set in stone.

MR. HITTLEMAN responded that this is in our draft plan, so based on comments we might receive in response to the EIS/EIR, etc., there could be areas added to that.

DEPUTY MAYOR FELLER questioned how the adoption of this plan could speed up development, as Ms. O'Harra referenced.

MR. HITTLEMAN provided an example of how that might work. Currently, if a development were to impact greater than an acre of coastal sage scrub and if the gnatcatchers were present on the site, the City would not have the authority to fully approve that development. The City could approve the tentative map and the layout, but the developer would need to obtain a permit from the U.S. Fish and Wildlife Service for a Section 10-A permit under the Endangered Species Act. The Mission View Estates development, located west of Canyon Vista, did that, and it took 2 - 3 years to process the permit. If the City had the authority to permit the project, Council or the Planning Commission could have approved it more quickly through the normal process.

DEPUTY MAYOR FELLER asked if Oceanside is the only city in North County that has "hot spots".

MR. SPENCER indicated that some of the other cities have bigger problems than Oceanside with hot spots. Oceanside is part of a much larger global hot spot. The most critical things in this City are: the connectivity for gnatcatchers, those 5 narrow endemic plants that have critical locations here that must be protected, and the wetlands along the rivers that are hot spots for riparian species, like the vireo, southwest willow flycatcher and others. Some of the other cities, such as San Marcos, have many more of the narrow endemics than Oceanside. All of coastal San Diego and Orange Counties are global biodiversity hot spots.

DEPUTY MAYOR FELLER then questioned the significance of the area located east of Interstate 5, between Brooks Street and Oceanside Boulevard, noting that it is downstream from a former landfill.

MR. HITTLEMAN expounded that this area contains wetlands, which is something that the City would not have permit authority over. There is also a small drainage coming through the middle in 2 directions at the bottom. This is regulated by the Clean Water Act, so regardless of the development that occurs there, they would need permits from the Army Corps of Engineers and the California Department of Fish and Game.

Along the sides, there is some remnant coastal sage scrub on disturbed land, but it comes back on former landfill land. Finally, a couple of years ago, someone from the U.S. Fish and Wildlife Service found a narrow endemic called the Blochman's dudleya. This is a tiny plant only found in Oceanside and Camp Pendleton and possibly up north. Oceanside is

fortunate or unfortunate to have that plant on this site. There are disturbed areas of the site along the Senior Center parking lot that could be developed, and there can be some encroachment into these habitat areas.

DEPUTY MAYOR FELLER asked where the wetland buffer would be located at the top of a hill around Wilshire Road, for example, in the agricultural area.

MR. HITTLEMAN indicated that there are not many buffers there now. Some of the agriculture comes right up to the edge of those areas. If someone were to come forward with a development proposal for large-lot, single-family homes, the City could have them plan the homes to provide a buffer that could enhance those areas. It would not prohibit the existing agriculture from continuing in those areas. Periodically, the City receives tentative map/subdivisions proposed for some of that land, and staff will work with them.

DEPUTY MAYOR FELLER inquired about the coastal sage next to inhabited areas, such as the Calavera Hills, and how a wildfire is prevented from burning down the area.

MR. HITTLEMAN advised that when there is development adjacent to those areas, there is an agreement between the wildlife agencies and the various fire associations throughout the County that there can be a clear area 100 feet away from existing structures. So clearance is allowed to protect structures. When new structures are proposed, they plan them so that they are 100 feet away from the natural habitat. Brush management is permitted when necessary to protect life and property, which was of the utmost importance in those cases.

DEPUTY MAYOR FELLER asked how much of the Buena Vista Lagoon is within the Oceanside city limits.

MR. HITTLEMAN said that the lagoon has a very strange jurisdictional boundary that zigzags through the lagoon. Basically, the Audubon Center along Coast Highway is in the City of Oceanside. Just south of that is in the City of Carlsbad. Saint Malo is part of Oceanside and the lagoon boundary is right through the mouth of the lagoon at that point. The boundary runs through the middle of the lagoon.

DEPUTY MAYOR FELLER asked for the acreage of Oceanside's portion of the lagoon.

MR. HITTLEMAN would have to look at the study, but he guessed that there is 150-200 acres in Oceanside.

DEPUTY MAYOR FELLER asked that staff make sure this is in the City's budget for 2003, just in case.

PUBLIC INPUT

JIMMY KNOTT, 124 Sherri Lane, appreciated staff addressing his extensive comments. Humans can now establish successional growth where and when we want it, and the problem with that is our choices. In the reports that were made, there was no delineation on those successional growths, where they should be and at what stage. That needs to be looked into because there should be representative biomes, not just one straight, uniform level.

Also, a problem is establishing new habitat zones and its effects on humans, as evidenced at Loma Alta Creek where they planted a number of species such as cattails that are dying off. There are certain herbicides in the runoff that are contributing to the die off that should be controlled and mitigated. The residual effects, like the fluff from the cattails, causes allergies and other problems within the parks and the community. The over-growth is not being maintained like it should be. A lot of the trees are dropping leaves, and the City is supposed to be maintaining those. That was the wrong choice of species to go in

that location. These are a few things that need to be looked at and seriously considered, but they are minor compared to the whole picture.

STEWART TAYLOR, 1634 Yale Street, Chula Vista, representing the Ernest Taylor Family Trust, stated they own a piece of property off Darwin Drive where some of this activity affects them. He asked what the City's plan is for reimbursing the property owners that were assessed 100% for the use of the land in 1982. He sent a letter to Council a number of years ago when this subject first came up for water and sewer. Today, 75% of the property is not usable because of the gnatcatcher and the recent discovery of the Blochman's dudleya and the Thread-leaved brodiaea. This discovery subtracted from the acreage actually available there. He wanted Council to be aware that the City had identified that land as 100% usable when it was not. Also, Mr. Spencer mentioned no more than 20% of the gross loss to the City on any one of these endemic plants, and yet he recalls seeing an email in July that the Federal agencies said the City was wrong on that and that it is only 5%. He questioned if that issue had been resolved and if it is now 20%.

MAYOR JOHNSON asked staff to be sure and contact Mr. Taylor to address his questions.

COUNCILMEMBER McCAULEY asked staff to send a pass-through memo to Council with the responses to those questions.

WERNER von GUNDELL, 3574 Gopher Canyon Road, Vista, is a planning consultant representing some of his clients, particularly Eternal Hills Memorial Park. He asked for more details on the stepping-stone corridor that stretches between major areas. In some areas, that corridor crosses the road, causing an unavoidable interruption of the natural landscape. He asked what is the maximum tolerable interruption before the corridor stops being useful. He also asked for the minimum width of the corridor.

MAYOR JOHNSON said that staff would get back with Mr. Von Gundell on those questions.

Public input concluded

MS. O'HARRA asked to respond to one of the issues presented by Councilmember Harding on the cost of all this. To put this in perspective, she pointed out there are a number of different sources to fund the plan, such as mitigation fees from developers, contributions from State and Federal governments and other grants. The cost of the entire MHCP is anticipated at about \$120,000,000. That sounds like a lot of money but putting it into perspective, this is the cost to build just 4 miles of a freeway. This is part of our infrastructure to have this plan in place. We all need to put our heads together and figure out the best way to share all costs. Oceanside's share is actually a very small part of that \$120,000,000.

COUNCILMEMBER HARDING thinks we are long past due to conserve our environment, and this sounds like a very practical plan. However, she is also a budget-watcher and would like to be sure that the money is set-aside for 5 years from now. She is anxious to see the comments on the EIR.

MR. GILBERT confirmed that the closing date for comments is April 28. At that point, staff will circulate those comments.

COUNCILMEMBER HARDING was disappointed that Councilmember Sanchez, Council's representative to the MHCP, could not be present to give her input and recommendations since she sat in on these regular meetings.

She recommended directing staff to go forward with this. Council still needed to see the final plans and have staff give final cost estimates, but it is an intelligent way for developers to proceed. It also minimizes confusion about where to get the mitigation land and may even control the price of mitigation land for the developers, which helps them in the long run. Having been on the Buena Vista Lagoon Joint Powers Authority for several

years, she is aware that working with some of the Federal agencies takes years before developments were built. If this would speed up the process, it would save developers money.

COUNCILMEMBER McCAULEY was enthused about the possibility of cities being able to permit themselves if this were put into place. It would certainly allow for greater savings to the cities and the development community. She would like to see more pre-approved mitigation areas. That would also speed the process. She concurred with Councilmember Harding about moving forward with this. She asked staff to continue working with this. She was anxious to see the questions and responses on the EIR and the responses to questions asked today, especially those questions presented by Mr. Taylor.

DEPUTY MAYOR FELLER asked the minimum acreage needed to preserve the area east of El Camino Real bordering Garrison Creek.

MR. HITTLEMAN recalled that it was 120 acres, including Garrison Creek and the big pit in the western portion of that site. Those areas are wetlands. They are in the sub-area plan and are protected by Federal and State law to some extent.

DEPUTY MAYOR FELLER is not going to be the chief proponent of this. If this is in fact a way for the City to permit itself for development and speed up the process and possibly save money, then that is the benefit of this, and he could go along with proceeding. He saw a different benefit than others.

COUNCILMEMBER McCAULEY stated that the City is in no danger of losing the 120 acres along El Camino Real and south of Mesa Drive by the big open pit, even with the negotiations for the hotel and resort. That acreage has been set aside with the understanding the land is habitat mitigation.

2. **Public Communication on City Council Matter (off agenda items)** -- None

ADJOURNMENT

MAYOR JOHNSON adjourned this adjourned meeting of the Oceanside City Council at 11:10 AM, April 3, 2002.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne, CMC
City Clerk, City of Oceanside



California

CITY OF OCEANSIDE

MINUTES OF THE

CITY COUNCIL

April 17, 2002

ADJOURNED MEETING 10:00 AM COUNCIL CHAMBERS

Mayor
Terry Johnson

Deputy Mayor
Jack Feller

Councilmembers
Betty Harding
Carol McCauley
Esther Sanchez

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 10:04 AM, April 17, 2002. The Pledge of Allegiance was led by Deputy Mayor Feller.

ROLL CALL

Present were Mayor Johnson, Deputy Mayor Feller and Councilmember McCauley. Councilmember Harding was absent due to a medical reason, and Councilmember Sanchez was also absent. Also present were City Clerk Wayne, City Attorney Duane Bennett and Deputy City Manager Mike Blessing.

WORKSHOP ITEM

1. **Discussion of development options for an affordable housing development on City-owned property in Calle Montecito**

MARGERY PIERCE, Housing Director, explained that staff wanted to obtain direction from Council regarding the Calle Montecito/Libby Lake site where the Libby Lake Community Center is being built. The City reviewed proposals for housing on this site 1-1½ years ago. At that time, the City recommended targeting a very low-income apartment rental complex to be built on that site. However, the City did not want to commit pre-development money that would be unsecured in a financing scenario that was not concrete. Subsequently, the Housing Commission reviewed a Plan B for that site, but they were not prepared to make a recommendation to Council to approve that Plan B; so the applicant withdrew their proposal.

Staff thought it would be best to come to Council for direction on what they would like to see on that site before moving forward with a Request for Proposals (RFP). The City has funds available to develop the site. With direction from Council, staff would issue a notice of funding availability (NOFA) specific to that site with the appropriate criteria.

Staff provided 4 different options to review and showed examples of North County affordable housing units, similar to the size at 28 units, which is the quantity that would fit on the Calle Montecito site.

The first option is a very low-income targeted rent, serving workforce families in the 30-50% range of the County median income. The funding mechanism to achieve that lower rent would be through a 9% tax credit application through the State.

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UNTIL APPROVED AT SUBSEQUENT
MEETING BY CITY COUNCIL**

She wished to point out that this site is in a neighborhood revitalization strategy area specifically formed to enable the City to develop this kind of housing on that site. There are only 2 areas eligible to maximize on the 9% tax credit applications: the downtown area and the Calle Montecito site. This is one of the only opportunities the City has to create housing to target very low-income families. This type of project requires the least amount of City subsidy, with an estimated City subsidy of between \$500,000 to \$1,000,000, plus the donation of the land, which is estimated to be worth \$400,000 to \$600,000.

This financing scenario would achieve the highest level of affordability and require the lowest subsidy from the City. This type of project would have a high level of benefit to the neighborhood. The Calle Montecito revitalization plan included the intent to develop this type of housing to relieve some of the over-crowding in the large apartment complexes in the Libby Lake neighborhood. It would also alleviate overcrowding in the duplex/zero lot line housing where some residents had converted their garages into living space. She showed a picture of a Carlsbad development that has 28 affordable units achieved through a 9% tax credit project.

The second option would be for low-income housing targeted to families earning 50 to 60% of the median income. This would utilize the less competitive 4% tax credits and tax-exempt bonds and would require additional City subsidy to fill the gap between the 9% and 4% tax credit that the bonds would not cover. This type of project would provide a smaller range of affordability and requires more subsidy from the City. It is staff's opinion that this would have a moderate level of benefit to the neighborhood. She showed an example built in Vista by Community Housing of North County. This development provides 28 units of family housing.

The third option would be a HOME-funded project that would require that 20% of the rents be targeted for families at 50% or below of the median income and 80% of the rents at 65% of the median income. This would be less affordable and would require an additional City subsidy of \$2,500,000 to \$3,000,000. Because of new legislation, this would require that prevailing wages be paid, utilizing all HOME funds. This provides the narrowest range of affordability and a moderate level of benefit for the neighborhood, similar to option 2.

DEPUTY MAYOR FELLER asked if the other options had to use prevailing wages.

MS. PIERCE explained that the tax credit option does not require that prevailing wages be paid.

DEPUTY MAYOR FELLER then suggested scratching option 3 from the list.

Continuing, **MS. PIERCE** reported that the fourth option would be a for-sale project. She showed an example of a larger project that the Bridge Housing Corporation built in Carlsbad. It would be more like condominium-style apartments.

COUNCILMEMBER McCAULEY noticed that option 1 required a City subsidy of \$500,000 to \$1,000,000. She thought any City subsidy would trigger prevailing wages.

MS. PIERCE responded negatively, explaining that the City has funding available through the in-lieu fees and 20% set-aside that could be used for this. If the in-lieu fees are used, that does not trigger a need to pay prevailing wages.

COUNCILMEMBER McCAULEY stated that it is City money; therefore, why would prevailing wages not be paid.

MS. PIERCE did not believe that the legislation requires local monies to pay prevailing wages.

COUNCILMEMBER McCAULEY recalled that the City paid prevailing wages for Fire Station 6.

MS. PIERCE specified that she meant for housing. She is not sure of the funding mechanism used for Fire Station 6 that triggered the need for prevailing wage.

CITY ATTORNEY BENNETT stated that, because the laws have changed regarding prevailing wages and public works and project improvements that are predicated on public money, there could be an issue. He did not have any information that would contradict what Ms. Pierce reported. Staff would not want to give a definitive answer at this point.

MAYOR JOHNSON asked how quickly Council could be given a definitive answer.

DAVID HARRIS, Housing and Neighborhood Services, Senior Management Analyst, checked with other cities on their policies in using local funds and requiring prevailing wages. Some cities, for their redevelopment funds, require prevailing wages because they interpret the State law to require it. Other cities do not require the prevailing wage when using redevelopment set-aside funds. On inclusionary housing in-lieu fees, there is no requirement for prevailing wages unless the local jurisdictions were to impose it.

MAYOR JOHNSON understood that prevailing wages did hold up for redevelopment. However, with the inclusionary in-lieu fees, if someone chose to challenge the City on this, where would the City stand.

CITY ATTORNEY BENNETT indicated that is the issue. Since the law has changed regarding paying prevailing wage issues, he did not know if there was a test case yet. He did not have any information to contradict anything Ms. Pierce or Mr. Harris said, but because of the novelty of the law, it has not been tested, nor have there been any challenges in that regard.

MAYOR JOHNSON stated that with only 3 Councilmembers present who all expressed concerns about this, he is concerned about Council making a decision without this information. He suggested they hear the remaining presentation but not make a decision until that other information can be provided.

MS. PIERCE explained that they have been proceeding as if the in-lieu fees would not have to meet the prevailing wage requirement, and as the City Attorney stated, staff would probably not know until someone challenges it in court. Nothing has been challenged since the law went into effect in January.

CITY ATTORNEY BENNETT added that the in-lieu fees are almost a hybrid. The City could require the builders to build the units, but instead of that the City charges a fee. The in-lieu fees do not fit neatly into the Government Code in terms of what we typically ascribe as government/development fees or impact fees. They do not fit neatly into the prevailing wage category and classifications of public works projects, but they are, in essence, public funds expended on certain projects, which could be susceptible to the prevailing wage requirement as the law has been amended. Of course, if Council is still not comfortable at the end of the presentation, then staff would do further research to provide more information.

COUNCILMEMBER McCAULEY expressed concern with the prevailing wage. As Mr. Harris stated, some cities pay prevailing wages, and others do not. As well, some cities fulfill their low-income housing requirements, and some chose not to. What some cities chose to do is not necessarily what is legal to do. Her fear, especially with using redevelopment set-aside monies and in-lieu fees, would be that she would not want prevailing wages to be a predetermining factor for what projects or concept of project Council would or would not support. She concurred with the Mayor that Council should have a definitive answer, but she did not think that should stop Council from proceeding with whether or not we want rental property, high density, home ownership, etc.

MAYOR JOHNSON stated that he would like a definitive answer, but after hearing from the City Attorney and Ms. Pierce, they will not get it because there is no test case of this new law. He agrees with Deputy Mayor Feller regarding option 3, but for a different reason. The possible subsidy of \$2,500,000 to \$3,000,000 is a substantial amount compared to some of the other options discussed.

MS. PIERCE pointed out that if prevailing wage became an issue between now and the time that a project came before Council or before it began construction, staff would come back to Council to request the additional funding required to pay the prevailing wage.

Ms. Pierce continued with the fourth option, which would be a for-sale project of condominiums, attached homes, townhouses, row homes, etc., because of the limited land. They could also put in duplexes that could be sold to first-time homebuyers. The staff report indicated that this would require \$1,500,000 to \$3,000,000 of City subsidy, but it is likely to be at the higher end. If Council's goal is to create an affordable housing home ownership opportunity and that the City would receive credits toward meeting its affordable housing goals, it would mean that these units would need to be sold to families with less than 80% of the median income.

So there is a development subsidy, and in addition to that it may require some level of subsidy in order to qualify eligible residents into such a project. The City has had difficulty qualifying families at or below 80% median income for home ownership because the cost of housing is so high. Also, when families are faced with the high cost of housing, they tend to have credit problems that must be remedied. It is difficult to qualify families at or below 80% for housing programs, including the Cal HOME program that the City currently offers with an \$80,000 subsidy. Staff hoped to close on the first Cal HOME loan this week. She estimated that the City would subsidize at least \$3,000,000 depending on the ultimate proposal.

Of course, the lower the affordability, the higher the City's subsidy is likely to be because the funding mechanisms are not as available as they are for achieving lower rental projects. None of these scenarios include the selling of the land; the land would be included. Staff has not done a formal appraisal of that property. The City is currently developing the community center at that site.

Another consideration is that the residents in that neighborhood expressed interest in a child care center. One advantage of the tax credit financing scenario is that a small childcare center to accommodate 20-40 children could be included in the development costs. The tax credit project encourages including a child care facility.

There had been some issues about whether or not existing child care facilities in that neighborhood had available spaces and whether or not they are affordable. Staff did talk to the child care centers in that area. While they may be able to accommodate additional children, they did not have the staff or money to do so, or they would not provide for affordable child care.

The City has approximately \$8,000,000 of funding for affordable housing from 3 sources: the Federal HOME program, the redevelopment set-aside funds and the inclusionary housing in-lieu fees. If the proposed project were subsidized at an average of \$50,000 per unit, it would require a subsidy of \$1,400,000 for 28 units. A \$50,000 subsidy per unit would basically fit option 1 and possibly option 2. If Council chose option 3 or 4, the City would be putting in more than a \$50,000 subsidy. That would likely double for a home ownership scenario.

She requested that Council provide direction to staff so they could put out an RFP and bring forward a housing project for Council's approval. This is clearly an opportunity for family and workforce housing. Staff's recommendation is that this housing be for families.

DEPUTY MAYOR FELLER asked if there would be an association that would keep the property in constant care if they built for home ownership.

MS. PIERCE stated there would not necessarily be a homeowners association. It would depend on the type of proposal the City received. For example, if a co-op proposal were submitted, the City would have some maintenance and would pay more of a subsidy for operating. Usually, the property would be subdivided, and the homeowners would have individual responsibility for the maintenance and upkeep of their homes.

DEPUTY MAYOR FELLER asked if the City could require the homeowners to maintain their homes upfront.

CITY ATTORNEY BENNETT stated that there are always conditions and covenants that the City could place on real property. He was confident that something could be worked out in that regard.

DEPUTY MAYOR FELLER further inquired if the tenants would be responsible for ongoing care for rental property.

CITY ATTORNEY BENNETT was confident the City could come up with something.

MS. PIERCE noted that if the City financially secures the rental property, then the City would have the ability to assure ongoing maintenance and operations of the project. In the home ownership scenario, if the City provided a loan to a resident, it would become sticky to foreclose on someone for non-payment or lack of maintenance.

DEPUTY MAYOR FELLER considered the site to be long and asked if there was a reason to build 28 units on that site.

MS. PIERCE responded negatively but commented that the property does have some challenges because it is long and narrow with only one access along North River Road. There are limitations as to what can be developed on that property because certain provisions need to occur, such as room for a fire truck to turn around and other requirements. The number of units is quite limited. Staff has just estimated 28 units based on all the proposals they had received.

Some of the interested developers indicated a desire to create another entrance into the development. Doing that would require them to purchase and possibly to receive eminent domain of one of the duplex houses. That would require relocation assistance, which would add additional costs.

DEPUTY MAYOR FELLER inquired the height limit.

DEPUTY CITY MANAGER BLESSING responded it was probably 35 or 46 fe, but there could be some flexibility for packaging a project that has affordable components through variances or density bonus requirements. Council could relax standards.

Also, regarding the homeowner maintenance issue, through the land use review process, irrespective of funding, the Planning Commission and staff has conditioned small lot projects, even with individual homeowners, to have common maintenance in the front yards and an association. Those requirements are recorded as covenants on the title and must be funded before the map is recorded. There are mechanisms to ensure proper maintenance of front yards, side yards, common open space, etc., whether it is rental or homeowner.

COUNCILMEMBER McCAULEY requested Ms. Pierce to expound upon the high level of benefit to the surrounding community that was included in option 1.

MS. PIERCE replied that the level of benefit for option 1 would reach the lowest-income residents such as the service workers, farm workers and day laborers who live in that neighborhood. This site also offers one of the City's only opportunities to create that level of subsidy because of the neighborhood revitalization strategy area designation based on the income levels of residents currently residing there.

COUNCILMEMBER McCAULEY was concerned about going with option 1 or 2 in that area because, if we are targeting the lowest of low incomes, then you are probably not talking about people with transportation, and this site is not on a major transportation corridor, which is where Council wanted to focus high density and lower income projects. As previously discussed, when there were 2 applicants for the project, the revitalization needs to be bumped up a notch to give the neighborhood the goal of moving up from where they currently are. She is very supportive of home ownership, especially in areas not along the major traffic corridors.

Her next question was regarding alternate child care options, but the answer today is that there is limited funding and staff in those current facilities. In response to Deputy Mayor Feller's question about placing conditions on home ownership projects, if the City has any subsidy, it could condition almost anything.

CITY ATTORNEY BENNETT confirmed that is generally the rule.

COUNCILMEMBER McCAULEY continued that the relocation issue applies as well. For example, if the developer's project depended upon a second entrance, the City could place a relocation requirement on the developer.

Previously and now, she does not feel this is a good location for high density/very low-income mainly because of the transportation and amenities issues. She is more inclined to offer home ownership in this location to revitalize this neighborhood. Although it may be difficult to get people to qualify for home ownership, if the City sent out for RFPs, a product may come in that would assist with that. She was not too concerned about going with the higher end of the subsidy if the funds are available. She was more concerned about holding down a neighborhood. If going with the higher end of a subsidy will bring the neighborhood up, then the value is there. She asked if there was interest in this project from individual developers.

MS. PIERCE confirmed absolutely. The City had an RFP out, and the Housing Commission reviewed a couple of proposals. The NOFA that was out sought applications for new construction, acquisition and rehab of existing units, home ownership opportunities, rental opportunities and senior housing. The City received 2 applications for senior housing projects for 2 reasons: 1) Developers were desperately looking for acquisition and rehabilitation of existing facilities, but there is nothing currently for sale; the owners are collecting good rents and are not motivated to sell their rental units in this market; and 2) There is not any land zoned for multi-family housing, which is needed to achieve affordability. This project is favorable because the City already has site control. Many developers have indicated interest in submitting proposals.

COUNCILMEMBER McCAULEY was aware the zoning might not accommodate this type of high-density housing elsewhere in the City. Council is looking at re-zoning possibilities along the major transportation corridors. That is where the high density, low-income housing needs to be. She asked if there is interest beyond senior developments on that property.

MS. PIERCE stated that all the developers that staff has spoken to were interested in family housing at the Calle Montecito site. The other 2 proposals were for senior housing.

Public Input

KAY PARKER, 4377 Albatross Way, spoke as an individual. She mentioned a headline in the newspaper this morning about the cost of housing. She referenced the Calle Montecito revitalization plan, which was adopted in July 1998. Among the goals, the housing component is the last one in the plan to be accomplished. The principle focus in that neighborhood at the time the plan was written was the then called, Lake Park Villas Apartments. This was a complex in a deteriorating condition with a lot of unwholesome

activities occurring. The City was considering gaining control of that to clean it up. Fortunately, that happened in the private market.

She noted that the revitalization plan came from the people who lived there. They expressed interest in rehabilitation of existing units and a strong interest in home ownership. Until she re-read the revitalization plan, she did not have a focus of where the City should go. She is leaning towards home ownership because a rental income project would take many more years, since all applications would have to go through the competitive statewide tax credit program in order to get funding. There is no other mechanism for financing these programs. She thought it would be creative to do home ownership on the lot. Possibly the City could find a developer with a strong sense of civic responsibility to build at cost. The biggest asset the City has in this transaction is that the City already owns the land. Staff is very creative at harvesting resources and putting local volunteer talent together with the money the City has. The City could put safeguards into place to offer home ownership. A home ownership program may require a deeper subsidy than rental units, but it would allow families to be in charge of their own finances for 30 years. They would no longer get a \$200 to \$300 rent increase handed to them. This would also give them the stability to organize the rest of their lives in a way that does not come to a renter.

Oceanside needs rental property, but there would not be many opportunities to maximize property owned by the City in this way. Also, Oceanside is still below the national and regional average in the percentage of home ownership, but that number has improved. There is a community value to offering home ownership. This is an asset the City could use to get the units on the ground quickly.

Public Input concluded

COUNCILMEMBER McCAULEY did not re-read the revitalization plan, but she did recall that the focus was on home ownership, which is what she favored. She missed the second part of the meeting on inclusionary housing. She asked whether Council adopted the portion that would allow the builder to build offsite.

MS. PIERCE stated that Council's direction to staff was to write an ordinance that would require a developer to develop 10% onsite or 15% offsite. However, that ordinance has not been written because staff has to come up with the mechanisms to allow a developer to do that. Staff is working with the Building Industry Association to develop programs to complete the ordinance.

COUNCILMEMBER McCAULEY explained that would not be the only mechanism to use, but it could be an added incentive. A few current developers have shown an interest in building offsite. If Council were to recommend the home ownership direction, she thought staff should definitely pursue writing that ordinance to include such a direction. She **moved** to direct staff to look into more of the home ownership under option 4 and pursue it in that way.

DEPUTY MAYOR FELLER inquired if the City could limit the number of residents/occupants in each unit for either home ownership or rental developments.

CITY ATTORNEY BENNETT did not believe that the City had that authority. Cities have fought the issue of overcrowding units for years and have been told that the State law pre-empts the City's ability to control the number of people who could occupy a unit because of familial relationships. The City does have the ability to place certain conditions on projects and units, but he was not familiar with a city that would be able to condition the number of occupants in a unit. The City would certainly be challenged. The City has fought that battle for a long time and has constantly been told by the courts that the City cannot restrict the number of occupants in a unit because it would be difficult for a family to decide which family member could not live with them.

DEPUTY MAYOR FELLER believes North River Road is a major thoroughfare in the City with transportation, and a lot of rental units are in that area on the back side of

Calle Montecito and just to the north on North River Road. He agreed home ownership is the best way to go. In such a narrow project like this with no street parking, he is concerned with the accumulation of vehicles, because he had junkers of his own. He **seconded** the motion.

COUNCILMEMBER McCAULEY agreed with Deputy Mayor Feller that North River Road is a major thoroughfare, but she did not envision it as a major transportation corridor for regional transportation. She recalled that around 1996, the City had some problems on Thunder Drive when people illegally converted garages into living quarters. At that time, Assemblyman Bill Morrow said that the State law had been changed from allowing a certain number of residents per bedroom to a certain number of residents per square foot. She asked City Attorney Bennett to look into that.

CITY ATTORNEY BENNETT was not aware of any change to the State law that would allow the City to restrict the number of occupants, even if there was a different formula for how to calculate the number of people who could live in a residence. The State's calculation of numbers of occupants per square foot/bedroom is ridiculously high. Their formula would not help the City at all. He did not know if the formula had changed, but it did not change the ability of cities to restrict the number of occupants per residence in a manner that would help the City do its job. The State's formula would allow somewhere around 16 occupants in a standard-sized living room. He will double-check that, but he did not believe the law had changed in a way that would allow the City to restrict the number of occupants per unit.

COUNCILMEMBER McCAULEY thought the law changed to the higher number. She thought it might now allow one occupant for every 2-3 square feet or something ridiculous like that.

[Recess was held from 10:51 – 11:02 AM, due to a phone call.]

CITY CLERK WAYNE asked for clarification on the motion. She asked if it allowed staff to request proposals. **COUNCILMEMBER McCAULEY** confirmed it did. The second concurred.

With that clarification, the motion was **approved 3-0**, with Councilmembers Harding and Sanchez absent.

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

ADJOURNMENT

MAYOR JOHNSON adjourned this adjourned meeting of the Oceanside City Council at 11:03 AM, April 17, 2002.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne, CMC
City Clerk, City of Oceanside

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



California

CITY OF OCEANSIDE

JOINT MINUTES OF THE: CITY COUNCIL SMALL CRAFT HARBOR DISTRICT BOARD OF DIRECTORS COMMUNITY DEVELOPMENT COMMISSION

JANUARY 24, 2007

REGULAR MEETING 4:00 PM COUNCIL CHAMBERS

4:00 PM - OCEANSIDE CITY COUNCIL (COUNCIL),
HARBOR DISTRICT BOARD OF DIRECTORS (HDB), AND
COMMUNITY DEVELOPMENT COMMISSION (CDC)

Mayor
HDB President
CDC Chair
Jim Wood

Deputy Mayor
HDB Vice President
CDC Vice Chair
Rocky Chavez

Councilmembers
HDB Directors
CDC Commissioners
Jerome Kern
Jack Feller
Esther Sanchez

City Clerk
HDB Secretary
CDC Secretary
Barbara Riegel Wayne

Treasurer
Rosemary Jones

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

City Attorney
HDB General Counsel
CDC General Counsel
John Mullen

For this regular and joint meeting, the Council sat as all 3 governing bodies [Council, HDB and CDC] simultaneously but took action as the respective agency for the jurisdiction covered by each item. Council titles only will be used for brevity throughout the entire meeting.

The regular and joint meeting of the Oceanside City Council (Council), Small Craft Harbor District Board of Directors (HDB) and Community Development Commission (CDC) was called to order at 4:01 PM, January 24, 2007 by Mayor Wood.

ROLL CALL

Present were Mayor Wood, Deputy Mayor Chavez and Councilmembers Sanchez, Kern and Feller. Also present were Interim City Manager Martin, City Clerk Wayne, and City Attorney Mullen.

COUNCIL, HDB AND CDC CLOSED SESSION ITEMS

CITY ATTORNEY MULLEN titled the following agenized items to be heard in Closed Session: Item 3 and addendum Item 3.5 [Items 1 and 2 were not heard.] Closed Session and recess were held from 4:02 – 5:00 PM [See the report out on these items at 5:00 PM, Item 4.]

January 24, 2007

Joint Meeting Minutes
Council, HDB and CDC

5:00 PM

MAYOR WOOD reconvened the meeting at 5:02 PM. All Councilmembers were present. Also present were Interim City Manager Martin, City Clerk Wayne, City Attorney Mullen and City Treasurer Jones.

The Invocation was given by Pastor Carl Souza of the First Baptist Church of San Luis Rey. The Pledge of Allegiance was led by Richard Anderson, Sabrina Anderson, Teresa Anderson, Leanne Spencer, Aden Spencer, Marshall Spencer, Sherri Cosby and Patricia Jago.

Changes to the agenda

MAYOR WOOD announced that Councilmember Feller has removed Item 20 from the agenda.

PROCLAMATIONS AND PRESENTATIONS

- Presentation – Employee Service Awards were presented to the following employees in recognition of their service to the City:

Name of Employee	Department	Service Award
Douglas P. Morris	Community Development	20 years
Gabriel Jimenez	Police	20 years
Roy M. Spencer	Harbor Police	20 years
Renae Bowman	Police	20 years
Sherry L. Cosby	Library	20 years
Joseph A. Nastasi III	Water Utilities	20 years
Catherine A. Osgan	Police	20 years
Sara E. Montano	Neighborhood Services	20 years
Patricia A. Jago	Library	20 years
Thomas G. Cruz	Water Utilities	20 years
Reginald Grigsby	Police	20 years
Terry Goodman	Neighborhood Services	20 years
Richard C. Anderson	Police	20 years
Barbara A. Conklin	Harbor & Beaches	25 years
Raymond J. Tutera	City Manager's Office/IT	30 years
Carolyn A. Salvatierra	Neighborhood Services	35 years
Thomas Hearn, Jr.	Public Works	35 years
Barry E. Martin	City Manager's Office	35 years

MAYOR WOOD announced that Interim City Manager Martin would now be retiring, and the new Interim City Manager is Peter Weiss. Mr. Martin would still be involved with the San Diego County Water Authority. The Mayor presented Interim City Manager Martin with the Mayor's Award of Excellence, noting his integrity.

- Presentation – A Proposition 40 award check in the amount of \$5,000,000 presented by Tam M. Doduc, Chair of the State Water Resources Control Board for the Loma Alta Lagoon Ultra-Violet Facility project.

Ms. Doduc stated this project will reduce bacterial contamination and create cleaner beaches, especially at Buccaneer Beach. This is the largest grant amount issued under the Clean Beaches Initiative.

The Mayor determined to hear Item 19 at this time.

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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.

19. **Council: Approval of a five-year agreement with North America Sports, Inc., to host the Ford Ironman 70.3 California Triathlon, and authorization for the City Manager to execute the agreement; authorization to fund staff support services in an amount not to exceed \$30,140 annually (\$150,700 for the five-year period) from the City Council Discretionary Special Event Fund and in-kind support services in the amount of \$4,910 annually (\$24,550 for the five-year period)**

TERRY GOODMAN, Recreation Supervisor, presented a request for approval for a new 5-year agreement with North America Sports, Incorporated (NASI) to host the Ford Ironman 70.3 California Triathlon. The City has had a 7-year working relationship with the Ironman organization. In 2000-2001 they hosted the full Ironman event in conjunction with Camp Pendleton. In September 2001 the Council approved a 5-year agreement which concluded last year. The event has brought considerable prestige to Oceanside as a major national sporting event and brings 2,500-2,800 athletes from all over the world to the City. It is estimated that approximately \$1,200,000 is generated the week of the event in revenue to local hotels, restaurants and business.

Staff has worked with the Ironman staff to develop a new agreement much like the previous agreement that would outline the City's participation with staff services, which would include Police, Fire, Public Works, Special Events staff, Harbor Police and Harbor Lifeguards. The half-Ironman event consists of a 1.2-mile swim; 56-mile bike ride and a 13.1-mile run.

The costs associated with the event include approximately \$30,140 in direct staff costs, which includes a contingency amount for future labor increases, for a total of \$150,700 for the life of the agreement. An additional \$4,900 is identified for in-kind services, which would involve parking lots, facilities and miscellaneous in-kind services, totaling \$24,550 for the life of the agreement.

Staff recommends that the Council authorize funding for this event out of the Council discretionary fund. In the past, the personnel funding had been absorbed by the various departments. They are now looking to fund that out of the discretionary fund and then in future budgets to allow for the funds to be budgeted by each department. The balance in the discretionary fund is currently \$39,700, so there is adequate funding available.

Staff has identified the construction that is going to take place for the harbor bridge. The aquatic center will not be a factor in staging the race. They believe that the race can work around the construction as identified in the staff report.

With Council's approval, staff will enter into a license agreement with Marine Corps Base Camp Pendleton for the use of the Marine Corps Base for the bicycle portion of the event. Staff is recommending that the City Council approve a 5-year agreement with NASI to host the Ford Ironman 70.3 California Triathlon; authorize the City Manager to execute the agreement; authorize staff support in an amount not to exceed \$30,140 annually or \$150,700 for the 5-year period from the City Council discretionary fund, and in-kind services in the amount of \$4,910 annually or \$24,550 for the 5-year period.

PAULA NEWBY-FRASER, President of North America Sports, Inc., has lived in north San Diego County for 20 years and came here specifically to pursue multi-sports and triathlon events. The sport of triathlon was born in San Diego. She feels it is imperative to lead their sport by having the Ironman and marquee events in the North County. At NASI they license 8 Ironman events throughout North America. They signed

a new 5-year contract with World Triathlon Corporation, which owns the Ironman name, to host an event hopefully in Oceanside. The event in Oceanside is the kick off to the season. Every year it is the earliest race. They now have over 25 races and Ironman events worldwide. There are very limited qualifying spots to the world championships in Hawaii. Because of this marquee event, they have negotiated to maintain a \$30,000 professional prize purse and also to be one of the few events around the world at the 70.3 distance to maintain qualifying spots to the world championships in Hawaii.

ROCH FREY, Race Director, stated that they are going on their 8th year. The event has 2,800 athletes registered on race day. They get approximately 2,200-2,300 contestants hitting the starting line in the harbor. Last year they had 46 states and 22 countries represented. They are expecting more than that to be represented this year. It is the first major event of the year.

Regarding the economic impact for Oceanside, last year there was a 20% increase in room nights in the hotels in Oceanside. The studies that they did with questionnaires to the athletes show that the average athlete stays for almost 5 days and brings 4 people, which includes themselves and 3 guests. They estimated \$1,200,000 - \$1,800,000 in revenue in the Oceanside area. They base that on a direct impact report that they did 2 years ago in Lake Placid, New York, an event they have held for 7 years. From that full Ironman event, they had a \$7,000,000 impact to the area of Lake Placid.

A big thing they do in the communities is the Ironman Community Charitable Donations Fund. They like to give back to the Community. Last year they gave back a total of over \$12,000. They gave \$5,500 directly to the Oceanside groups last year. There are several different organizations that work with them. They help with the aid stations, bag stuffing, etc. They have a great group of support people with whom they have worked. The organization will be increasing the donations to \$15,000 total this year.

Ironman promotes a healthy lifestyle. They are happy to work with the City and are looking forward to having longevity here, since this area is the birthplace. San Diego is where the races started in the early 1970s. The event has put Oceanside on the map. They have a lot of media and television exposure. Oceanside is known as the place for the first substantial Ironman race of the year. The race sold out in December. The athletes were sending e-mails everyday asking to get in. Unfortunately, they have to turn people away.

COUNCILMEMBER SANCHEZ moved approval [of staff's recommendation and approval of a 5-year agreement with North America Sports, Inc., to host the Ford Ironman [**Document No. 07-D0036-1**].

DEPUTY MAYOR CHAVEZ seconded the motion.

COUNCILMEMBER KERN asked if this is part of a qualifying event.

MR. FRY responded affirmatively. The World Championships is in October in Hawaii. There are 20 spots here to qualify for that championship. There are only 1,500 spots at the Ford Ironman in Hawaii. This is one of the few shorter half-Ironman distances that is a qualifying event. Everybody else has to qualify at a full Ironman event.

Motion was **approved 5-0**.

The Mayor determined to hear Item 5 at this time.

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**

MICHELLE BRAY DAVIS, 306 South Pacific Street, announced the 27th annual salad luncheon that Soroptimist International of Oceanside-Carlsbad would be holding at the Beach Community Center on Thursday, February 8. All of the proceeds from the luncheon will go to support the local non-profit organizations who promote a healthy lifestyle and the welfare of women and girls.

[Item continued to later in the meeting.]

The Mayor determined to hear Item 21.5 at this time.

MAYOR AND COUNCILMEMBER ITEMS

Addendum

21.5 **City Manager Item: Discussion and public input regarding the San Diego Chargers' interest in the possible siting of a new football stadium in Oceanside, and direction to staff**

INTERIM CITY MANAGER WEISS reported that the San Diego Chargers have expressed an interest in looking at a potential stadium site in Oceanside. They met yesterday with the Chargers and they are committed to staying within the San Diego area. Although the Chargers are looking at Oceanside, they are also looking at several other sites. Oceanside is just one of several options that are available to them. The City of Chula Vista discussed the same issue last night at their Council meeting. He stressed that they are very early in the process. There has not been any detailed assessment of the site, although the Chargers have indicated to staff that the site that they are interested in is Center City Golf Course. No one has made a determination yet of whether that site will work. They are only at the point of expressing an interest. The Council has previously indicated that the City would be interested in at least listening to the Chargers, and that is what we are doing, as they have met with them. The Council directed that they would like to get some public input very early into this matter.

The City does have some attributes that make Oceanside an attractive location and alternative for a potential stadium site. However, there are a number of issues that will have to be dealt with and looked at, should they move forward. Before they get too far into all of this, they need to get some public input to see if this is something that is really for them, from the City perspective, the community perspective and also the Charger's perspective. No one has made any commitments that Oceanside is a preferred site. Again, Oceanside is one of several options that the Chargers are looking at.

In discussing the issue, the Chargers support the fact that, should the City at some point become a preferred site, there would be a full public process. The Chargers are committed to doing significant public outreach and getting public input and opinions, which is something that is important for all of them.

Mark Fabiani from the Chargers would present background information from their side of the issue, followed by public input. At this point, staff is recommending that they continue to at least have some discussion with the Chargers and to be open to the possibility. They do not know what the plan will or will not be; they have not gotten that far. They think it is important that they at least get some feedback of issues that staff and Council need to be aware of should they proceed further with the Chargers.

MARK FABIANI, representative for the Chargers, stated that they are at the

earliest of stages. They feel fortunate that they have the opportunity to explore this site with Oceanside. In good faith, they do not know how it will turn out. They are trying to do something that has never been done before, which is to privately finance a National Football League (NFL) stadium and ancillary development, do traffic and road improvements and everything else that goes along with it. That could cost more than \$1,000,000,000. They are trying to privately finance it. It has never been done before, and it is obviously a very difficult thing to do. However, they are committed to doing it because the owners of the Chargers, Alex and Dean Spanos, are committed to keeping the team in the San Diego region. Those who have followed this process over the last 5 years know that they are trying everything and exploring every idea. They are spending a lot of money, time and energy to find a way to make this happen.

It is very difficult to find a site that works for the Chargers and the City and to find a way to pay for it privately in a way that works for the people of Oceanside. As long as they are willing to work in good faith and they know that Oceanside is, they will see how far this goes. They are excited about getting started and hearing what the people think about this.

In the San Diego area, when they were pursuing their plan at the Qualcomm Stadium site, they went to hundreds of community meetings, and they learned a lot from people regarding what they liked and did not like, and they changed the way they did business as a result of what they learned. They hope that the same thing will happen in Oceanside. They will go to as many meetings as they are invited to. They will go anywhere and talk to anyone. They hope that anyone in Oceanside who wants to talk to them will invite them. They have an open door policy. For anybody that wants to come to Charger Park and meet with them, they are happy to do that as well. They are committed to a public process.

They are also committed to a process that involves private financing of the stadium. They are not looking for money from the City's general fund; they are not looking for money from the tax payers. They are looking for a City that wants to work with them in a way that could help generate enough revenue to pay for the stadium. That means probably an ancillary development that would be near the stadium or on another piece of land related to the stadium that would help generate money to pay for the stadium. They are prepared to take on the risk of that development, along with the risk of building the infrastructure improvements to make that happen. However, they are going to need the City's help if they are going to get that far. It could involve a lease of land, grant of land, zoning changes or density changes. It is too soon to tell, but it will be a partnership where the Chargers will invest hundreds of millions and even more than \$1,000,000,000 in this project when all is said and done. If Oceanside is willing to explore it, they certainly are. There are no guarantees. No one has ever pulled anything like this off before anywhere in the United States, but they think they can do it here. They think they have a plan that can work, and they are looking forward to working with Oceanside and seeing how far they go along this road. It will be an exciting and open process; it will be public every step of the way. They are committed to working with Oceanside as cooperatively as they possibly can.

MAYOR WOOD repeated that this will be a public process, and the public will not be kept in the dark.

Public Input

CRAMER JACKSON, 1826 Burroughs Street, stated that his family came here in 1944. They have been pioneers and developed things in this City since then. To see the vision that this City has had through all of those years is awesome. A lot of people did not want to spend money on the pier or the harbor because it would bring traffic. There were all these things that were said to be so terrible, yet they have a beautiful pier and beaches, hotels coming up, etc. To be considered for the Chargers is a vision that they have all had. It is terribly exciting. They have to be careful how they do it so that there are no more hills sliding down. Everything has to be done right.

There is another place down the street, El Corazon, which is away from all of the buildings and the houses. It is one of the most perfect places to consider too because there is not anything built there yet, and it is ready to go. Regarding traffic, they are going to have a big freeway that is bigger than what it is right now. They are going to mow down everything in the way anyway, so let's have them build things right before the stadium. There are going to be many lanes. Some houses are going to go, and it might even be his house. These are things to consider, but the City is growing. It is coming alive, and they have everything to offer.

BOB POLLARD, 5067 Corte Alacante, would love to see this happen. He would love to see the income from this tremendous stadium. The image of Oceanside at one time was not the best. The improvement in the last few years has been marvelous. They have one of the best beaches and harbors on the coast. They had the most inexpensive homes on the coast from San Francisco to San Diego. The stadium would definitely improve everything. Hopefully downtown would be improved even more. Hopefully, California State Route 76 might be improved. They know that I-5 is going to be improved. Since the stadium would be near the trains, I-5 and the freeways, it should not affect interior roads. Maybe they could get some bus service from homes to the ballpark. This would be a definite yes.

ROBIN RAUSCHL, 232 Hoover Street and 24-year resident, lives in a neighborhood that would be affected should the project be built at the Goat Hill Golf Course. He has issues that he asks Council to consider before going forward with the review of a project like this. They have considerable traffic problems today. He is not aware of a huge freeway improvement, and he highly doubts that it would be in place before such a facility would go in. He would ask that they consider the traffic issues that they have today. There would also be parking problems. His neighborhood would be affected. They have a city of about 200,000 people, and they would have an influx of about 100,000 people per event. He asked how they would deal with that. They have gang problems in the city; event days would be affected with bigger gang problems where more sophisticated and organized gangs might come to do their activity during that time with the large crowd of customers. They would probably have a 25-year problem in front of them. The Chargers have worn out the existing stadium that they have now, and in 25 years this one would be done also. Please consider what would happen in the future in that regard. There may be a loss of control by the City elected officials should such a facility be built in their community.

MARK DEAKINS, 111 Parnassus Circle, lives in the neighborhood that would be directly affected by a new stadium. He does not want a stadium and the potential costs to the residents of \$1,000,000,000. There are some issues about parking. He referenced a stadium in the Berkley area, stating that they have a continuing problem with cars parked in front of houses and traffic in residential neighborhoods. People cannot get in and out of their neighborhoods or their houses on game days. They park as much as 2 miles away and walk to the stadium, leaving their trash along the way. That is a very big concern.

The City will have to issue residential parking permits and increase the traffic enforcement and towing on game days. There will be charter buses on game days to the stadium; there could be as many as 75-100 buses. Often these will be parked on residential streets. The San Francisco Bay Area Rapid Transit (BART) has indicated that on game days they are highly congested. He is against giving up park lands that they have now and putting it to a use other than that.

The New York City Economic Development Corporations (NYCEDC) have said that the stadium would increase the tax base by \$96,000,000 over 30 years, but that is considerably smaller than the \$450,000,000 the public will need to pay for this stadium. There is extreme cost involved even if the City does not pay for the stadium. He would hope that Council would consider not putting in a stadium and taking away their important park lands.

RICHARD HAMILTON, 2261 Oceanview Road, is a and a season ticket holder with the Chargers since 1992. For all of the economic reasons that are very apparent, he urged Council to consider this opportunity. He has lived in the North County since the early 1970s and has seen a lot of economic opportunities go to Carlsbad. For all of the reasons that make sense in terms of providing additional jobs and additional economic benefit in terms of the tax revenues that can pay for fire and police services, he urges Council to consider this opportunity very carefully. He is sure that the economic advantages far outweigh the disadvantages that can be mitigated through planning.

FRED BARTZ, 634 North Tremont Street, is personally not against the stadium. His concern is what comes with the stadium. Prior to moving to California, he lived in Michigan, which is the home of the NFL Detroit Lions. Some 25 years ago or more, the thought was to move that stadium to the suburbs where there would be better traffic flow, and the stadium could be built afresh and would generate the revenue. The stadium was set up for over 80,000 seats. The thought from the City of Pontiac, which was the closest city to where it was located, was that this stadium would be the life blood of revitalizing the City of Pontiac. They have never filled that stadium, perhaps because of the record of the team. Therefore, the revenue that was necessary to support the infrastructure for the City of Pontiac never really occurred. Also, they had a problem with the congestion because the roads were not improved to get the traffic from Detroit to the City of Pontiac. Therefore, the decision was made to move the stadium back to Detroit, now known as Ford Field. The decision was that if the Lions were going to have the people coming to their games, they need to be in the central city area.

He is not against the stadium; he asks the City Council to look at other cities' mistakes so that we do not end up in the same situation. The City of Pontiac now is deeply in debt. In fact, the plan is to demolish the stadium because it is cheaper to demolish it than it is to pay the cost to maintain it. He reiterated that he is not against the stadium, but he asks that Council be aware that other people have made mistakes and we should learn from those mistakes before going forward.

JACKIE CAMP, P.O. Box 678, is in support of the proposal. She stated that many years ago Jacksonville, Florida had a lot of blight. After the stadium was built there, the change was amazing. When you go to Jacksonville now, it is a place to stay, with lovely hotels and shops. The town is really booming. The City's youth will have a lot of jobs there. It is a good influence on them. She hopes Oceanside does get the Chargers.

DAVID NYDEGGER, 928 North Coast Highway, Chief Executive Officer of the Oceanside Chamber of Commerce, stated that Oceanside has long been a beautiful, but well kept secret. They are now looking at a once in a lifetime opportunity. The San Diego Chargers are showing interest in moving their team, and Oceanside is on the short list of places to go. Oceanside should be proud; they have come a long way.

He recently spoke with the Chief Executive Officer (CEO) of the Chamber of Commerce in Foxboro, Massachusetts, where the 5-year old Gillette stadium is home to the New England Patriots. Their response was heartening. There has been a very positive development around the stadium and in the area; there is a new outdoor amphitheatre that has been built; and plans for a 1,000,000 square foot shopping center are coming on shortly. As CEO, he could go on and on about the advantages of having a major sports team in their hometown, including, transportation, the economy, tourism, etc. There are years of work to do. Oceanside is up for the task. He looks forward to that beautiful fall Monday when it is "Monday Night Football" and Snoopy the blimp is over Oceanside with a wide-angle television shot of the City, with the close up pictures of the harbor, the pier, and Mission San Luis Rey for all of the rest of the nation to envy.

NADINE SCOTT, 500 Hoover Street, stated she will speak on behalf of herself

for a moment and then will be reading a letter from Rick Kratoski, who was not able to come. She noted the beautiful view from her home in Loma Alta. There is an ocean view. Charger Stadium is her worst nightmare. If the stadium is built, her view will diminish due to the lights. She will not be able to get to the pier. Right now it takes her 2½ hours to get back from the pier when she watches fireworks due to the couple of thousand people in town. The stadium will devastate her entire community.

She then read Mr. Kratoski's written statement that Goat Hill and the surrounding City-owned properties are inappropriate for a proposed stadium. It is too close to residential dwellings; parking; developments that will increase traffic, noise, air and visual pollution; infrastructure problems and habitat issues.

JOHN "DUSTY" RHOAD, 3760-15 Vista Campana South, came to this town in 1958. He is very proud about what they are doing in Oceanside today. He is looking forward to having the Chargers and stadium in their area, not only for economic development, but for the money that the City could provide for fire, safety and police officers. It is a great idea. Hopefully it comes to fruition because something like this would be a coup for the city. He questioned the news today that the Chargers are giving \$200,000 to the City of Chula Vista to examine their site for a stadium. He hopes they can go through with this project.

LAILA CHARLSON, 3808-40 Vista Campana South, stated that money is what Council always wants. First it was building a hotel by the pier, now it is building this stadium. They are bound to pave every bit of land in Oceanside. They cannot fix the traffic now. If there were a stadium here, there would be the worst traffic jams ever because they only have the I-5 freeway. The Qualcomm stadium is currently centrally located with freeways I-5, I- 15, I-8 and State Route 163. If the Chargers are bound to have a new stadium, let them tear down Qualcomm and build a new one there. If Council is thinking of their residents, she asked that they remove their offer.

TIMOTHY LEUNG, 709 Mosaic Circle, Community Relations Commissioner, is very encouraged that there is an opportunity to build a stadium without taxpayer money. It is one of the biggest travesties in their nation that taxpayers pay for privately owned stadiums. He is a Charger fan and would love to see the Chargers here; however, there are legitimate concerns that need to be addressed.

Football is a once-a-week sport. It will be 10 weeks out of the year for pre-season and regular season. They need to see that the traffic congestion for 10 weeks out of the year may not be the worst thing in the world. There may be other events such as tractor pulls or big conventions coming to the stadium as well. If this is going to be a football only stadium, it is not quite as bad. Also, they can look at gating the local communities and making sure no traffic can go through. He does not know what the solutions are. Whatever Council decides, they are going to anger between 1/3 to 1/2 of the people.

They need to worry about sustainability. They talk about having economy coming in, and that is great. The Chargers were the number 1 team in the NFL in the regular season. Back in 1994-95, the Chargers made the Super Bowl. Things were looking up; the City of San Diego made a couple of deals that they probably regret now. Things do not always work out the way they want them to. They need to look at the long-term goal. Other than that, this is going to be a great economic opportunity for the City. He is glad that Council is taking public opinion and listening to the concerns of the residents.

GARY RIPSCO, 770 Sunningdale Drive, stated that when the Chargers first started looking for a place with the Council, he had e-mailed them about looking at the El Corazon site and received no response.

He is representing 2 teams. He is a San Diego State University Aztec alumnus, and they are going to be looking for another place to play. Qualcomm stadium is falling

apart, so he has a vested interest in both the Chargers and the Aztecs being in Oceanside. There is a lot of things to overcome, but they are at the beginning; there is no sense getting negative or positive right now. Let's just proceed forward, get the impact studies, work with the Chargers and see where it takes them. That is all that they can ask for at this point. Go Chargers!

SANDIE LUEHRS, 450 Stoney Point Way #138, is a Charger and a football fan. She has had season tickets for 13 years. It has always been her dream that if the Chargers were to move from Jack Murphy Field/Qualcomm Stadium, it would be to the North County, and Oceanside in particular.

From the Chargers point of view, North County makes so much sense. There are so many fans to the north of them that it would really draw on their fan base. For almost every game, she meets someone who has driven from Dana Point or Temecula. When she is at the game, the guy sitting behind her is from Bakersfield, so she knows they are coming from all over.

As for the benefits to Oceanside, anyone who has been to downtown San Diego and to Petco Park can see how much it has revitalized downtown. There is a lot of difference between 81 baseball games and 10 football games, but it would still be a benefit to the City. She is in total support of the City working with the Chargers on this project, and she trusts the City to address all of the concerns that people have.

If the Chargers were to relocate to anywhere in San Diego County, the name San Diego Chargers should be retained. If they are forming any citizens committees she would be happy to volunteer her time.

ANDREW "ANDY" ANDECK, 3336 Avenida de Loyola, has been a resident since 1979. He was born and raised in San Diego and has been a Charger fan for several years. However, this particular land use possibility is a big mistake. They have a precious asset that they have to be very careful of, and that is open space. Once it is gone, it is gone. He heard talk about possibly El Corazon. He thought it was already decided that they are moving toward recreation and open space activity there. Goat Hill obviously is not a pristine, ideal open space area right now, but it is what we have. They need to preserve the kind of community that they have and make wise land use decisions.

He seconds the issues that have been raised about parking and traffic. They do have only one major freeway, and that is I-5. Some of the other locations, including Qualcomm, have much better access from freeways. He can attest from his attendance at Chargers games that the parking on the side streets above the stadium is pretty obnoxious for those who live around there. For people who live in Oceanside, access to the beach area on Sundays is going to be very difficult with a stadium.

He urged Council to be very wise and careful on how they approach this. Residents would rather have open space and good growth development rather than a big monolith concrete structure that they are stuck with.

MONA MAERTENS, 959 Vine Street, has been a proud resident of Oceanside for 12 years. She is privileged to have information that a lot of people have not had. She is here because she cares about her city.

She agrees that Chula Vista does have a very good running position in the negotiations. She asked Council to step up to the plate, accelerate and give the City of Chula Vista a run for their proposal because Chula Vista, from what she understands, is in the forerunning position right now.

GREG ROOT, 404 Hoover Street, urged that as they move forward with this initiative, they pay particular attention to the communities and protect them from traffic, noise, lights and parking problems. He is not necessarily opposed; he is just opposed to

the ruination of the neighborhoods. They can be protected and enhanced. There is an opportunity to drive those neighborhoods to a greater place and greater property values. Traffic already is a grave concern to many of the residents. If traffic inundates neighborhoods, then property values are going to go down instead of up. He believed Council would not let that happen.

GEORGE BRITTON, 1920 Maxson Street, talked a few months ago about condominiums and townhouses the Elks Club proposed putting in. Now he is talking about the Charger stadium being built in their backyard. They had then talked about the traffic jam they were having for a few condominiums and townhouses. Now they have 10,000 more problems to worry about because this would mean more cars coming in and more traffic.

His house is within 200 yards of where the stadium would be built. He would get bought out and lose the investment he has in his home. He will never get what it is worth since the stadium is going to be sitting in the back door, and the value is going to go down. They have been fighting for months to keep their neighborhood perfect. They have been there for 25 years and like the way it is. He does not want to see Council voting this in and then, because the Chargers do not have a sell out, have to do like San Diego did and buy all of the tickets out, ending up millions of dollars in debt. That is probably one of the big reasons San Diego wants to get rid of them. He does not want the City to go in the red. They are happy the way the City is. Before Council makes a decision, they need to make sure that they will stay in the green, not red.

ALLEN CARRASCO, 1845 Downs Street, is a Charger fan and lived here his whole life. Oceanside is booming. He hopes Council would take an aggressive approach to the traffic, especially regarding Oceanside Boulevard and Mission Avenue. At Disneyland, there are palm trees and a nice traffic flow. Oceanside has a great opportunity to do a polished job here. He supports Council's efforts and hopes that they will take every opportunity to do a beautiful presentation.

JOHN MULVIHILL, 2545 Mesa Drive, lives approximately 1/2 mile from the proposed stadium. Quality of life is why he moved to Oceanside from Los Angeles. He was tired of traffic problems that plagued the city all day long in some areas. It would take him 45 minutes to an hour to get home from work, which was about 3 miles away. Traffic jams and accidents were everywhere; air quality was poor; and big city tension was rampant. It got to be too much and was draining his spirit.

He loves football and the Chargers, but he is opposed to this site at Goat Hill because: a) he is worried that Oceanside will become Los Angelized; b) he is concerned with how the owners of the franchise say this project will be financed - It appears that many more peripheral shops and businesses will be needed to foot the construction bill via City taxes from these very businesses, and that means a lot more density in this and the near area; inevitably the public always pays; c) he read that the Aztecs are sharing Qualcomm Stadium with the Chargers and want to share the new stadium if it is in San Diego County - that means 2 huge football teams in the fall and who knows what venues other than football would take place throughout the year such as rock concerts, conventions, etc.; d) he noted the guaranteed seating that the City of San Diego had to pay millions of dollars for; and e) noise, traffic and pollution will be horrific. Bigger is not always better.

DIANE NYGAARD, 5020 Nighthawk Way, spent 1 1/2 years of her life opposing a stadium being built in San Francisco. They were sure it would destroy their neighborhood and blight that entire part of the city. They lost that fight, and the park was built. She was wrong. She learned 4 things from that experience that she hopes Council takes into consideration in their planning for Oceanside. First, they need to get expert help. Books have been written and college courses held about how stupidly cities have negotiated professional sports contracts all across this country. With all due respect, Council is no match for the millions of dollars that the Spanos organization can put into this to make sure that they get what they want. Please get the help to make

sure that they get what their community needs.

Second, set a limit on the public subsidy and stick with it. They can call it private financing or whatever they want, but she does not believe that there is not going to be a huge public subsidy for a stadium to come to Oceanside or anywhere else. In San Francisco that subsidy took form in 2 ways. The land around the stadium was a park, not a parking lot and there was a huge investment in public transit. These were things that benefited the entire community.

Third, do not give away future commercial revenue to a stadium. There is only so much commercial square footage that is economically viable in this City. If they give that revenue to George Spanos, they are taking it away from the residents. They need it more than he does. Finally, seriously address every single concern raised by the nearby residents and businesses: traffic, crime, the amount of park land and the views. Please make the community part of the planning process from the beginning. If Council is going to do it, they need to do it right.

MARCIA WINCHESTER, 5182 Andrew Jackson Street, thinks weighing the differences of all of the pros and cons, costs and traffic is the best way to base a decision. Having the ability to hear the residents' opinions is very important. She is new to the area. If all plans are followed and the stadium benefits the community and the environment, revenue will be generated, and jobs will be created. They should look at all of the benefits of having a stadium. She is in support of the stadium 100% and would like to be involved in any committee. The decision will be based on research, marketing and development. She trusts that Council has been working on this a long time.

Council should definitely get support of the community and professionals in the field who can answer questions for people who have concerns about their homes that will be affected by this. They should balance everything so that it is even and equal, and everybody profits and benefits. Even those who are against it could look at other options and have a more positive view. She wants that stadium here, and the revenue generated will make this city internationally known.

She is not a football fan, but there are other options and financial venues that will use this area. Nothing is impossible. The Chargers want to do something new.

SHARI MACKIN, 1469 Moreno Street, stated that as a long-time Oceanside resident, and an even longer San Diego Charger fan, she is in opposition to a stadium at Goat Hill.

The City of Oceanside had a workshop about a year ago, where they discussed prospective uses for Goat Hill. A professional football stadium was not one of them. Other great uses were brought to the forefront that would not have the impacts to this community that a proposal such as this would. She finds it odd, to say the least, that 4 members of this Council voted not to allow the Elks Lodge to build condominiums on a portion of their property adjacent to Goat Hill. The Council said the impacts would be too severe for the neighborhood. Yet, 2 months later, they move forward with supporting sitting a stadium nearly in the same spot.

When they talk about impacts, it is not just about 8 games a year. They are talking about monster truck rallies, rock concerts, professional sports, rodeos, etc. In addition, Council just approved purchasing a block of apartments off Country Club Lane to convert to senior housing. She does not think a lot of seniors will be anxious to be living by a stadium.

It is important that this whole stadium notion is not played out as a means to develop El Corazon. There are plenty of willing partners that will work with the City to create a park and commercial development without giving away the farm. She urges Council to look at other uses for this area. The amount of open space and park land

defines quality of life for residents. She asked that Council not cut us short.

CAROLYN KRAMMER, 904 Leonard Avenue, Chairperson of Citizens for the Preservation of Parks and Beaches (CPPB), adamantly opposes the changing of any park land for private use. It sounds familiar, wanting to give away public park land to a private developer for private use. Center City Golf Course is not the proper place in the middle of many neighborhoods to put this disaster on their doorsteps. It is not about the Chargers. It is about the wrong place. Oceanside is Oceanside. Take the first word - ocean. It should be a beach ball, not a football.

MENDEL BOCKNEK, 4568 Blackwell Road, was involved in a lot of development in the Washington, D.C. area in his younger years where the big giveaway always was land. He sees the same thing happening here. The land is worth untold millions of dollars.

The Chargers are all dear to their hearts. However, it is not going to be the Oceanside Chargers; it is still going to be the San Diego Chargers, and they are just looking for a location. The location is on Oceanside's park land. Once that park land is gone, it is gone. Oceanside is doing just great on its own, and it still has the same Oceanside feeling to it.

If the Chargers want to pursue consultants, let them pay for it. If they want to pursue environmental impact studies, let them pay for it. Let's not have the taxpayers pay for all of this due diligence. He is opposed to the location. He loves the Chargers, but he thinks they belong at a renovated Qualcomm Stadium.

PAMELA MYERS, 910 North Pacific Street, said when she first heard about this, she was very excited. Then she really started thinking about it and talking to people, and her mind started changing. It is not just about 8 football games a year; it is going to be 365 days a year, as well as the noise and the traffic that it will produce. She looks outside her condo window on the weekends and sees all the people coming in from Orange County. She does not even want to try to get on the freeway, and this is without a Charger stadium.

She used to live above Qualcomm stadium in her college days and could hear the noise and see the traffic from the Chargers. She was a season ticket holder of the Chargers, and she supports them wholeheartedly. However, she does not think that Oceanside and its small town environment can support such a big event. It is totally going to change Oceanside. She looks at the pros and cons, with the Chargers and a stadium on one hand and quality of life on the other. She feels it is not worth her quality of life to bring the Chargers to Oceanside and to fight traffic even more than what it is right now. She would rather have her quality of life than to be able to go to a Chargers game a couple of miles away.

A couple of big stadiums were built in Glendale, Arizona. Ever since they built those stadiums, they are constantly having accidents. That is another concern. It is going to be a bottleneck in Oceanside if that happens. Oceanside is on its way. Do not give their jewel away to the Chargers. This is a very serious decision, and she thinks they should keep their beach town like it is. They should continue to grow and let some other city have the Chargers.

DON KENT, 4847 Marathon Way, stated Council has to weigh all the sides, and they will not be able to satisfy all the people. He sees this issue as a scale. There is a positive and a negative aspect to the Chargers coming to Oceanside. When he first read about it in the newspaper, he was very excited. He felt that finally people will know where Oceanside is. Oceanside will have national recognition by having the Chargers here, and that is important because it will have an effect on the land values and on the impression that people have of Oceanside. That is very good. He also sees it as a tremendous source of income. It will bring tourism, hotels and restaurants. The Chargers Stadium will bring a great deal of money to this community and have an

effect, he hopes, on the tax base of this community. Possibly it will help them to develop more infrastructure for this community and even reduce taxes. Those are the good aspects of what they are dealing with.

On the other side is a negative aspect, and that is where the difficulty lies. They are talking about taking 75-80 acres of beautiful golf course land that is being enjoyed by many people and destroying it to put up a stadium. They have to consider that. They cannot keep covering up this community with stadiums or roadways in order to help it develop. He estimated that including I-805, I-8, Frazee Road, I-15 and a few others, he counted 34 lanes and a trolley supplying Qualcomm Stadium with people. On a game day, it is gridlock. That is something to consider.

KEITH HASS, 2131 Oceanview Road, is in favor of the stadium because of cash flow and jobs. They have a lot of space where the golf course is. He hears others talk about the parking. They have space where they can put parking. Yes, there will be traffic. Any venue that brings in a lot of money, and especially when you have a venue that is offering to bring the money to make it happen, they should not bite a gift horse in the mouth. This is a good opportunity. They are close to the freeways. While there will be traffic, Oceanside has more mass transit than the other places do, including the train and buses. Due to the parking that they have, they do not have to have the residential areas impacted. They can have the stadium closer to I-5. They are currently further away from the freeway. It is good that there is opposition. That way they are telling us what to do and how to figure it out. However, Council can figure it out.

Talking about putting Oceanside on the map, he noted that he is in real estate. They have an incredible city, and they are on the move. When they get the Super Bowl here, everybody is going to see that it is the San Diego Chargers, but they are going to be staying in Oceanside hotels. They are going to be seeing Oceanside's beautiful beaches and community. He cannot see why they would not want to have the Chargers here. It is all for the positive.

SCOTT WREGE, 1666 Boulder Creek Road, is in favor of the Chargers coming to town. Development is not going to stop if they do not get the Chargers. There are going to be some things to look out for regardless. He read that there was an alternative proposal for this specific land, which would be a hotel and convention center. These are the types of things that do bring traffic congestion in 365 days a year. As a person who uses the beach on a regular basis, he has seen in the summertime, because of the tourists, a substantial increase in people at the beach. Hotels bring that. He is in favor of what they are doing downtown. However, for the future, when they are developing downtown, they need to do it in a way that is going to be beneficial for the City and also decrease traffic. Ironically, that is why he is in favor of the Chargers. It brings in people for a game; they have dinner and a drink; and then they go home. It also brings in an incentive for restaurants, bars and nightlife to come to this city. Again, the people go home at night.

When they start putting up too many hotels and that type of development, they run the risk of having people here for a week at a time. Those people are going to the beach and the parks, which keeps the residents from being able to utilize those in the way that we like. The stadium is a great opportunity.

There is a lot of things that the Chargers could bring up that are deal breakers for us. However, it is important for us to keep looking and listening. If it is the right deal, then let's make it.

GEORGIO KERPANI, 315 South Nevada Street, stated that people are good at giving advice on what they know nothing about. To all the naysayers and negative people, it is much too early to voice opposition. Everyone knows that there are major concerns such as traffic, crime, parks and beaches, noise, and lights. That was all a given, but allow the study to begin. .

The Padres tackled 26 square blocks in downtown San Diego, with many years of opposition, complaints, rezoning, bulldozing, changing properties, etc. He questioned what could be said negatively about that Petco Park neighborhood now. Allow the study to begin. He is neither in favor nor against the stadium. No one knows where this is going, but they should become educated as the process unfolds. If it appears to be a benefit to our community, then the November 2008 vote will determine our direction.

SALLI SALEM, 5025 South Pacific Street, has lived in Oceanside since 1978. When she heard about the Chargers stadium she was completely in favor of it, because she is a Chargers season ticket holder. She takes the bus every Sunday. She would like to see the stadium here for all of the reasons that have been mentioned, but she also understands all of the concerns that have been raised tonight. They need to do the work. It is too early to say no, and there is a lot of benefits that Oceanside could derive from having this stadium. Therefore, she is in support of the stadium and of the study.

SCOTT SMITH, 4476 Bermuda Dunes Place, thinks the best place to build a stadium would be at the "Q" (Qualcomm Stadium), but, since one City Council cannot get their act together, it is time for another to act and see if this opportunity is feasible. The economic impact would be great. First, there would be new jobs created and new businesses forming to support the stadium. Second, is the potential of hosting a Super Bowl. The Ironman brings \$1,200,000 worth of revenue to Oceanside. He asked them to imagine what a Super Bowl would do. Third is tourism. There is nothing better than free advertising on a Sunday night game when the blimp is up and saying welcome to sunny Oceanside.

Although there are many positives, there are some negatives. The traffic would be a problem. They would need to do further research whether they need a new off ramp, for example. There is already enough traffic in that area at 5:00 PM, much less having 70,000+ people there. In general, it would be good to look for the stadium to be in Oceanside.

KIM HEIM, Executive Director of MainStreet Oceanside, commented that it would be stating the obvious to tell Council that downtown would benefit extraordinarily from this project in terms of an off-season activity, the sports team, as well as energizing the entertainment and tourism district that downtown would become. Really investigate this and take a look at all of the options. This could be an extraordinary, once in a lifetime opportunity for this City. A \$1,000,000,000 investment needs to really be seriously looked at. They would encourage Council to move to the next step and see what the Chargers propose. It could be the next generation of the sports stadium concept that the Spanos family may be proposing, and it could put Oceanside on the map.

STEVE McMANUS [no address] stated that the question is about the money. The NFL is huge. If they are going to scam Oceanside with a stadium here, they have to pay big time. If they do not, they must give it up.

LISA HAMILTON, 323 South Ditmar Street, stated that she is neither entirely for the stadium, nor entirely opposed to it. However, she is opposed to it at the Goat Hill site. She came from Massachusetts. Foxboro was cited as an example of a stadium that brought wonderful prosperity to a city that did not have it. It actually took 20 years before Foxboro saw any real profit from that stadium. When the team was in the basement; they did not fill the stadium. That stadium was on cheap land between 2 major metropolitan areas -- Providence and the Boston area. The traffic was unbelievable; people drove through and then left. If there is development in that area now, it is because development has expanded outward from the major metropolitan areas of Providence and Boston. They ran out of land, so development is moving out towards the stadium. She stressed that the stadium does not guarantee that Oceanside is going to have profitability or lots of small businesses.

She is also very familiar with the old Baltimore stadium where the former

Baltimore Colts and the Baltimore baseball team used to play. The traffic was unbelievable. It still is, even with the Baltimore Ravens playing there. It takes a lot of police presence to direct traffic. Baltimore had a splendid system for getting traffic in and out. That stadium was built in a neighborhood. The Goat Hill stadium is essentially in a neighborhood. If Oceanside is going to have a stadium, the much better place to put it would be at El Corazon.

When the City was talking about developing El Corazon, a stadium for the Chargers was not seriously considered. That area has been massively torn up by the sand company that was there. It is not nearly as much of an impact on the neighborhoods that are over there with the surrounding industrial parks. Those industrial parks could even provide some parking for the stadium. If they put the stadium at Goat Hill, all of the residents and beach areas are going to suffer profoundly with the traffic and parking, whether it is the Chargers, truck pulls or the rock concerts.

FRANK IMBILLI, 1442 Burroughs Street, has lived in Oceanside for 50 years, and there have been many nice improvements. Regarding a new Charger Stadium in Oceanside, he loves the Chargers where they are -- 45 miles down the road. Some Councilmembers think this would be a great deal for Oceanside. He wonders how many of them live close to the area where the stadium might be built. There is a giant population in and around the periphery of the proposed stadium site. He asked where they are going to go. He asked about the people who have the small businesses in the Boney's Center and where they are going to go. They have had those businesses for a long time, and their livelihood depends on them. There are also many homeowners who live on Greenbrier, Raymond Lane and Dixie. He asked if Council is going to tell them that they are going to have to move.

This is not for Oceanside. He loves the Chargers, but not literally in his backyard. If they put this on the ballot, and it should be, let's see what the people think. It should take at least another 10 years to get this wild idea moving.

DEL GERARD FRENCH, 1408 Denise Circle, has played at Goat Hill many times in the last years. They cannot put a 180-acre stadium on 75 acres. It is physically impossible. The traffic is unbelievable just coming to the meeting tonight, coming down I-5 from his house. He loves football. If he wants to see a good football game, he goes to the high schools. He does not think that a Charger Stadium would benefit the City at all. Goat Hill has given so much back to the community. They have taught many young kids how to golf. If they look at the outlay of the land, every team would want to be kicking from north to south because that is where the ball is going to go. He hoped Council would reconsider.

ROY MICHEL, 4121 Auburn Avenue, has lived in Oceanside since 1958 and has seen the city grow. He has seen a lot of opportunities that former Councils have not had the foresight to bring to Oceanside, i.e. when all of the car dealerships were in Oceanside and when the May Company wanted to be in Oceanside. Palomar Airport was a dump and was developed into an airport that is now bringing in quite a bit of revenue to Carlsbad. This project, even though it does impact the traffic, is something that should be considered, and all options should be looked at. If it is feasible and the traffic problems can be addressed, it would be something that the City should build.

DON FRATE, 3607 Del Paso Court, lives a long way from the proposed site. He would not be impacted. He is a Charger fan. He has only seen stadiums built a couple of times with developer or owner's money and not with public funding. One of them completely turned around the downtown slum area of San Francisco. They built a beautiful stadium. The key is investment. Somebody earlier mentioned Pontiac [Michigan]. Only the city had an investment, not the team. He has personally contracted with the people from the Spanos family when he worked for a shopping center in Stockton, California. They put their best foot forward. They build beautiful complexes, and they helped rebuild the airport.

Mr. Fabiani has said that there would be no money involved from the City; somebody else said that the land that they are talking about is worth a lot of money. He agreed that it is, but they are not talking about investments of hundreds and millions of dollars just to buy a sports team and not to build a coliseum for it. They are having the Chargers' people come to us. He loves Oceanside, and he really enjoys the Chargers. There are all sorts of possibilities to get around the negatives, and there are negatives. They should take on a positive aspect as the city has done in the last 5 years.

[Public input concluded]

MAYOR WOOD stated that this is strictly for information and not to be voted on. There will be other opportunities.

INTERIM CITY MANAGER WEISS appreciates the comments/input on both sides. As they move forward, the issues that have been raised in regards to traffic, parking and costs to the City are all going to be addressed at some point, provided that the Chargers decide that Oceanside is one of their primary sites. The Chargers have not made that decision; they are not at that point yet. He assured the public that, should and as this moves forward, all of those issues will be addressed. The information will be to the public with enough public input to make sure that the issues are being looked at and addressed to everyone's satisfaction.

COUNCILMEMBER SANCHEZ is heartened by the comments that they have received tonight. She thanked Mr. Fabiani for his presence and the opportunity to talk to him about something that could be very exciting for the City. She is glad that he was here to listen to the concerns raised by the residents; 39 people spoke. Their residents like to feel that they are part of the decisions. There were 27 who supported going forward, and 11 that voiced either no or concerns. That is over 2:1, or about 70% that are in favor of looking to see how this can benefit the City. She wants to make sure that this is a win-win for the City and the Chargers.

DEPUTY MAYOR CHAVEZ was supportive of getting the public involved early. They are in the initial phases of this. He is listening and agrees that they need to take care of the neighborhoods. There are a lot of issues they need to look at, and they are only looking at the options phase.

The greater issue is what they as a City believe is the vision of Oceanside. When they talk about the vision of Oceanside, one of the items that always comes up is to bring more resources into this City to deal with public safety, to be sure schools are taken care of and parks. The way to do that is economics. They started some years ago to bring in other jobs, which was the intent behind Idec, which is now Genentech, and Nitto Denko, etc. to look at different business enterprises in the City. Along with that 3-phase development, beyond public services and technology, was tourism to take advantage of their coast. That started off some years ago with the harbor. As they see the development down at the beach with the Fairfield and the Westin projects, CityMark and the other great things that are happening in the city, they need to ask themselves whether the Chargers support that economic vision of tourism. If it does, then they need to see how they do it to protect their neighborhoods, their quality of life and keep the feeling of Oceanside. That is going to be done with leadership, residents talking to their neighbors and discussing the issues as they work together.

This is an exciting time to be in Oceanside. This has the potential to really make this the jewel on the coast of California. They will get the best people in there to put that A-team together so that the public and all of them are taken care of in a way that makes sense for the citizens of Oceanside.

COUNCILMEMBER FELLER stated that, considering that Oceanside is a large City, the 124th largest City in the country, they cannot be small in their thinking. They have to think about big City problems, challenges and opportunities. He is excited to listen to everyone who showed up tonight. There is probably a thousand questions that

each of them have, and after they answer all of those there is probably still another thousand. They have a lot to do, and both sides of this issue are going to be eager to hear what comes out of any type of dialogue.

MAYOR WOOD stated that this contact with the San Diego Chargers organization was brought to Oceanside via the San Diego County Labor Council. They asked if the City would talk to the Chargers; they were concerned about thousands of jobs in San Diego County. We said of course we would talk to the Chargers. The City does not know the answer; the Chargers do not. We are just talking at this stage and keeping the public informed.

MR. FABIANI stated this is part of a process that has to continue. They have to hear from the public; they have to hear their concerns. The concerns they heard tonight were the ones they expected to hear. Clearly the number one concern is how to deal with the traffic, and they knew it coming in. They have a lot of money invested in traffic engineers and people to study the issue and try to figure out how to make it work. The most important thing to know about traffic is that the Chargers need to make it work too. They cannot have a stadium where people do not want to come because the traffic is bad. If they cannot make the traffic work, then the stadium is not going to be built in the first place.

Second, they heard about open space, and they understand that that is a major concern as well. They understand that in order to win public approval of this stadium, ultimately, they are going to have to find a way to replace that open space so that they have as much or more open space that is accessible to the public, with ball fields, soccer fields and other things that people can use, rather than a golf course that only some people can use. The Chargers realize that they have to deliver that. It is too soon to say how they are going to deliver that, but they know it is something that they are going to have to deal with.

The third issue is the economic impact on the City. They heard loud and clear that the City needs to benefit from this. This has to be a win-win for both parties. If it is not, it will not go forward. They always believed that there would be an election wherever this stadium is built, and that the public would have an opportunity to vote for the stadium or against it. If that is the case here, they hope that they can persuade the residents to vote for it. If they cannot vote in favor, there will not be a stadium. That is the way it should be.

They look forward to beginning this process. Tonight was a great start. They look forward to answering their questions. They have some questions of their own. Hopefully with that exchange of information, they will find out if there is anything here to work on. If there is, they look forward to getting started.

[Recess was held from 7:42 to 7:58 PM.]

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

DAN DiMENTO, 2116 Broadway, represents a large group of residents, conservationists, Audubon lovers, fishers, surfers, bikers, runners, etc. He is asking for Council's help in saving the Buena Vista Lagoon's open space, as related to the things that are going on all of the time in the City with development. At the southern gateway, across from the nature center is a privately owned parcel of land that exists for all to enjoy. It has been that way forever. The developer wants to build an 82-room hotel, condominiums and a 24-hour restaurant and leave not one inch of open space as the entire spot is now. It does not take an environmental genius to know that this land is sensitive and deserves a lot more respect than they are giving it right now, considering this project.

They ask to make this passageway and gateway to our City available for

residents and nature to benefit from for a long time. There is a chance that this could be a win-win situation if the property owner would allow the California Department of Transportation (Caltrans) to buy it and use it as mitigation property. Caltrans cannot talk to them and pursue this unless the developer opens the dialogue with Caltrans and expresses an interest in having them give an appraisal. In the end the developer would get his money, and we would get our open space and a beautiful gateway to Oceanside. We must take a stand now to preserve this right of passage for coastal access, nature and view corridors. Please consider this project for all of nature to enjoy. It is pretty much for the birds.

The Mayor determined to hear the Consent Calendar at this time.

CONSENT CALENDAR ITEMS [Items 6 – 15]

All items listed on the Consent Calendar are considered to be routine matters or formal documents covering previous City Council/HDB/CDC instructions. The items listed on the Consent Calendar may be enacted by a single vote. There will be no separate discussion of any Consent Calendar items unless requested by members of the City Council/HDB/CDC or the public through submittal of a Request to Speak form prior to the commencement of the agenda item.

CITY CLERK WAYNE stated that requests have been made to pull Item 10 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:
 - October 11, 2006, 4:00 p.m. Regular Joint Meeting
 - November 15, 2006, 4:30 p.m. City Council Special Meeting
 - January 6, 2007, 10:00 a.m. City Council Special 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 a two-year professional services agreement with Taylor Group, Inc., of Oceanside in a total amount not to exceed \$50,000 annually (\$100,000 total) for geotechnical services for the Engineering Division, and authorization for the City Manager to execute the agreement (**Document No. 07-D0025-1**)
9. Council: Approval of a ten-year encroachment permit agreement with Cricket Communications, Inc., for a minimum total revenue of \$143,000 authorizing encroachment on a portion of the public right-of-way at 506½ Vine Street solely for wireless telecommunications purposes, and authorization for the City Manager to execute the agreement (**Document No. 07-D0026-1**)
10. **Removed from the Consent Calendar for discussion**
11. Council: Approval of a ten-year encroachment permit agreement with Omnipoint Communications, Inc., a subsidiary of T-Mobile U.S.A., Inc., for a minimum total revenue of \$143,000 authorizing encroachment on a portion of the public right-of-way at 5101½ Wisteria Avenue solely for wireless telecommunications purposes, and authorization for the City Manager to execute the agreement (**Document No. 07-D0027-1**)
12. Council: Approval of a ten-year encroachment permit agreement with Omnipoint Communications, Inc., a subsidiary of T-Mobile U.S.A., Inc., for a minimum total revenue of \$143,000 authorizing encroachment on a portion of the public right-of-way at 4400 Olive Avenue solely for wireless telecommunications purposes, and authorization for the City Manager to execute the agreement (**Document No. 07-D0028-1**)

13. Council: Approval of a two-year professional services agreement with PBS&J of Los Angeles in an amount not to exceed \$50,000 annually (\$100,000 for the two-year period) for storm water quality review services related to development projects, and authorization for the City Manager to execute the agreement (**Document No. 07-D0029-1**)
14. Council: Approval of a two-year professional services agreement with Rancho Santa Fe Protective Services of Encinitas in the amount of \$305,290 for alarm monitoring and security guard services at the Civic Center and various other City facilities, and authorization for the City Manager to execute the agreement (**Document No. 07-D0030-1**)
15. Council: Approval of a request by Oceanside Senior Citizens Association, Inc., to extend the term of a property use agreement for use of City-owned property at 455 Country Club Lane for five years, through January 1, 2012, at a cost to the Association of \$1 per year

DEPUTY MAYOR CHAVEZ moved approval of the balance of the Consent Calendar, excluding Item 10.

COUNCILMEMBER KERN seconded the motion, which was **approved 5-0**.

Items Removed from the Consent Calendar for Discussion

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

BONNIE BRAVO, 3660-40 Vista Campana North, is president of the Oceana Homeowners Association (OHOA), representing 932 senior households. Last month Council granted her extra time for their organization to research this installation because they had been only given 2 days notice of the project. At that time, their concerns were the safety of the slope and a possible boundary violation of a boundary that they share. Since that time they met with members from the Public Works Department, as well as T-Mobile. They came to the site. Regarding their issues for the safety of their slope, which goes down onto their golf course, they were told that concern would be resolved during the permitting process. Signing a lease would not interfere with that. Regarding the boundary dispute, they received copies of the survey, which appeared to her to be a site survey and not a boundary survey. It counted a certain amount of feet from the El Camino Real center divider to 5 feet from the sidewalk, which is the public right-of-way.

Research of their archives showed that in 1971 Oceana agreed to an easement of 52 feet from the El Camino Real center line to 16 feet down the slope at that time. This easement was given to the City in order for them to maintain the street and the sidewalk. In 1998/1999, they have another agreement where an easement was given to the City in order for them to maintain the slope; this is when they took responsibility for maintenance of the slope. They have not had enough time to research this further. They still want to pursue this further with the City. They are concerned with the oversight from the City. It seems that the vendor does the surveys on whether the slope is safe; the vendor is responsible for meeting the requirements; and the vendor is responsible for the boundary research. They would like to meet with the City. If the lease is signed, they still want to resolve this boundary issue. They might be wrong.

EILEEN COSTA, 3621-91 Vista Campana South, met with Bonnie Bravo and a group of people from Oceana and the City and the T-Mobile officials. The residents were not impressed with the answers that were given to their concerns. They feel strongly that a postponement of approval is in order to study the FCC rules for cell

towers. She called the FCC department in Washington, D.C., and they e-mailed her all of the rules and regulations. She got answers that were in conflict to the answers that the T-Mobile people had given her. When there is more than 1 tower, they need to test how many radio frequency waves (RFs) are in the area; that is an FCC rule. She found out that there are 3 cell towers at the Baptist Church on top of the hill by Oceana. Now they want to put in the T-Mobile site.

She was curious how many others there were. She searched the internet and found out that there are 564 cell towers, cell reception, hidden antennas, etc. There are 164 towers that are around 200 feet in height, and 141 of these towers are not registered. All of this is within 8 miles of Oceana. It really needs to be tested. For the site that was chosen, T-Mobile could not give a good reason why they picked that particular site. It is in a low spot. The beam that goes out to pick up the cell phone is going to be hitting the roofs of some of the houses in Oceana because the land slopes up. That is not the way it is supposed to be. There is great concern by the Cancer Society and others. It has not been proven that a large degree of RFs are safe for people, and this is not being addressed. For all of these reasons, she is asking for testing to see if they are in compliance with the FCC.

CITY ATTORNEY MULLEN stated that, with respect to the issue of radio frequency emissions, the 1996 Federal Telecommunication Act preempts the City from denying permits based upon RF emissions provided that the applicant is in compliance with applicable FCC regulations. This agreement requires them to comply with all laws, including those FCC regulations. The City should be able to assure compliance with applicable FCC regulations based upon the agreement that is in front of Council.

HEIDI JANZ, Program Specialist, stated that staff did meet with the OHOA. Their concerns at that time were the slope stability and whether this site was encroaching on private property. T-Mobile had a licensed surveyor go out, survey the land and actually stake out where the site was going to be. They found that it was going to be in the right-of-way. Staff was satisfied that, based on that process, the site would be in the right-of-way. With regard to the slope stability, T-Mobile had a geological report done, which addressed slope stability, and it was found that the equipment would not cause any danger to the slope sliding. It did recommend that some provisions be taken such as water absorbent landscaping, but the equipment itself would not pose a risk.

DEAN SISKOWSKI, 1311 Summer Court, Vista, representing T-Mobile, stated that they did the slope study and the geological report for the soils. They marked their boundaries out, and the tower is in the public right-of-way. There is going to be no issues with slope erosion. City staff has asked that they do an erosion control plan before they can get their building permit, and they are in the process of doing that also.

INTERIM CITY MANAGER WEISS recommended that, if the Oceana folks have any other information in regards to the boundary, to please get that to staff, and they will have that looked at by the surveyors. They also have the ability to bring in independent surveyors. If there is any dispute, they will resolve that before the tower is built.

COUNCILMEMBER SANCHEZ sees that via the consent calendar, Council has approved 3 other cell tower sites. There was no opposition on those, and the issues were clear. The issues are not clear for this one. She does not see why they cannot find another site reasonably within the area. The law allows the City, as long as they do not say no, to do exactly that. This is controversial to a community that is about 1,000 residents in the Oceana area. Property boundary issues end up sometimes in court, and it does not matter what an expert says. Experts sometimes disagree with each other. She would suggest that they send this back and ask them to find another site that is not controversial, that is close by and would meet their needs and the residents' needs. She **moved** for denial.

Motion died for lack of a second.

DEPUTY MAYOR CHAVEZ stated that the backup material says that a local government may regulate the placement, construction and modification of personal wireless service facilities as long as such regulations are not discriminatory and do not have the effect of prohibiting the provisions of wireless phone services. He would like this to go back to staff to answer some of the direct questions that the HOA has regarding the location, frequencies, etc. It sounds like they have a plan for the slope, but they need to show the residents the plan. If they go back and work this out, he would be agreeable to approving it.

COUNCILMEMBER SANCHEZ seconded the motion.

COUNCILMEMBER KERN asked what the cell tower looks like and how they go about siting a cell tower. He questioned why they chose this particular spot.

MR. SISKOWSKI explained that the radio frequency (RF) engineer, who works for T-Mobile, receives calls from the marketing department and from people who are having coverage issues. They call these "drops and blocks;" it is where they do not have coverage or are getting busy signals, etc. There is a large coverage gap going east and west along Mesa and going up along the south portion of El Camino Real. They have tried to put a site together that is not a regular full macro site that would have 12 antennas and equipment above ground and require leasing a large area. They are proposing to put together a pole light standard that is 24 feet. They are going to be looping 3 antennas total, 1 per sector. They are going to be aggregate, painted to match, and flush mounted against the actual wall light standard itself. They would be vaulting the equipment underground next to the light. This site was chosen in this particular area because the RF engineer ran some tests and that specific area covers the objective the best. They looked at going across the street, but there are no lights on that side of the street. Additionally, because of the SDG&E substation, it does not give them maximum coverage along Mesa going west. A site on the south side of Mesa covers their objective pretty well, but they do not get Mesa to the east because there is a little hill there. They are staying within the guidelines of the City, which is a 35-foot height. They are going to do 24 feet, and it is going to match what exists out there as far as the light goes.

They are not going at the church where there are a couple of other carriers; that is up above the hill. They are not trying to cover Foussat and the highway down there. They are looking to cover a small area on Mesa and a portion of El Camino Real that is highly used traffic wise.

DEPUTY MAYOR CHAVEZ corrected his **motion** to continue to a later date. He suggested February 14, 2007.

INTERIM CITY MANAGER WEISS would recommend February 21, 2007.

DEPUTY MAYOR CHAVEZ moved to continue this item to the February 21, 2007 meeting. **COUNCILMEMBER SANCHEZ seconded** the motion.

COUNCILMEMBER FELLER asked if all of the rules have been followed at this point.

INTERIM CITY MANAGER WEISS cannot say if all of the rules have been followed. If there is an issue about where the right-of-way is, they need to resolve that to the satisfaction of the residents.

MAYOR WOOD stated that this is a very prominent senior community, and Council is trying to give the benefit of the doubt to them. He sees the concerns and is assuming there is going to be a continuance to allow the staff and T-Mobile to allow clarification on it. Mr. Siskowski might be able to expedite some of that by dealing with

staff and this HOA to try to get that done sooner.

MR. SISKOWSKI understands that she has concerns with RF. He needs to know what else T-Mobile needs to get since they have done this survey, they marked out the lease area, and they did the soils and slope study. One thing that this City does not require them to do, which other jurisdictions do, is to have a third party RF report done. They have done that in past; they do one before and they do one after. It is not a requirement by the City, but he would be happy to talk to his client [T-Mobile] to see if that is something that they can prepare to help the HOA.

He wants to know what things he needs to prepare so that they do not continue this action next time. If that is just the RF report, that would be great.

MAYOR WOOD understands that this is a business and he wants to get it done soon. The citizens have a concern. The City Manager will meet with him to explain what is necessary to help clarify this situation. It is not time sensitive.

COUNCILMEMBER FELLER stated that this is a problem that they need to get fixed because this is the second time that it is going back. Twice it was not approved, and that is not fair to anybody trying to build or improve service or keep coming forward with something that Council wants the next time. If T-Mobile and the City have already done all of these things, then why are they doing this again. He is not going to vote in favor of this continuance. This motion says to send it back again and fix something else. The next time there will be something else, and he does not think that is fair. He thought they did that the last time they sent it back.

The motion for continuance was **approved 4-1** with Councilmember Feller voting no.

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. **Council/CDC: Adoption of resolutions approving the appropriation of \$1,030,921 in Redevelopment Bond funds by the Community Development Commission to assist in the expansion of the Oceanside Museum of Art, and making certain findings in connection therewith, and approval to appropriate \$15,000 in Redevelopment Bond funds for related attorney fees**

MAYOR WOOD opened the public hearing. Regarding the disclosure of constituent contact, the Mayor, Deputy Mayor Chavez and Councilmember Sanchez reported contact with public, staff and attendance at Museum of Art events; Councilmember Feller and Councilmember Kern reported contact with public and staff.

TRACEY BOHLEN, Development Project Coordinator with the Redevelopment/Economic Development Department, stated this item is to approve funding of the \$1,000,000 Oceanside Museum of Art (OMA) Challenge Grant Agreement with redevelopment funds. In 2005 the OMA came to the City and requested assistance with the expansion of their facility. The museum raised over \$3,500,000 but still needed \$2,000,000 to begin construction. The City Council approved a Challenge Grant Agreement in September 2005. The challenge was to raise \$1,000,000 in gifts and donations, which would be matched by the City. The matching amount of \$1,000,000 would accrue interest and would not be released until 50% of the construction amount was paid by OMA. When Council approved the grant in 2005, the money was to be paid from the General Fund.

Last May, Museum Director Skip Paul requested the money in accordance with the Challenge Grant Agreement. At that time the City Manager asked the Redevelopment Agency to fund the grant. An analysis was undertaken to determine the legal ability for the Redevelopment Agency to fund the grant. Help from the attorney firm used for all bond issues was enlisted. From this analysis, it was determined that the Redevelopment Agency could help pay for the expansion of the facility because it helps to accomplish the goals and objectives of the redevelopment and implementation plans. This is because the facility and land will be owned by the City and leased to OMA. The expansion will spur additional investment in the redevelopment area, and the investment will further the goal to establish downtown Oceanside as a visitor and tourist center. The total amount requested includes \$30,921 in interest in accordance with the agreement and \$15,000 for the analysis, which the OMA requested the agency pay for. Today, the Redevelopment Advisory Committee voted 5-0 to approve this allocation of money.

The recommendation tonight is for Council to approve the use of \$1,045,921 in redevelopment bond funds to help with the expansion of the OMA.

Public Input

SANDRA KEMPTOR, President of the Board of Trustees of the Oceanside Museum of Art, stated the OMA sincerely thanked Council for this Challenge Grant. They closed the Quilt Visions 2006 exhibit. This show is considered one of the 3 top quilt shows in the United States. It was 61 days in length and closed on Sunday. They had 7,200 visitors over that period of time. Thirty-six percent of that 7,200 were from out of the county and out of the state. It was 22% that were local and North County and 24% that were out of North County. That is significant.

The Council, as visionaries, are not only helping to bring cultural enhancement to Oceanside and North County, but they are also further bringing this cultural gem as a destination for Oceanside.

MAYOR WOOD stated the City is booming in every angle, and part of it is culture. This is one of the reasons former City Manager Jepsen and the Council are very supportive. He appreciates all that they have done.

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

COUNCILMEMBER SANCHEZ stated that this is a phenomenal vision for the City of Oceanside. She **moved** approval [of staff's recommendation and adoption of **Council Resolution No. 07-R0031-1**, "...appropriating funds for the expansion of the Oceanside Museum of Art, and making certain findings in connection therewith" [\$1,000,000 plus interest] and **CDC Resolution No. 07-R0032-3**, "... appropriating funds for the expansion of the Oceanside Museum of Art, and making certain findings in connection therewith" [\$1,000,000 plus interest] and approve the \$15,000 appropriation (**Document No. 07-D0033-1**)].

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

GENERAL ITEMS - Continued

17. **Council/CDC: Adoption of a resolution of the CDC approving the 2005/2006 Annual Oceanside Redevelopment Agency report to the State Controllers Office and the State Department of Housing and Community Development**

TRACEY BOHLEN, Economic Development and Redevelopment Department, presented the annual report for the Redevelopment Agency for Fiscal Year 2005-2006. All redevelopment agencies in the State are required by state law to report annually to the State Controllers Office and the Department of Housing and Community Development by December 31 of each year for the prior fiscal year's activities. The

required information includes the status of projects and programs and financial data that is part of the independent audit report. This includes redevelopment and affordable housing activities. This is an administrative item required by state law that is presented annually to Council and the Community Development Commission and includes the adoption of a resolution. The recommendation is to adopt the resolution approving the 2005 -2006 Redevelopment Agency annual report.

CITY CLERK WAYNE reported that that were no requests to speak from the public.

COUNCILMEMBER FELLER asked if this is like a contract renewed every year and exactly the same.

MS. BOHLEN responded that just the numbers and the projects tend to change a little bit.

COUNCILMEMBER FELLER wants clarification on whether the programs and projects listed in the backup are the new ones.

MS. BOHLEN responded that they would be the projects and programs that were generally accomplished last year.

JANE McVEY, Director of Economic Development/Redevelopment, responded that this is an administrative report that is required by the State. The Finance Department compiles some of it from the financial audit; the Housing Department compiles some of it from what their activities have been; and the Redevelopment Agency discusses the projects that are currently ongoing in the redevelopment area.

For example, in the next year if you say that you are going to begin a project, they want to know that you are still working on it, and what the status is. They look to see that you are diligently working towards implementing your Redevelopment Plan.

COUNCILMEMBER FELLER asked about the parking garage project.

MS. McVEY responded that they did an RFQ and a RFP for the second parking garage. They received proposals and selected 3 finalists for the second parking garage. Because the 9 block master plan of the Local Coastal Plan requires that 240 hotel rooms be built in the 9 block area, they cannot proceed with their second parking garage until they begin construction on either the 240 rooms, or they have to take a 1/9th share of the 240 rooms in that parking garage, which does not make any sense. Because the construction cost estimates that have been provided by their 3 finalists are rather aged, staff wanted to wait until they were a little further along with the EIR on the hotel, the CityMark project, and then they will be tracking the second parking garage behind those 2 projects.

COUNCILMEMBER FELLER moved approval [of staff's recommendation and adoption of **CDC Resolution No. 07-R0034-3**, "... approving the 2005-2006 Annual Report and directing staff to forward Annual Report to the State Controller" (**Document No. 07-D0035-3**)].

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

18. **Council/CDC: Introduction of an ordinance of the City Council of the City of Oceanside extending the time limit for the effectiveness of the Oceanside Downtown Redevelopment Plan and the time limit to pay indebtedness and receive property taxes pursuant to Health and Safety Code 33670 (AB1096) under the Oceanside Downtown Redevelopment Plan pursuant to Health and Safety Code Section 33333.6(e)(2)(D)**

TRACEY BOHLEN, Economic Development and Redevelopment Department,

reported that this item is a continuation of the December 6, 2006 Council meeting regarding the life of the Redevelopment Agency. On that date City Council approved an ordinance to extend the life of the agency and the ability to receive tax increment and pay on debt for 1 additional year.

Between the years of 2003-2006, the State faced budget challenges and could not afford to give school districts, community colleges and state colleges the money they required. To resolve their financial issues, the legislature took the money needed for schools from cities and redevelopment agencies. As a result, the Oceanside Redevelopment Agency paid over \$1,200,000 over a 3-year period of time into the Educational Relief Augmentation Fund (ERAF). Two separate laws were passed by the legislature to allow redevelopment agencies to extend the life of the plan and the ability to receive tax increment and pay on debt for each year that a payment was made into ERAF. The ERAF action for fiscal year 2003-2004 was approved by Council last month. Due to 30 day noticing requirements, the ordinance for 2004-2005 and 2005-2006 fiscal years are being presented here tonight. With the passage of this ordinance, the Oceanside Redevelopment Plan will not expire until 2018, and the agency will be able to collect tax increment and pay on debt until 2028.

The Redevelopment Advisory Committee voted 5-0 to approve this item. The recommendation is to introduce the ordinance that extends the life of the redevelopment plan and the ability to receive tax increment and pay on debt for an additional 2 years.

COUNCILMEMBER FELLER thought they were at 2015 and now they are up to 2018, and they are asking for 2 years.

MS. BOHLEN explained that last month, Council passed the first ERAF ordinance for 1 year (fiscal year 2003-2004), which extend the time to 2016.

Following the reading of the title, **COUNCILMEMBER FELLER moved** approval [to **Introduce an ordinance**, "...extending the effectiveness of and the time limit to pay indebtedness and receive property taxes pursuant to Health and Safety Code Section 33670 under the Oceanside Downtown Redevelopment Plan pursuant to Health and Safety Code Section 33333.6(e)(2)(D)"].

COUNCILMEMBER SANCHEZ seconded the motion.

Motion **approved 5-0**.

MAYOR AND COUNCILMEMBER ITEMS - Continued

20. **[Request by Councilmember Feller for Council's approval in concept of a resolution in support of the Transportation Corridor Agencies' efforts to complete the connection of the planned link between the 241 Foothill South and the Interstate 5 freeway south of San Clemente, and direction to staff to create said resolution]**

This item was removed from the agenda by Councilmember Feller.

21. **Request by Councilmember Kern for discussion regarding Coastal Commission appointment with possible Council action to follow**

COUNCILMEMBER KERN reported that this coming Monday, Councilmember Feller is going to Sacramento because he has been selected as a potential appointee to the Coastal Commission. He noted that Oceanside is becoming a larger city and a major player in the County and State. He felt it would be incumbent upon the Council to send a letter of support along with Councilmember Feller when he goes for his interviews on Monday for a Coastal Commission appointment. Councilmember Feller has been on the

Council for 6 years. He, like the rest of the Council, is keenly aware of coastal issues. He is highly qualified to discuss coastal issues all the way through California, and it would be great for them to have an Oceanside representative on that Commission. He **so moved**.

COUNCILMEMBER SANCHEZ stated that a couple of years ago she went through this and learned a lot through the process. When talking about an appointment to the Coastal Commission, they are talking about 12 positions that are voting members and 4 non-voting members. Six of the voting members are public members, and 6 are local elected officials who come from special coastal districts. The members are appointed by the Governor, the Senate Rules Committee or the Speaker of the Assembly. The position that is available for the San Diego region is from the Office of the Speaker, who is Speaker Fabian Nunez. This is a highly political appointment; it is a partisan appointment; and it is a Democrat that is going to be chosen. As such, there is a lot that a candidate has to do. It is like running a mini campaign, and they try to get as many endorsements from the local County Democrat representatives.

With all due respect to Councilmember Feller, this is a partisan position. She appreciates that he is interested in serving. He probably knows that he does not have a chance of getting appointed. She would be voting no. Perhaps the Governor has a public appointment that could also be an elected official. Perhaps a petition to the Governor's office may be a more viable way of trying to get appointed to this commission. It is a waste of taxpayer time and money to be pursuing this. She does not see why Council would be doing this at all.

She is the only Democrat on this Council. Two years ago, she found out who would be eligible and who would probably be picked. She decided to support that candidate.

DEPUTY MAYOR CHAVEZ thanked Councilmember Sanchez for bringing forward all of the issues and complexities of the position. He does not know if that is the salient issue. As a Council, as one body, they need to be supportive of each other in any of their endeavors. Councilmember Feller may have a large hill to climb, but the Deputy Mayor is always supportive of any of the Councilmembers in any special activities they wish to undertake. In keeping with the idea of being supportive of each other, he **seconded** the motion.

COUNCILMEMBER KERN stated that they may be partisan politics, but those partisan politics should stop at the City's edge. What Council does internally and how they discuss things, they need to act as a team and support each other. That is why he brought this forward.

MAYOR WOOD was at the League of California Cities (LCC) meeting as the City's representative. There were several names that went forward for the San Diego region. Councilmember Feller is on that list. He agrees that Councilmember Feller has a major uphill battle, but there are always home runs that some people hit once in a while. It is going to be tough, but still he would support this issue to send a letter.

COUNCILMEMBER FELLER said this is easy to shake your head at and deny that you have a chance. He is probably not going to be Mr. Nuñez' favorite candidate, but it was a nomination by the County Board of Supervisors. This is a populous county, and they have a lot of influence. He appreciates being nominated. He does not know if this is one of those items that he would be precluded from voting on.

CITY ATTORNEY MULLEN responded that this is simply a motion to send a letter in support of a potential nomination. He does not think he would have a financial conflict of interest under the Political Reform Act on the pending motion.

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

CLOSED SESSION REPORT

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

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

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

CONFERENCE WITH LABOR NEGOTIATOR – Negotiator: City Manager; employee organizations: Oceanside Police Officers’ Association (OPOA), Oceanside Firefighters’ Association (OFA), Oceanside Police Management Association (OPMA), Management Employees of the City of Oceanside (MECO), Oceanside City Employees’ Association (OCEA), Oceanside Fire Management Association (OFMA), Western Council of Engineers (WCOE), and Unrepresented]

No closed session was held on this item.

[2. **PUBLIC EMPLOYEE APPOINTMENT, PUBLIC EMPLOYMENT, PERSONNEL EVALUATION AND DISCIPLINE (SECTION 54957(b))**

PUBLIC EMPLOYEE APPOINTMENT
Title: City Manager]

No closed session was held on this item.

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

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

Balistreri v. City of Oceanside, Superior Court Case No. GIN040747

In closed session, Council approved a settlement agreement (**Document No. 07-D0024-1**) by a **5-0 vote** on this matter. Terms and conditions of that settlement will be placed on file in the Office of the City Clerk.

Addendum

3.5 **CONFERENCE WITH REAL ESTATE NEGOTIATOR (SECTION 54956.8)**

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

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

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CITY COUNCIL REPORTS

22. **Mayor Jim Wood**

MAYOR WOOD reported that the town is changing, and there are a lot of positive things going on in Oceanside at this time. He was proud to be part of the City.

23. **Deputy Mayor Rocky Chavez**

DEPUTY MAYOR CHAVEZ noted that he and Councilmember Kern met with Dr. Joyce Bales and board members Carol Herrera and Jim Gibson of the Vista Unified School District.

Two days ago at the Library Board meeting, there was a check for \$1,500 provided to the library by the Filipino-American Association. They do a number of great events in the City.

24. **Councilmember Jack Feller**

COUNCILMEMBER FELLER reported that the applications are out for the Martin Luther King, Jr. Scholarship Program. They are in the Scholarship Coordinators Office at the high schools. The deadline to return them is April 13, 2007. They have handed out \$400,000 worth of scholarships, and it is critical that the young people get the opportunity. They are anywhere from \$1,000 to \$5,000 scholarships.

He is very disappointed that they did not have the opportunity to direct the dollars coming out of SANDAG's Transportation Committee. He is not sure what motivated Council, but that is a very serious mistake.

25. **Councilmember Jerome M. Kern**

COUNCILMEMBER KERN reported that he and Deputy Mayor Chavez met with the Vista Unified School District (VUSD) today. Since they have been appointed liaisons, they have been going around and meeting with all of the school districts to find out what their concerns are with the City and to relay their concerns about the school districts. It was a good meeting. In times past, their relationship with Vista Unified had not been the greatest, but they are ready to work together to resolve some of the issues between them. They can now call each other, and that will be helpful in the future. In the past they had issues about the magnet high schools. They need to keep their communications open with all of the schools.

About 30%-35% of Oceanside students go to VUSD. These people in the eastern part of Oceanside focus towards Vista. They do not feel that they are part of Oceanside sometimes because their life revolves around VUSD. It is important to stay engaged and keep talking with them. They have an appointment to meet with Oceanside Unified School District (OUSD). Each school district is different, just like each school within their district is different. Keeping those contacts where they meet them one on one is better for the City.

He did the water tour. They took him all the way out to where they take the water off of the aqueduct. They then went to the other end to the outfall at Buccaneer Beach.

Councilmember Sanchez let him sit on her community meeting about gang activity. It was very informative. There are a lot of people in this town doing a lot of hard work to resolve these problems. They are all pulling in the same direction. They need to get together to do a better job, but it is not for the lack of trying.

He took a tour of the Fire Department yesterday, going to all of the stations. It was informative.

City Clerk Wayne took him through the "cardboard jungle" at the Records Center at the City Operation Center (COC). They have every City record there from 1888 on. It is an amazing trip to go through all of the boxes and how they retrieve records and keep some of the original maps, etc. He found out that the murals that had been underneath the pier are at this location.

26. **Councilmember Esther Sanchez**

COUNCILMEMBER SANCHEZ reported that she attended several community meetings, including the Luiseño Band of Mission Indians.

She met with the Eastside Neighborhood Association. They are planning the Día del Niño. This will be the third annual event and it is scheduled for April 28, 2007.

She attended a meeting of the Francine Villas/ Capistrano Neighborhood Group; there were several concerns that they voiced, and she will be meeting with the City Manager to discuss those.

She attended the Oceanside Coastal Neighborhood Association (OCNA) meeting. Peter Katz gave a presentation, and people asked a lot of questions about the planning process and what is going to be happening in that neighborhood.

She attended the National Association for the Advancement of Colored People (NAACP) meeting. She has been meeting on a regular basis with representatives from the community law enforcement, faith based, community based organizations and staff. This has been to encourage and facilitate dialogue with community members. A lot of good things have come of it. Staff has been very good. There are certain things that are still being requested, such as that the storefront be staffed. This Council did a storefront in the back gate area for police department, and it was not staffed. That is an ongoing request, and hopefully that will be brought forward at budget time.

There is also a continuing request that there be a person at the Melba Bishop Park Recreation Center who would be dedicated to putting together programs for the youth, including an outreach to Samoan youth and that perhaps that person would be able to speak the Samoan language to be able to relate to the elders, pastors and others.

The meeting included guests from the probation department who did a presentation on the various programs that they have for youth that are either on probation or are at risk of coming within the juvenile justice system. She would like to bring someone from the Breaking Cycles Program to do a presentation because it is very informative. The consensus is that a needs assessment for the back gate area needs to be done. This is something that a professional would have to do. Lifeline has a contract with the Probation Department and with the City of Oceanside, 2 separate contracts. The contract with the Probation Department is to provide counseling services, case management. They also have 2 programs that come out of the San Luis Rey Resource Center: one is the Critical Hours after school program and the other, which has been funded by the City's CDBG money, is a program for the teens. The Critical Hours program is only attended by the younger kids. The older kids apparently do not feel a connection to it. The only program right now that is being offered through the San Luis Rey Resource Center for teens is this one. They have come before us over the last 6 years and continue to come before Council asking for additional funds. It would be nice to be able to really do something for that program this time around.

22. **Mayor Jim Wood – continued**

MAYOR WOOD reported meeting with the Army Corps of Engineers (ACOE) regarding the flood control channel. New Brigadier General McMahon from the ACOE, and his staff were looking at the issue of the San Luis Rey river flood control. The City has been lucky enough to get some of their Federal representatives involved in this. Congressman Issa got involved last year and tried to help push this through because there was a stalemate between some of the Federal agencies, environmental issues and the flood control channel. It seemed that the safety of the citizens, including the transportation and the ability to get to Camp Pendleton and some other issues seem to be swinging things our way. The Brigadier General flew out because Senator Feinstein's office had contacted him. He flew out here to see the situation from his staff. The City is concerned about the cost of flood insurance for the citizens, as well as the safety issues. Mayor Wood went into great details regarding what the issues were, and they viewed the site. The Brigadier General was pretty impressed, and his staff indicated that it was probably the number 1 issue in the region that they were addressing. They were going to Washington, D.C. to see Senator Boxer and Senator Feinstein and Congressman Issa on this issue. Mayor Wood had met with the staff of Congressman Issa and Senators Feinstein and Boxer, and it seemed to help. They told him that it was a big issue, and that they were going to address it in Washington, D.C. while they were back there. He appreciates that they have a good relationship with their Federal representatives, and that they might be addressing this issue.

He did not bring it up tonight because nothing has really changed until they go back there and something is done. They will be addressing it in Washington, D.C.

There were comments in the paper and comments from Councilmember Feller regarding the SANDAG Regional Board assignments. Mayor Wood has been involved with SANDAG, the subcommittees, etc. He knows them personally and talks to them all of the time. He has a great relationship with most of them. He was a single vote. They pick people to be on these committees. They are told to think regionally, not just for this City. These groups are picked, and he is not sure that anybody here at the dais could complain about the qualifications of those people. Some of the most qualified people got the positions. Oceanside was represented in some of these committees. He clarified that he voted his conscience based on what he heard from all of those people. He has worked with them on a daily basis. For that particular situation and positions, he thinks this helped Oceanside's position with NCTD and all of the issues that are concerning Oceanside, Vista, San Marcos, etc. He was not upset about the selections; it is regional. This is a committee that reports back to the Board. He sits on the Board and has a vote on what they address. They have to be a team player and a regional player.

If somebody's feelings were hurt or they do not understand it, he is sorry, but he did the best he could for the City.

INTRODUCTION AND ADOPTION OF ORDINANCES - None

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January 24, 2007

Joint Meeting Minutes
Council, HDB and CDC

ADJOURNMENT

MAYOR WOOD adjourned this meeting to Tuesday, January 30, 2007 at 5:30 PM for a Mayor and City Council workshop. This joint meeting of the Oceanside City Council, Community Development Commission and Small Craft Harbor District Board of Directors was adjourned at 9:14 PM, January 24, 2007.

ACCEPTED BY COUNCIL/HDB/CDC:

Barbara Riegel Wayne, CMC
City Clerk, City of Oceanside

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



California

CITY OF OCEANSIDE

MINUTES OF THE: CITY COUNCIL

TUESDAY, JANUARY 30, 2007

ADJOURNED MEETING

5:30 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 5:30 PM on Tuesday, January 30, 2007. The Pledge of Allegiance was led by David Nydegger, President of the Oceanside Chamber of Conference.

ROLL CALL

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

WORKSHOP ITEM:

1. Review of preliminary Circulation Element

JOHN AMBERSON, Transportation Planner, reviewed the 3 sections the workshop would cover:

- Section 1 – a look at the background on why the City does a circulation update; what is in a circulation element; an update on the sub elements that are being reviewed regarding policy enhancements they might make with the bicycle/pedestrian facilities, neighborhood traffic calming policy, and transit; and a summary of public input received last fall
- Section 2 - covering some of the modeling basics in terms of what a SANDAG model is; how that model works; discussion of some of the SANDAG modeling series; and a review of the preliminary model results and potential capacity improvements that may be needed -- There are different versions of the SANDAG model right now, and there are some misconceptions about what the models are. Currently Oceanside is using the SANDAG Series 10-2020 model, which is the currently available model. SANDAG Series 11-2030 is coming out in a couple of months.
- Section 3 - discussion and input from Council and the community.

They would like to reach a more refined understanding of potential network alternatives that should be modeled as part of the subsequent Environmental Impact Report (EIR) process, and they want to review some of the potential capacity improvements that may be required on the regionally significant arterials such as El Camino Real and College Boulevard.

By way of background, **DENNIS WAHL**, with the IBI Group and City's consultant, stated that the Circulation Element is a key part of the General Plan for every city in California. It sets the tone for policies and standards for the cities' transportation networks, and it also provides guidance for traffic impact studies, improvements to the roadway systems, and how they interact with other agencies, including nearby cities, SANDAG and Caltrans. A key element for putting together a

Circulation Element is that it has to go hand in hand with the Land Use Plan for the City. There is a close co-existence and cooperation between the two.

There are several transportation elements put into a Circulation Element. The key ones include traffic; transit in terms of motorized accessibility and mobility; pedestrian/bicycle and equestrian; traffic calming; intelligent transportation systems; demand management; etc. While all of these elements go into the full circulation document, issues to be discussed tonight relate to traffic.

Regarding the status of the different components, IBI has been running SANDAG's model to obtain initial projections on the various elements of the transportation network, and they have gathered public input through 4 open meetings. They are now looking for discussion and Council direction on key assumptions to use in putting together the Circulation Element.

They have met with the North County Transit District (NCTD), and so far they have incorporated the Sprinter, new bus transit lines and other transit aspects into their work. They will work closely with SANDAG and NCTD on these elements. They are also looking at the policies regarding traffic calming, bicycle/pedestrian trails and other elements and will provide a set of updated policies to reflect the latest developments.

Addressing their public outreach effort, Mr. Wahl reported they held 4 open meetings: 3 during August and 1 in October. They were held at various locations throughout the City so that everybody had a chance to participate. They had a good representation of the involved staff from Oceanside, NCTD, SANDAG and their own consultant staff. They had 150 residents who signed in, although he noted that some people came to more than 1 meeting, so it is not necessarily 150 individuals. They had approximately 150 comment cards submitted, with a lot of helpful comments that IBI has been able to use in their work.

In terms of the roadway system, they heard a lot of comments related to College Boulevard, Oceanside Boulevard, Vista Way and the Melrose Drive extension. There was concern about improvements to the Interstate and State highway systems, specifically the widening of State Route 76 (SR-76) and some of the changes that might take place at the SR-78/I-5 interchange. There is a lot of interest in the Sprinter within the transit area. There is also interest in improving the bus service in the City. They received a few comments related to the Quiet Zones along the railroad right-of-way. This is one area that they will pay close attention to.

The Rancho Del Oro (RDO) interchange is an important issue in the City, and they heard a lot of comments from both sides. They also heard about not connecting Old Ranch Road and Secretariat Street pursuant to the recent Plan amendment. Council has heard some presentations on the Adaptive Signal Control System and traffic signals in general. That is an important part of the operation of their transportation system and will be part of the Circulation Element. There was also a lot of discussion about keeping College Boulevard at 4-lanes in the future.

There is a lot of support for enhancing and improving the bike path system, although there was concern about the equestrian trails. Some people were in support of them, and others were not so keen about these trails coming into developing areas. Regarding Land Use, there was concern about proposals for Oceanside Boulevard and projects in nearby cities, especially Carlsbad. There was a lot of support for traffic calming. There was also interest in the cost and the funding sources for these various improvements, and that is something that the consultant will be taking a look at.

There were a few comments regarding the open house format itself. Some people would have preferred to see a traditional meeting where they do a presentation and have group questions and answers. The consultants had proposed and used the open house format because it allowed them to have one-on-one conversations with people to discuss specific issues. They felt this format worked pretty well.

DON MURPHY, with the IBI Group, discussed the SANDAG model process and series, then the preliminary results on the model runs that they have run to date. The City is using a subarea model for North County, which is currently Series 10-2020 year horizon. There are various inputs that go into the model process: the land use and economic data assumptions, which generally stem from the Land Use Element of the City; a traffic analysis zone structure that defines where those land uses go within the City; and the roadway network, which they have modeled as several different alternatives.

For the model process, the land uses generate a number of person trips. From there the model looks at a mode split, including how many of those trips are going to use transit, how many are going to use auto, etc. That gives them the number of people who are going to be traveling from a particular zone and how many are going to be driving in cars versus using other modes, resulting in the total numbers of vehicle trips by zone. This becomes the key factor for the City's roadway network and what volumes they are going to have. Depending on the network, the model looks at the shortest travel times and distributes the trips from those different zones based on productions and attractions throughout the City's network.

Models are based on assumptions. It is a tool for future forecast. They are looking at a 15- or 20-year horizon. The assumptions impact the results and where the City is heading. IBI is currently using a Series 10-2020. This model was originally generated in 2002. Additionally, they used alternative models and runs that were requested by the City. Normally in a Circulation Element, they like to look 20 years out, but the Series 10-2020 is consistent with the City's adopted General Plan land use. They modified this model specific to some General Plan amendments that occurred with the roadway network in the last couple of years such as on Vista Way and Rancho del Oro.

There is also a Series 11-2030 year horizon model. For Oceanside this has some slight increases in population, although they are not dramatic. Both of these models have some cases where volumes are lower than existing conditions.

Series 11-2030 is the model currently under development. SANDAG is working on the regional model as part of the Regional Transportation Plan update. They anticipate having that done in March 2007. SANDAG is saying that they want to develop a subarea model, similar to the model they have been using for North County, and that probably could not be ready before June 2007. Mr. Murphy's understanding of the current status of this model is that it is based on the approved land uses within the cities. There has been discussion about looking at smart growth concepts and additional population input, which are not currently included. They have also moved from one software system to another. In terms of longevity of the model basis, Series 11-2030 is the platform.

In IBI's preliminary model runs that were requested by the City, there are a few key segments, particularly at College Boulevard and El Camino Real very near SR-78 where the [model] volumes are lower than existing. This traditionally is not what they see in future forecasts, but there are a lot of other regional activities going on that distribute trips across the county outside of Oceanside. There were some additional enhancements in Series 10-2020 that actually adjusted some of the trips coming in from Riverside and Orange County. However, while this is the current model, it is being phased out, and SANDAG will probably be moving to Series 11-2030 during this year.

The 3 alternatives that IBI ran had a 2020 baseline, which represents the existing circulation. Under one, the RDO interchange and the Melrose extension were in place. They also ran a modified network where there was no Melrose extension and no RDO interchange. A third alternative was similar to the second, but they added in an urban interchange at El Camino Real and SR-76, since the City wanted to see what the impact of that would be. Under all of these runs, College Boulevard is 4 lanes from Avenida De La Plata to Waring Road.

Therefore, for a preliminary analysis, they looked at a series of screenline comparisons to determine what these alternatives do to traffic patterns and at basic segment levels of service under these different alternatives. IBI ran 9 screenlines. If you draw an imaginary straight line across parallel corridors, you can see, for example, Mission Avenue, SR-76, or Oceanside Boulevard and, given different alternatives, you can see how the volumes shift. It gives a feel for how traffic flows shift under different alternatives throughout the City. They have 1 screenline in the west, 1 along the southern border of the City and 2 in the northeast. Mr. Murphy highlighted the preliminary results and discussed a table showing key screenlines. For example, with the southern segment near the freeway, if the RDO interchange does not go in, logically volumes on RDO drop while volumes on College Boulevard and El Camino Real increase. One of the interesting results from the models is that there was not a huge shift due to this alternative to traffic to the west along Oceanside Boulevard, Mission Avenue, or SR-76. If the Melrose Extension does not go in, volumes drop on Melrose; however, they did see a 13% increase in volumes on SR-76. To address how many of these trips never entered the City because of these network changes, the fourth screenline shows that there was a 22% increase in traffic on the nearby Vista links, with a small overall drop in traffic entering Oceanside.

He presented a computer slide with no Melrose extension or RDO. Another alternative is similar, but with the El Camino Real interchange. They saw very little movement in the volumes, which shows it did not make a difference to the traffic patterns in the City. The key points are that they saw some logical shifts when the RDO interchange is removed. They did see some shifts to traffic that did not enter Oceanside if the Melrose extension is deleted, but volumes increased on SR-76. The overall results showed limited value in trying an interchange concept at El Camino Real and SR-76. It is basically too far out of direction from the network changes they are making.

Regarding levels of service (LOS), Mr. Murphy discussed various segments, looking at thresholds at which the LOS would change. Levels of service are rated A-F. Generally LOS D, E and F are not good. Specifically, they focused on where the LOS was a D or better and then dropped because of the alternatives in comparison to baseline:

- Along College Boulevard, the deletion of RDO and Melrose does cause the LOS to drop due to some increase in volumes; and that is across the board.
- It is similar under the conditions with El Camino Real and SR-76. They are not seeing a huge improvement or change because of that particular network alternative.
- There was one segment they thought was most significant and that was College just north of Oceanside Boulevard; the volume increase there was pushing it over the edge.
- For the next series of streets on El Camino Real, some of the segments dropped in LOS. Most significant was the segment between Fire Mountain and Via Las Rosas where the LOS dropped from D to E, which is a substantial change.
- Without the Melrose extension, some of the traffic is diverted up to North River Road, causing a drop in LOS there from D to E.
- On those portions of SR-76 where they have 4-lane expressways under the model network alternatives, they saw some drops from E to F and from D to F near the Melrose extension.

Collectively they were looking at what the network changes meant. If you look at the baseline models for these segments, the question is what it would take to bring these segments back up to LOS D. This is not looking at segments that started out F and stayed F. They just looked at the ones that dropped due to the alternatives. For the segment of College just north of Oceanside Boulevard, taking this portion to a 6-lane major would alleviate that issue. The one segment at El Camino Real that is already at a 6-lane prime is probably a more substantial issue, where they would be looking at an 8-lane road to alleviate that issue. North River Road would require going from a 4-lane to a 6-lane major. For the 2 segments that were issues on SR-76, if they delete the Melrose extension and the RDO interchange, they would need to move from a 4-lane

expressway to a 6-lane expressway. He noted that all of these results are preliminary, based on model runs the City had requested and the Series 10-2020 model.

Today they want to receive input on the model series and the network alternatives in order to proceed with the EIR process. The current suggestion is to continue to proceed with the Series 10 subarea 2020 model, which is based on the City's current General Plan, and to monitor Series 11-2030 as it develops. They are hoping for a March regional model output. They cannot make much use of the regional model; they need the subarea model, which has a June time frame. At that point, they would take a look at the differences. If they see substantial changes, they would have to bring it back to Council.

There are 2 other big issues under consideration. First is the improvements to the I-5/SR-78 interchange. This improvement would impact access at Cassidy and possibly Jefferson, depending on the alternative. It would be a key future improvement to the freeway networks. It could substantially influence travel patterns. Second is the I-5 managed lanes, which is still early in the planning process and would have extra express lanes down the freeway. A direct access ramp is being considered in the proximity of Oceanside Boulevard. This is a very large project with a very large budget, with regional decisions that come into play as to whether it will come to fruition in the near future. Also, the horizon years that Council decides to use will come into play because neither of these is likely to happen in the 2020 time frame.

For the model network alternatives and what IBI will suggest moving forward with, they need a baseline alternative that reflects the significant components of the existing Circulation Element. That can be updated and has already been updated under the 2020 model to reflect some of the General Plan amendments that the City has made. They would continue without the Melrose extension and the RDO interchange alternative, but they believe it is necessary to separate these out to look at the individual elements. Another alternative would not have the Melrose extension, but would put the RDO interchange in place, and then they would reverse that. Also, each of these alternatives could be looked at with College, with or without a 6-lane alternative. That gives them the full picture of those 3 major elements that have been under consideration with the City, providing a full picture under their network alternatives.

IBI would take the information from those runs, initiate the preliminary EIR analysis/process, and commence the new modeling runs and efforts. As part of the EIR process and as the input comes in from the model runs, there would be additional community meetings, reports back to Council and some non-traffic elements.

MAYOR WOOD expressed concern that the new Series 11-2030 data is coming out in March and questioned studying old data. He would like the experts' professional opinions on any issues regarding the roadways. There is a lot of impact to/from other cities that has to be evaluated at a SANDAG level.

MR. AMBERSON responded that there are some issues with Series 11-2030. They have been invited by SANDAG to work collaboratively with the other North County cities to refine Series 11-2030 into a subarea model for North County. Part of the repercussions in that involve a 2030 horizon year, which would require some level of involvement from the planning staff to get the zoning locked in for that time frame. IBI is ready to move forward with Series 10-2020 just to keep things going along, understanding that Series 11-2030 could come out in a couple of months and they could revisit it at that time.

MR. MURPHY stated that the thing to understand with SANDAG is that the regional model is being driven by the Regional Transportation Plan (RTP) update, and they are going to try to keep their schedule for that. The subarea model is a much rougher estimate. He would consider June to be relatively optimistic. They need the subarea model to be able to model their alternatives. The regional model would be too

rough to use for the analysis they are looking at. Therefore, it is more of a time consideration. Technically, it is always nice to work with a fresh new model that is coming out. However, they can proceed now with Series 10-2020, which matches the land uses, and that is definitely an advantage. His biggest concern about Series 11-2030 is that, if it is delayed a couple of months, they are going to be hard pressed to wrap up the Circulation Element update by the end of the year, which he understands is a key goal for the Council.

MAYOR WOOD stated that his main concern is that Series 10-2020 is being phased out. The timing is an important issue to Council; however, SANDAG is phasing something out while the City is studying the item being phased out. He would also like input from IBI about the following: 1) a bicycle-friendly area; 2) signals, since modern day computers are changing with computer signals that calculate, monitor and move traffic, and he wanted to know how much that might impact things; and 3) the RDO interchange at SR-78, which is an important issue with the Council. However, he knows that recently property in Carlsbad was purchased by an environmental group, and he questioned how much that would faze the issue for an overpass. There were difficulties before, but now the property being bought for environmental and/or habitat use on the Carlsbad side of SR-78 might impact it more, and he does not know if they have any updates on that or not.

MR. AMBERSON understood that it is the desire of McMillan-Quarry Creek Phase II to have access to the freeway on the south side of SR-78. Currently, the General Plan Amendment, which staff processed several years ago to lower the RDO classification from 6 to 4 lanes, does not allow that connection to occur. The City's current Circulation Element does not show that connection south of SR-78. Unless something else changes, they do not plan to make that connection.

As far as adaptive signals go, IBI is doing an adaptive signal study. At this time they are looking at quantifying the benefits of adaptive signal technology to offset some of the mitigation that may be required with network changes. For example, if they do not build the RDO interchange, would adaptive signals enhance capacity on College. Those are some of the questions they are looking at.

Regarding the subarea model, **MR. MURPHY** stated that they will want to reflect how other neighboring cities' Circulation Elements come into play. What Carlsbad is showing on the south side interchange comes in to play, in addition to what is shown on IBI's presentation. They will incorporate some of the findings of the adaptive signal report, what improvements could be made to the traffic systems, and what benefits/impacts we might see in the Circulation Element. It will be incorporated into the traffic elements of the Circulation Element.

MR. AMBERSON added that the numbers they presented tonight are based on the Series 10-2020 model, but they are strictly preliminary. In their review of the Series 10-2020 model output, they identified some anomalies in the forecast. Some of the volumes were equal to or less than what the volumes are today. This is a 2020 forecast. If they were to continue with Series 10-2020, they would have to discover what the anomalies are and make those changes so that they get a forecast that they think is going to be more representative of 2020. It could be something simple or something internal in the model that is not connected to the street network. Staff and the consultants will need to do some extensive review with Series 10-2020. The question is whether it is worth the amount of effort and time that it would take to update Series 10-2020 when Series 11-2030 is coming out in a couple of months.

MR. MURPHY stated that it is not uncommon for them to be in this position with series since they get updated every few years. He has worked with Series 7 on the verge of Series 8 coming out; he has worked with Series 8 on the verge of Series 9; and so forth. However, it is something that they want to make sure that Council is aware of. It is not uncommon for them to try to proceed because you never know what is going to happen with the regional model. If big issues come up, it could be delayed several months. Council needs to understand that with the new series model coming out, there

will be some differences. IBI cannot really say the extent of those differences at this point.

MAYOR WOOD is concerned about the needs for certain overpasses and intersections, particularly the RDO interchange at SR-78. There was a difficulty with RDO at SR-78 in the past that has been an issue for the Council. They want to do what is best for the citizens, and they understand that there is cross-through traffic that is usually from the Riverside area. Council is really addressing a couple of issues: the Melrose Drive extension and the RDO interchange at SR-78 because part of the Circulation Element update is making a selection on what to do. This is not updated properly for the RDO at SR-78. It is not on the menu for SANDAG or anywhere else for right now. With some of the most recent findings and the impact of the purchase of the land on the Carlsbad side, this is something Council would like to know before they make a decision. He asked if the consultants were up on some of these latest things with the land purchase.

MR. MURPHY responded that he is not familiar with it from the traffic side.

INTERIM CITY MANAGER WEISS stated that the issue being presented to Council is just for the purpose of the modeling studying, including what the impacts are to the various streets and intersections with and without the actual interchange. They are not in a position tonight to make a decision on whether they should or should not build it. It is simply a matter of whether it should be studied both with and without. Staff and the consultants are proposing that the studies move forward with the various scenarios that were outlined. That would include the studies to have them both in and out, and subsequently do a different model with the RDO interchange in and out and Melrose in and out. That way Council would have the full range of what the impacts are if they build them or do not build them.

MAYOR WOOD stated that, as our streets get impacted by these listings from LOS A to F, adjacent cities also impact our cities regarding LOS A through F because of their projects. A lot of these projects want to be kept on the Circulation Elements by adjacent cities strictly for development purposes of other businesses or properties in adjacent cities that do not really faze us. They have Carlsbad looking at a major smart growth area on the SR-78 corridor that really impacts that whole area and corridor. He asked how far the consultants go in their study regarding these future issues/plans of adjacent cities that impact Oceanside.

MR. MURPHY stated that those come into play in the subarea model and at what level the City chooses to participate in it. From the technical perspective within the City, because the RDO interchange was in the Circulation Element, they need to model alternatives with it not included and compare those to the alternatives with it included so they can identify the changes in the network; that has to be included throughout the EIR process. They really need to go by the adjoining cities' Circulation Elements, which are generally reflected in the model. That is where SANDAG gets the information. They can model the alternatives; however, if a City is on one side of the freeway and is making one assumption and another City is on the other side, you need to be really careful politically regarding impacts because then it becomes more of an intercity and regional debate. IBI can look at it in different methods, especially if something is controversial.

COUNCILMEMBER FELLER noted there was no talk about SR-78 and the actual intersections of SR-78/College Boulevard and SR-78/El Camino, i.e. the actual off-ramps. He asked if it is typical of this kind of study to not actually do that.

MR. MURPHY explained that at this preliminary level, they wanted to bring back to Council the big picture network changes. Once Council has made a final decision about the alternatives that would be looked at in the EIR process, they would look at key intersections, which almost always include interchange intersections and peak hour performance. It is just a little premature at this point to look at individual

intersections and peak hour since at this point they are more concerned about overall. It will come into play in their next phase of the process and will be part of the EIR.

COUNCILMEMBER FELLER asked for the consultants' best guess on what kind of improvement the City could expect from having an adaptive signal technology added to their roadways.

MR. MURPHY stated that signal technology does not increase the ultimate capacity of a facility. Instead it makes more efficient use of the facility. If you look at a roadway that is 6 lanes, the more intersections you build on it, the more the effective capacity of the facility goes down since there is less traffic throughput. Adaptive signals and signal enhancements increase that throughput. If their pure capacity of a 6-lane road with no intersections was X and they lose 10% of X because they install intersections, access ways and driveways, they might gain back 5% of that 10% in terms of their improvements. From a big picture perspective, it tends to impact the intersection analysis, and it tends to impact the peak hour more directly. From their segment analysis he would tend to say that, if they had, for example, a segment that was LOS C under one alternative and became an LOS F under another alternative, signal enhancements are not going to make it a C again. If they went from LOS D to an LOS E and it is close, then they might make it back to LOS D. They really have to look at the particular facility; obviously right now they are looking at College Boulevard and what the implications are there.

COUNCILMEMBER FELLER asked what the percentages are between an LOS D and an LOS E.

MR. MURPHY indicated that it is hard to say. They could provide to Council a table that Oceanside and other cities use that says if the volumes get over 50,000, they move from this point to that point in LOS. It is really a tool. He would tend to say that LOS A is extremely good, with low traffic volumes. LOS B and C still have a good traffic flow. With LOS D, you might start seeing some significant delay. LOS E and F are where you really start to notice delay, especially in the peak hour.

COUNCILMEMBER FELLER stated that the City is not participating in the North County Parkway Plan, and this is probably something that needs to be taken into consideration right now regarding ongoing studies. He would rather see most of this on the Series 11-2030 model in 2 or 3 months. The City needs to get back into the North County Parkway Plan immediately so that they are able to communicate with their neighbors, especially Vista and Carlsbad. He asked if the consultants are using the EIR prepared for Rancho Del Oro at this point.

MR. AMBERSON responded that there were several studies done a couple of years ago that looked at it. They are not revisiting that information anymore. That run was based on Series 9 model results, which were manually factored up to build out levels. They do not think it is reliable data at this point, so they are not going to incorporate it at all in anything that they are doing in the Circulation Element. They are going to use the current modeling that is available and look at it from that angle.

COUNCILMEMBER FELLER stated that essentially the \$1,000,000 for the EIR is out the door, and **MR. AMBERSON** responded affirmatively.

DEPUTY MAYOR CHAVEZ indicated he would have to leave the meeting soon. Therefore, he needed to make his comments at this time. The consultant had noted that land use/zoning ties in with circulation. There has been a lot of discussion in the past year about changing the zoning along Oceanside Boulevard. He inquired if that would impact the modeling for Series 10-2020 or Series 11-2030, either marginally or substantially.

MR. AMBERSON responded that remains to be determined. It is up to the City on the kind of zoning they want within City boundaries. If they want to densify, for

example, along transit corridors or even as part of the smart growth program that is being pitched by SANDAG, they can look at that as a model alternative without doing any Series zone amendments. It is really up to Council on how they want to zone their City. IBI can model the zoning to determine if there are any impacts to traffic related to that zoning. They can look at a number of different zoning alternatives as part of this Circulation Element.

DEPUTY MAYOR CHAVEZ stated that intuitively they are talking about increased smart growth along Oceanside Boulevard. The corridor would be more intense as far as retail and residential, possibly 3 and 4 stories. He asked if that would increase the traffic along Oceanside Boulevard.

MR. AMBERSON stated that the underlying understanding is that, because they have densified along transit corridors, it would reduce vehicle trips because of the accessibility of light rail and transit services in that corridor. In theory they are supposed to get less vehicle trips with a higher densification of employment and population. This needs to be analyzed quantitatively, and they can do that as part of their alternative.

DEPUTY MAYOR CHAVEZ would be interested in that. It is on everybody's mind, especially if the Chargers came to Oceanside and where the stadium would be. Everybody says the number 1 issue is traffic.

Sometimes no decision is a decision. After they work with Series 11-2030, somebody will talk about Series 12 as they go through these times. They may say it is not really time to discuss it, because it is political season. It is time to think about funding, how they are going to get it and to go forward with it. He would ask our SANDAG representative to talk to people and see how they want to agendize talking about funding on the Parkway Plan for Melrose and Rancho del Oro. Just looking at the plan, we can see that we are having problems without those interchanges. Therefore, he would ask their SANDAG representatives to talk to SANDAG staff and bring it forward. He would be willing to look at it.

Regarding the question asked about the modeling series, the consultants' recommendation makes sense: to proceed with Series 10- 2020 and monitor Series 11-2030. They have enough to go forward and then monitor the new. Whenever they get the rest of the information, they could see if it makes sense. He would expect that they would come back to Council if Series 11-2030 is significantly different. He supports the recommendation.

Regarding the question about network alternatives, they should look at it all: Melrose in, Melrose out; Rancho del Oro in, Rancho del Oro out. From everything he has read and studied, he feels that Melrose and Rancho del Oro should go through, but he is willing to keep looking at it. The facts today clearly show that the City needs these. As time goes on, it will show that they need it more. That adds clarity to the community. When people say that Melrose does nothing, they need to go back 2½ years ago when SANDAG sent out flyers that said to support Transnet in Oceanside and you will get Melrose. Then we removed it. They are being taxed already for it, so they ought to put it in. Here is another study that shows if you do not do it, this is what happens. His recommendation on network alternatives is to continue with the items presented.

He then asked for clarification about the question concerning capacity improvements.

MR. MURPHY explained that it was not a question; they were trying to present the preliminary information to Council on what the preliminary model runs were showing.

DEPUTY MAYOR CHAVEZ clarified that was just a graph to show the capacity, and **MR. MURPHY** responded affirmatively.

DEPUTY MAYOR CHAVEZ thinks they are ready to go forward. He would also like to see the Quiet Zone included as an issue. They have had enough time talking about this. As Councilmember Feller pointed out, over \$1,000,000 that was spent on EIRs for Rancho del Oro is now gone. They must start all over, which would take years. However, Melrose has a chance to go through. Melrose is a safety issue, especially with the high schools going in. They need to move quickly.

[Deputy Mayor Chavez left the meeting at 6:24 PM.]

COUNCILMEMBER SANCHEZ stated that they have been talking about the 2020 year horizon. When she was elected in 2000, it seemed to make more sense. As years have gone by, SANDAG is now looking at 2030, and some of the funding, such as the tax, was predicated on a longer period of time. She wonders how much sense it makes to use 2020 when they probably should be looking at 2030.

With respect to the smart growth issues, she questioned how many opportunities they have on Oceanside Boulevard for smart growth. They have more opportunities along Coast Highway, making some of the buildings 2 or 3 stories. She did not want it all looking the same way, suggesting making it taller on one side of the street, versus on both sides so it does not feel like a tunnel, and making it more creative so that they give some parts of the block the opportunity to go to 3 stories. She wants to know why the consultants are still using 2020 when SANDAG has probably moved on to 2030. She agrees that they probably should be looking at smart growth and the other things that they have been talking about, especially in the last couple of years. She asked for clarification regarding losing capacity when there are intersections.

MR. MURPHY explained that they do not lose capacity; they lose effective throughput.

COUNCILMEMBER SANCHEZ agrees with Deputy Mayor Chavez, but for different reasons. Keeping the studies of the interchange-in and interchange-out will show that they do not need the RDO interchange, especially as the years go by. As a City, they have tremendous opportunities for jobs in the City if they take advantage of these opportunities. On Oceanside Boulevard, if they retain the land use that they have now, they have this exciting time to Master Plan Oceanside Boulevard and really talk about increasing the current ratio. Right now they have a poor ratio with respect to population and jobs. Their biggest challenge for the next few years is to change that. We have focused on our residential; they are close to build-out, although there will always be infill projects, but how can we aggressively change it so that they have less traffic and an increased quality of life for our residents.

COUNCILMEMBER KERN asked how accurate Series 7-9 were and if the consultants ever looked at what was predicted to see how close they had been.

MR. MURPHY stated it is like forecasting the economy. It is hard to track back to whether they were right when they estimated 20 years ago what traffic would be in a certain area. The problem with that, and the problem SANDAG faces is that the assumptions and the plans always change. For what was assumed 20 years ago to be built at a certain location, plans change; something gets redeveloped; and these things end up substantially changing the outlook. The baseline that was valid 20 years ago is not as valid. They do the best they can with what seems to be the most logical assumptions for the City's land use for the horizon year.

The more focused you look at any model, you will see variations in it; that is not uncommon. The closer you look at it, there are certain specific things in the model that can end up changing your opinion of it. As a general rule, model updates hopefully more accurately reflect what the current thinking is in terms of land uses.

COUNCILMEMBER KERN asked if they constantly go through these series and get more information so that they go back to the model and plug these things in.

MR. MURPHY stated that, with the Series 10 runs that they did, they made minor modifications to the network to reflect the General Plan amendments that had occurred on some of the roadway lengths. For example, in some of the original model runs, RDO Road was actually set to be a larger facility; however, the City processed a General Plan amendment, and now that is a 4-lane roadway. Therefore, they reflected that in the updated model runs.

COUNCILMEMBER KERN understands that they use the term "in theory." However, within the Series 10, he got the feeling that the consultants did not trust the numbers. There are some anomalies in there that they do not really believe, even with the Series 10 model. He asked if there are always anomalies; if there is just something wrong with this model; or if they are picking data and deciding to believe this portion and not that one.

MR. MURPHY stated that, when you look at individual segments, there can always be anomalies. Generally when a volume is forecast to be lower than existing, they look closely at that and ask if there a reason why it would be lower: if there is a new roadway network in place; if the mode split assumptions have changed that would somehow cause an anomaly to occur; or if traffic patterns have changed in the overall City. Even with Series 11, when they look at particular streets or particular segments of streets, they would still have some segments they would question.

COUNCILMEMBER KERN asked if the consultant sees any real major forecasting differences between Series 10 and Series 11.

MR. MURPHY responded that the model network that they have been using for 2020 is significantly different than Series 11 at the regional level. He cannot really say what they are seeing until they start seeing some of the subarea numbers.

MR. AMBERSON stated that part of it also involves program developments in the subarea model that happen across jurisdictional boundaries. In Carlsbad, they may have done some tinkering with the model that may generate numbers that they feel comfortable with inside their City boundaries, but those then create anomalies forecast in the neighboring jurisdiction that they may not be aware of. Also, software plays a key role in some of the modeling. As computer software technologies get developed and more efficient, so do the model series as they come out. In fact, for Series 11 they are going to use the latest software available, which is going to make the model run more smoothly and be easier to manage. There are so many mechanics and nuts and bolts internal to the model, that if one bolt is out of line, it can throw things out of whack.

COUNCILMEMBER KERN concurred with continuing the study, regarding showing RDO interchange in or out. However, he agrees with Deputy Mayor Chavez that Melrose is a safety issue. He would like to proceed with that as quickly as possible, regardless of the models. That is a decision that Council has to make as they go forward: the safety of those citizens versus just crunching the numbers and saying yes or no.

COUNCILMEMBER SANCHEZ sees this as a potential duplication of efforts and trying to make the analyses consistent with the old model and the new model and trying to explain the differences in the results. She does not think it is a long period of time that they would be waiting; it is a few months versus now. It sounds like it would make a huge difference in the quality of the results that they would get. Therefore, she would like to see them go to Series 11-2030.

Regarding safety on Melrose, the extension is going to become a straight-of-way; it is going to become a safety problem. Right now, drivers go through, over and around Guajome, and they do not go by a school. There are a lot of other things that deal with this safety issue so that she would like to keep it included in the in-and-out scenario. They are not capturing the issues having to deal with safety just by this data.

COUNCILMEMBER KERN clarified that, when he is talking about safety, he is

talking about access and being able to get fire and police trucks access. If the intersection at Melrose and SR-76 fails, those people are trapped. There should be some way to get in and out of there as an alternative access. Speeding could be addressed. He asked the City Manager about the modeling timeline.

INTERIM CITY MANAGER WEISS responded that the current schedule has staff coming back to Council with a completed EIR and updated Circulation Element within 11 months. The SANDAG Series 11 would be out in June, and that would probably add 1 year to that.

Public Input

ERNEST PAONE, 1698 Appaloosa Way, stated there is a great deal of consternation among the people who live on his street. Melrose is already a speed track. He lives in the first house on Appaloosa Way, and all day long he hears revving engines. It is a dangerous street. He has seen children who miss the bus walking to the school. This idea of connecting Melrose through to Vista would be very bad.

When he first moved to this area, he heard problems at night where the teenagers were using the road for speed contests. A man who complained was beaten up by these teenagers. Most of the people on the horse side of Jeffries Ranch come over because the light is there, so they come that way instead of going out on SR-76. They do not have a traffic light at that spot.

The residents are concerned about the situation. They feel it would become more of a speedway if it were connected into Vista. They also do not want to welcome Vista gangs to Oceanside. The gang members would have a nice way right to Oceanside if Melrose were connected to Vista.

GEORGE BROWN, 911 Niguel Street, is speaking for David Nydegger, who had to leave. He stated this transportation plan is very important for the City in the next 20-30 years. The Chamber of Commerce recommends that Council include all of the different options in this study. If something is good or bad, the study will tell them. Taking a look at some of the numbers for the 2020 and 2030 options, the number of houses in Oceanside in 2020 compared to 2030 only grows by about 600 homes. However, according to SANDAG, their jobs increase by about 15,000. That is a lot more jobs in relation to homes, and that means people are probably going to be commuting to Oceanside. The Chamber recommends that Council include the different options that were recommended by staff in the different studies.

JACK ANDERSON, 4871 Baroque Terrace, retired traffic engineer, commented that clearly the proposal for an interchange at SR-76 and El Camino is not worth doing. Based on the volume, the Melrose extension is worth doing. From the safety standpoint, it is worth doing particularly when they visualize kids from the Vista School District traveling to that new school at SR-76 and Melrose. If they do not have the Melrose extension, they have to go to Santa Fe, over to SR-76 and then travel down that high-speed road for about a mile. That is much more dangerous than going straight up Melrose and crossing SR-76 at a traffic signal.

If they are going to have to massage the data to take care of some of the anomalies in Series 10-2020, it would be much better to spend their time massaging the data in Series 11-2030. He referenced an internet item from SANDAG that stated, based on professional experience and SANDAG guidelines and industry standards, a 58% difference between actual and estimated trips is considered an acceptable level of accuracy for screenline crossing checks and County roads. The current calibration showed screenline crossing checks between -4% and +14%. The numbers are not that exact, and cannot be relied on for detail. Council's decisions will be affected by the cost of doing some of the things like widening College; how wide they make it is going to be very costly. The cost factors will come into their decisions.

MEL VERNON, 4010 Loma Alta Drive, San Diego, San Luis Rey Band of Mission Indians, stated that no matter what happens to all of these roads, our buildings and our culture will be affected. Hopefully, it will be affected as little as possible and be preserved. He has been down to SANDAG on the RDO issue. He is concerned about their sacred site. He would not like to see anything built on the Quarry site. He would like to see a park, something that people can enjoy. Robertson Ranch is building in Carlsbad, maybe 1,200 homes. There would be 600-700 homes at the Quarry site. He wants it put into the equation that if they build roads, it goes to development. That is what drives a lot of this.

If the Chargers are coming, that is definitely a destination. He asked why they do not try to get creative instead of getting everybody else's traffic. Maybe they can drive to a destination in Oceanside that gives them a place to empty their pockets here. That way we can benefit as a City, and everybody can benefit instead of dealing in traffic problems, which tends to be like trying to capture smoke.

SHELLEY HAYES CARON, Marron Adobe, felt the most important thing is getting the public to participate in these meetings/workshops. They have had workshops in the past where they diligently came, offered their information and had a facilitator; however, they never got the answers that they were expecting. They have now participated in 4 scoping meetings. She did not know about this workshop until last Wednesday. She called many people to make them aware of this meeting. The public really wants to be involved. Every person who commented or attended those 4 workshops should have been personally notified of this meeting.

It is really important to have an accurate Circulation Element. Every effort that is made to engage everyone who lives here and is affected by traffic is very important.

DIANE NYGAARD, 5020 Nighthawk Way, stated they all agree that they want to deal with traffic and do it in a way that preserves their quality of life. Referring to her handout, she stated that it clearly says that they need to use the Series 11-2030 data. It is an unconstrained 2030 Regional Transportation Plan update that is moving through SANDAG right now. The first page shows what we are going to get for regional public transit improvements in 2030. Unconstrained, when money is not an object, this is the best the region can do. Oceanside is getting less public transit out to 2030 than what the Series 10-2020 data shows. They have the Sprinter, the Coaster Line and a bus route along El Camino Real and one from College to Lake, but they are getting less than 2020 shows.

Regarding the unconstrained highway network, they are getting a widening of SR-76, an I-5 widening and 2 High Occupancy Vehicle (HOV) lanes on SR-78, which will be towards the end of 2030. These are in the best case scenario. With all of the investment in public transit and highways, SR-78 remains a highly congested road, and yet their models continue to dump more traffic on SR-78. Council has to address that. On the concerns about what happens along their City borders, they are talking about Westfield Mall and Quarry Creek Shopping Center, all along SR-78. The best case scenario is that, if 15% of the people in those developments use public transit, 85% of them are on SR-78. The Series 11-2030 data has already been approved by SANDAG. There is very little population change in Oceanside between 2020 and 2030. However, there is a huge increase in employment/jobs. It is the largest percentage increase probably in the region, going from 55,000 to 70,000. They all know it is important for the City's long-term health, so she asked why they would cut off the model at 2020 and not plan for that critical job growth that they need.

She urged Council to get good data in, and they will get good data out. Plan for job growth, look at alternative widths that really address smart growth and work with Carlsbad along that SR-78 corridor. If they do it right, they will be able to get the money.

JIMMY KNOTT, 124 Sherri Lane, agreed with the prior speaker that prior public input was not mentioned/included in the facts presented this evening. Originally, the

Sprinter Line was to be dual use to relieve congestion at off-peak hours to transport materials. No impact study was done regarding this removal by NCTD. Internal movable lanes, like the Coronado Bridge, have not been considered for potential impact to the community. Realistic economic figures were not mentioned, nor costs shared. This needs be done. Also, it is time to consider regulating truck traffic to certain times of the day via the use of business license and land use regulations. This would relieve a lot of congestion.

Oceanside is being used as a cut-through from Riverside and Orange County. He asked why SANDAG is allowing this to be done through Oceanside rather than being diverted through other communities. Instead of a full interchange at RDO, he questioned why they are not considering a simple on/off ramp on the north side like the one at College and Home Depot. He did not see any information on the Lake Boulevard problems or the downtown redevelopment impacts. If they are studying the RDO, they should also study all other potential interchanges, street widenings and public transport opportunities throughout the City. This is not doing the public a service if they are only looking at one little area; they need to open the whole process.

MARGARET MALIK, 1611 Hackamore Road, agrees with speakers; they need more meetings. They never had a meeting in her neighborhood. While Councilmember Kern talks about the safety, he does not live there, but they do. The gentleman who lives on Appaloosa Way knows what he is speaking about. If Melrose goes through, they can bet it is where kids are going to show up to race cars. They have children coming from the other side to walk over to Mission Meadows. This definitely affects their neighborhood. The people in their area should not have to drive all the way over to Libby Lake for a meeting. She called repeatedly after those scoping meetings to get information, and she was denied. She was told that, until it was given to Council, they could have none of the information. She was not even informed about tonight's meeting. Maybe it is what a few want, but maybe it is not what is best for neighborhoods. She asked that they at least have a meeting in their neighborhood and not in a neighborhood where people do not want to go.

She reiterated that she worries about the children who are going to Mission Meadows. The City can verify that the fence has been taken out repeatedly. They have taken that down to 1-lane; they have these signs that glow in the dark; and the kids do not care. It is going to kill some child, and that is what she is most concerned about. If the kids have to go around and up to Guajome Street where there is no traffic, there are a lot of police officers on SR-76, and they will get the drivers so that they will behave. However, they will not get them on Melrose. She asked for a neighborhood meeting for their area.

NADINE SCOTT, 550 Hoover Street, is disturbed that no appropriate notice was given to the public regarding this workshop. She subscribes to workshops on the City agenda on the website, and it never was listed as a workshop. None of the residents had time to look at any of the documentation that the consultants presented. She is equally disturbed about the formats of the previous workshops. It was simply a come in, tell us what you want, and your opinion does not really matter. In her opinion, this is an exercise in frustration. They are all going to be living here in 2030 so she asked why they would not use that model. It is absurd to model on an outdated model. A lot of Series 11 has already been prepared; they need to use it. They need to look at adjacent cities' circulation plans. She asked why they should take all of the impacts for other cities' citizens who are cutting through Oceanside. It is time for Council to have a broader vision about Oceanside Boulevard. It does not appear that the consultants considered what will happen when El Corazon is developed; whether or not they want a transit corridor, and the associated financial opportunities that could happen there.

She checked the General Plan today, and it had the City built out at 146,000 people 5 years ago. That is the maximum figure our General Plan is based on. They need to redo the General Plan, and they need to redo some of the land use. Until they do that, they cannot make intelligent choices about their Circulation Plan. She stated it would make it easier for the gangs to get to Oceanside by building cut-through roads.

DOREEN STADTLANDER, 1544 Belmont Park Road, is glad that they are having this workshop, although she did not have a chance to look at all of the information that was presented. Models are tools, and they are only as good as the data and the assumptions that go into them. She reiterated what some of the other speakers have said about using an updated model. That is very important because they end up in trouble with land uses, as well as the traffic that is coming in from various points. She is in support. With the model that is currently run, she is not clear about how they accounted for SR-76 and whether it was considered 4 or 6 lanes. The ultimate build-out of that road is 6 lanes. That should be accounted for in the modeling. The 6 lanes is more in the 2030 time frame than the 2020 model.

Traffic is a land use issue. In looking at the data, there is not a lot of difference between these alternatives, at least for the preliminary. They looked at 79 segments on the exhibit, and 7 of them turned out to have an LOS E or F. It is important that we look at zoning and alternatives. If they have traffic problems in an area, they should look at the land use to see if there are opportunities to reduce the density so that it would reflect back into the traffic. That should be an alternative, instead of trying to build more roads.

Because some of these preliminary numbers are not showing much difference in these alternatives from a traffic standpoint, it will come down to quality of life for the folks living in those neighborhoods. Based on living in that area of Melrose, she is not supporting it going through for a number of the reasons that the other speakers have raised tonight. The safety issues are questionable, but it would create more of a safety problem with the school and having a lot more traffic coming through Melrose. However, the school has a certified EIR that says there were no safety problems, so they will have to go by that.

[Public input concluded]

MAYOR WOOD stated that this is an important issue because it usually impacts a neighborhood and their quality of life. Traffic has been the problem for a long time. He is not sure they have a solution for the traffic in Southern California. People are coming here. One gentleman had a good point in that, as they build streets to move traffic, those streets in turn make development. It is a Catch 22. They do not have an answer for this. He sits on the SANDAG board; Oceanside is fairly well represented. They have 3 Councilmembers at SANDAG on sub-committees and/or on the board. They have controversy over 2 issues. The problem is that quality of life issues become involved in neighborhoods, with neighborhood against another neighborhood, and that is something they really do not want to have.

RDO at SR-78 was an issue, with the thought to take some traffic off Oceanside and hopefully relieve some of the internal problems in the City. When he ran for office, he had said he would try to address the City's problems with traffic by moving traffic within the City. However, he does not have the ability to move traffic on I-5, SR-78, I-15 and surrounding areas. That is done regionally. Oceanside has cut-through traffic from Orange County and Riverside County. Some of those problems are going to be alleviated with the potential widening of I-5, which is in the future, and SR-76, which is a priority for SANDAG. That is Oceanside's east-west corridor and really would address some of the other northern counties. The cut-through traffic is there because SR-76 does not move and has that winding street coming from Bonsall into Oceanside. Once this work is done and SR-76 becomes a freeway rather than an expressway, they will see some of that cut-through traffic slow down.

Melrose is a residential community that has been impacted by potentially 2 magnet high schools. He thinks this is a terrible location, and safety issues were a concern. However, he then asked how they can complain to people that it is a safety issue when the EIR and the school board say it is not a safety issue.

He is mostly concerned about what he can do for the citizens of Oceanside, not so much the region; however, he also has to act as a regional member on the SANDAG

board. Oceanside gets the fourth largest sum of money from SANDAG. The City of San Diego is first; the County is second; Chula Vista is third; and Oceanside is fourth. So they get their fair share from the money and finances, but it has not fixed their problems. He does not want to impact the Melrose area more than they are being impacted. Melrose does not need to be done right now. Down the road, Melrose will probably go through. However, they are in the middle of the construction of the magnet school, construction of SR-76 and now the construction of the cut-through. It is all at the same time, and it is a major impact on the City. It will happen, but he is not sure that this is the time for it. For the County of Riverside, etc. this is a new, easier cut-through.

RDO at SR-78 was a big issue. It became a political issue during the last campaign. The problem is that it was not a solution, and he does not want to make a political issue out of it. From all of the studies and information he saw, the interchange probably is not going to happen. They all believe it is not going to happen in their lifetime. The money is not there. Additionally, the property on the Carlsbad side has been bought by environmental groups who certainly are not going to have an interchange come across the habitat. Adding all of that together, he thinks it is a dead issue.

They can go forward with this study, leave in SR-78, RDO and Melrose, or take them out, or have one in and one out, etc. He sits on SANDAG and sees the difference between Series 10 and 11. Let's go with the one that is starting now. He does not know how to answer this question about which is the right one or the wrong one. They need to go forward one way or the other. He suggested going with Series 11. All of those things discussed should be included, and let's hopefully come out with the best solution.

From SANDAG, the priorities are SR-76 corridor, I-5 widening, I-5 at SR-78 and I-15. He does not see them taking a lot of money from those for small projects that really are controversial. There is no feedback on the Sprinter going from Oceanside to Escondido and how it will impact Oceanside. He does not know whether the traffic will be increased or alleviated. They have studies from different people that say different things. He does not have the answers; this needs to go back to the staff to continue the study, but with Series 11.

COUNCILMEMBER SANCHEZ stated that, along with the 2030 transit attachments that Councilmembers received from Ms. Nygaard, the front page of the SANDAG agenda Item #06093 from the Board of Directors meeting of September 8, 2006 reports that the board was asked to accept the 2030 Regional Growth Forecast update for use in the 2007 Regional Transportation Projects (RTP) and for other planning purposes. Therefore, SANDAG is recommending that we use 2030. She feels they need to do that. As a City, they are looking forward and moving a lot faster, but they still are not there. They have a different focus. Their focus is on jobs, and it is something that needs to happen in our City. That is our biggest challenge. She agrees with Ms. Nygaard that the numbers having to do with jobs is significant, so significant that the City needs to be looking at the 2030. She agrees with the Mayor that they should be using Series 11-2030.

MAYOR WOOD stated that everything they are talking about fixing or trying to address today is complicated. The Charger issue is at early stages, but he can imagine the impact at Oceanside Boulevard and I-5. Right away the Series 11 would have to be modified from SANDAG to address that, if it was the case. Before they go forward, the citizens get to vote for whether the stadium goes there, but it still would be a real change in the Series 11 plan and would have to be addressed. The changes come from day to day. They are talking about hundreds of millions of dollars of tax payer money when they make these decisions. He would like to be more up to date on this from the series aspect of it and to have all of the issues be addressed. These experts know that there might be modifications. If, for example, the Chargers came to Oceanside, the model would have to be modified or it would not work. There are things like that on the sidelines that may or may not happen and is a big factor.

COUNCILMEMBER SANCHEZ moved that they use the 2030 [year horizon], that they use Series 11, and that they keep the Melrose extension and RDO interchange in, in terms of in and out, studying both versus only one.

She pointed out that in 2000 we were talking about having an interchange improvement at I-5/SR-78 within 10 years. It is now 2007. The things that we were forecasting in 2000-2001, such as the widening of I-5 and having an interchange at I-5/SR-78, is just not happening. Therefore, they do need to incorporate a longer period of time.

MAYOR WOOD seconded the motion.

COUNCILMEMBER KERN is not going to support the motion. He would like to go forward with what the staff recommended. They need to move forward now. For the Series 11, June is an optimistic time. It may be August or September, so they wait. Let's move forward with what they have. These are best guesses, and the guesses change constantly. If the Charger's happen, they can throw all of the numbers out the window and start over. They might as well start with the numbers that they have and keep moving forward. When Series 11 does come out, they can take a look at it. Maybe there are going to be a few things that have to change, but it will not be a wholesale change. However, they can move forward at that point. Keep both things in and out, but let's agree to keep things moving forward instead of waiting.

The 2030 information will come. Use the numbers they have now because these things are not going to be built in the next year. He just wants to get these things down so that a year from now they will have all of these numbers and have all of these things worked out. This is a living, breathing document that they are dealing with, and it is going to take on a life of its own over a period of time. Other than the series, he would like to see all of the staff recommendations for in and out alternatives so that they can actually get some real numbers.

INTERIM CITY MANAGER WEISS stated that, after listening to the input from the community and the discussion, Council needs to focus on the timeline. At one point in time, completing the Circulation Element was high on the Council's priority list. He is presuming that still is there. The issue for them now is whether this is something that they want to finish this calendar year or delay for 6-8 months. This is a living document, but the last time they went through this exercise was in the early 1990s. It will be updated again; it may be with Series 13, 14 or 15, etc.. If the Chargers come, everything changes again. Other than what type of time frame Council is looking at, staff recommended that they continue moving forward. Part of that recommendation was made under the premise that the difference between the Series 10 and the Series 11 numbers are not going to be significant, at least significant to the point where it changes all of the assumptions in the model. That may be a false assumption on their part. It is a matter of if Council is willing to wait an extra 6-7 months versus moving forward now. If they are willing to wait the extra 6-7 months, staff will know by March whether or not the SANDAG staff is moving forward, and they could report back to Council at that point. Council has some time; it is just a matter of what Council's goal is and whether they can wait the extra time.

COUNCILMEMBER FELLER stated the Transnet that they just passed is a 40-year, \$42,000,000,000 item that expires in 2048. North County is going to gain a large percentage of the 1,000,000 new residents in the 2030 plan. The Transnet money that they have allocated already will probably all be spent before 2020 because it will bond against the future revenue. Other things will happen as they go forward. The Melrose extension does not just go from SR-76 to Santa Fe. It goes to Oceanside Boulevard in the Parkway Plan, which will change that side of the road as well.

Regarding their decision point earlier, it says model network alternatives, and it talked about direct access ramps. He questioned if everybody knows what those are.

MR. AMBERSON stated that Direct Access Ramp (DAR) is something that is proposed by Caltrans to allow vehicles that are using the HOV lane to get off the freeway as an incentive to carpool. The way it is looking right now, there are some funding constraints. If they ever get the Chargers stadium, the DAR will be affected to some degree by that plan. However, the way it is looking right now, the alignment shows it going behind the existing Ralph's Center and emptying out onto State Tree. They had some reservations about that because they are a long way off. Funding is an issue, and we are not really sure at this point whether or not they need to include that as a reliable alternative in the current update.

COUNCILMEMBER FELLER thinks it will be included if we continue down the path with the Chargers. He asked what they could do in the meantime, if they do not start the next steps as staff recommends and instead they were to follow what the Mayor and Councilmember Sanchez said and wait for the Series 11.

MR. AMBERSON stated that they could proceed with Series 10, assuming that the timing in terms of completion of the Circulation Element was not an issue. Two things are going to happen for sure: 1) if they use Series 10, they will have to go back into the model and make some adjustments. That is going to take some time, maybe a couple of months. They will run the model and it will generate some forecasts. By that time, Series 11 may be released, and Series 10 then becomes an obsolete model; or they wait a few months, work collaboratively with North County cities in SANDAG to do the same kind of updating but with Series 11, which will have a longer shelf life and could actually allow Planning to look at modifying some of the zoning, such as zoning changes along Oceanside Boulevard.

COUNCILMEMBER FELLER clarified that they could continue the study.

MR. AMBERSON confirmed that they could continue the study. If they do that, they would continue using Series 10. At some point in the summer time, if Series 11 is released, they could come back to Council at that time with an update on where Series 11 is and make a decision whether to continue Series 10 or stop and go with Series 11.

INTERIM CITY MANAGER WEISS stated that an option that Council has, if they decided this evening that they still had questions about whether it should be Series 10 or 11 and if they told staff to bring this back to them at the next available Council meeting, the next time they could bring it back is March. They can schedule an item for their first meeting in March, and by then they will hopefully have some further information from SANDAG on whether their time estimate is realistic or not. If SANDAG's estimate is not realistic, Council can make a decision at that time. If SANDAG plans on meeting that schedule, staff can have further discussion with Council.

COUNCILMEMBER FELLER does not mind the Circulation Element taking them to the middle of 2008, but he does not want to stop work on it. They need to continue with what they have.

MR. AMBERSON responded that there are many different components of the Circulation Element that are being reviewed and updated. The modeling and the future network is just one element of a whole number of elements that need to be updated as part of the Circulation Element. Effectively, work would not be stopped on the other elements or the other components of the Circulation Element. They would continue working on those. They could hold off on the modeling and the network questions component until Series 11 is available, or they could continue working on that. However, there are other components that would continue to move forward as part of the update.

COUNCILMEMBER FELLER does not think that the motion is necessary because they are not going to get to it anyway. They can fix those things as they go along. Council saw a few streets listed in Exhibit A. He asked if they are doing a Citywide Circulation Element.

MR. AMBERSON responded affirmatively. There is a lot more than listed.

COUNCILMEMBER FELLER stated that that is exactly right. They are not just limiting it to 2 intersections. He is interested in the Melrose extension and Rancho Del Oro, but he is also interested in College and El Camino Real, Oceanside Boulevard and Mesa Drive, and Old Grove Road, etc. Looking at the comparisons, College Boulevard and El Camino Real have no chance if nothing is done soon. The 1,000,000 people are going to come here in the next 20 years. Vista Way between El Camino Real and College is LOS B to D, and that is not going to change significantly in Series 11. There is no way that can go from B to A just by a new study. Those are serious issues.

MAYOR WOOD said he would be interested if this could come back in March, like the City Manager indicated. He would be happy to withdraw his second on the motion, and have this come back in March. Hopefully they will have all of the information. They would still work on this and come back. He would like to have the modern issue of Series 11 be involved in this. It would still be going forward.

COUNCILMEMBER FELLER stated he recalls that the I-5/SR-78 interchange has been out there as far as 2014 for a long time. The widening of I-5 going south is 5-7 years out for completion. SR-76 is due for completion in 2011 out to Mission Road. Those are serious priorities outside of the City. They need to put RDO [interchange] back in at SANDAG. SANDAG needs to hear from us right now. The extension of Melrose is critical. He received as many calls from the people in that area who said they were locked in their neighborhood because of an accident on SR-76. They need to go forward and take a significant look at Series 11 as it comes out, but go forward. They do not need to review this in another 2 months. They just need to get to work. They need to go forward and studying both Melrose and the RDO/SR-78 interchange. There are a lot of things. The North County Parkway plan needs to be back in play so that their neighbors know what they are doing.

Regarding the Parkway Plan, **COUNCILMEMBER SANCHEZ** stated that we have not prepared any EIRs for any of those projects. It is her understanding that they would be last because of that. It is unfortunate that they did not as a City, move on those items. She does not know where the disconnect was. It happened at SANDAG, and that was several years ago. She trusts in who the representative is and the staff that goes and believe that they are going to be coming before Council to give them information so that they can act/react to whatever information is before us. It is her understanding that at this point we are at a disadvantage with respect to the Parkway Plan because none of those projects are ready to go with an EIR. The projects that have an EIR and are ready to go are the ones that get priority funding. She asked staff if that is correct.

MR. AMBERSON responded affirmatively.

COUNCILMEMBER SANCHEZ does not think they have lost anything. What they need to do is look at those projects and talk about priorities so that they can start working on the steps in order to be considered for funding. Councilmember Feller brought up the Parkway Plan, and she agrees that they need to get into a position to be funded. However, what is at hand right now is basically giving direction to staff on how to proceed from here in terms of modeling. They have a recommendation from SANDAG that they should be using 2030 information. It does not make sense to plan for something that is going to eclipse in a few years and that they will not be able to use for funding or requesting funding for the other projects. She reiterated her support for using the 2030 and Series 11.

Regarding the 2030 information about the jobs, they need to be planning for their future. It is one of their challenges as a City. They seem to always be dealing with issues after they are created. Perhaps it is because they have not felt as a City that they are going to be getting all of these people, jobs or movement within this City.

They have a vision for their City. That means having jobs and smart growth at least in terms of the ideas behind it. That includes having jobs, so the residents do not hit the freeways. Because of her vision for the City in terms of quality of life, she

believes that their future is in using the latest technology. She does not want to duplicate any efforts. She does not want staff to be working on Series 10 and have to stop and start using Series 11. Staff is telling Council that there are a lot of other aspects to a circulation update that they can be working on. Therefore she is going to support either using those 2 or the City Manager's suggestion that they wait until March and get further information on what SANDAG is doing.

COUNCILMEMBER KERN asked how much it is going to cost. He stated there was a motion on the floor, is no longer valid since the second was withdrawn.

MAYOR WOOD said that he had indicated he would withdraw his second if they were willing to continue this to that date [March]. He gathers that was not the case, so he still has a second.

COUNCILMEMBER KERN likes Interim City Manager Weiss' solution to this to work on the things they can work on; they can keep moving forward. Regarding the 2030 numbers, he asked for what part of this plan do they actually need those 2030 numbers -- all of it, just those major intersections, or the RDO and SR-78. He does not want to stop the process.

They keep waiting for better numbers. Then they will have numbers come out, and they will say they need to have even better numbers and should wait, etc. He does not want to wait; he wants to move forward.

MR. AMBERSON responded that the 2030 is really what they want to plan for. The shelf life of any General Plan is usually about 20 years. The way it stands right now, the big issue is their zoning, which is based on a 2020 horizon. If they did go into a Series 11, they would have to work with the Planning Department to look at what the zoning might be for 2030. That would give them some opportunities to make some refinements to the model, which is what they already have to do with Series 10 anyway. It would also give them an opportunity to look at some conceptual zoning ideas that could be modeled as part of the alternative. If people want to explore potential densification along transit corridors, they could look at that as a conceptual alternative. If it is decided after the modeling is completed that they want to do a zone for 2030 that reflects it, then they have the analysis to back it up.

COUNCILMEMBER KERN questioned if they are doing this all wrong. They have the General Plan and they are trying to piecemeal this and slap bandaids on something when maybe they should go back and start with the General Plan. Maybe they are trying to fix something that is probably pretty stale. There is a cost involved. He asked if this piecemeal approach, taking one element at a time, is the right way to do this. Obviously, they need to get these things going. It is like fixing a car at 60 miles an hour. He would go staff's recommendations and then, as Interim City Manager Weiss said, come back in a couple of months to see where they are. Maybe the Series 11 will be out in June, and they can deal with those numbers then, while keeping staff working. The clock is running.

MR. AMBERSON responded that Councilmember Kern has a good point. As the Interim City Manager indicated, it seems that it would be the safest thing to come back in March with a better understanding and a better timeline from SANDAG about when Series 11 could potentially be completed. They can come back in March and revisit the question at that time.

MAYOR WOOD stated that the City has 3 people sitting on committees or on sub-committees at SANDAG. They will have a lot of contact to get more Series 11 information. He received a fax that SANDAG is ready to discount Series 10 and start Series 11 in March. He thought this was something they should do and make sure that SANDAG is on board with them, knowing what those details are. That does not mean that it is going to be right or not, but they can always come back.

COUNCILMEMBER KERN responded that numbers are numbers and how they massage them is one thing. His concern is that it may not be June, but that they will not get those sub-regional numbers until September. He does not want to wait that long. If they meet a deadline of March, they will wait until June for those Series 11 numbers. If they do not meet that deadline of March, then they should go with Series 10 and go back and figure it out.

MAYOR WOOD stated that Councilmember Kern is right. Still, from reading the information and what they heard tonight, he thinks it would be wise to be on [Series 11] that is 1 month away. The Circulation Element and the General Plan all need to be updated; however, that costs millions in time and effort. For the one they are talking about tonight, he does not know if a month's delay will make a big difference.

COUNCILMEMBER KERN stated that his concern is with the motion and that Council is tying themselves to the 2030 number that may not be out by September or later. His understanding of the motion is that they are to use the 2030 numbers. They are committing themselves to that, so they wait.

MAYOR WOOD responded that he offered to withdraw his second and go with a continuation.

COUNCILMEMBER SANCHEZ stressed that the 2030 numbers are out. They do not have to use 2020; they can use 2030 starting now.

MR. AMBERSON explained that there is the Series 10, where they can look at 2020. There is also 2030 in Series 10. They have the option.

COUNCILMEMBER SANCHEZ questioned why they should get stuck with 2020 information, which is going to get stale quickly and will cost them to upgrade later, when they can upgrade now. There are 2 things: using 2030 information and then the Series 11, which is different, although not completely different since there is overlap.

MAYOR WOOD requested that Councilmember Sanchez clarify her motion.

COUNCILMEMBER SANCHEZ explained that her **motion** included using 2030 information and using the Series 11 model, which is the technology. It has more to do with software refinement, other things besides the input of the 2030 information.

MR. AMBERSON stated that there is a collaborative effort in refining the subarea model for Series 11, working with SANDAG, Carlsbad and Vista. That will nail the jurisdictional issues at the same time.

COUNCILMEMBER KERN stated he had no trouble with the motion until she said Series 11. He has no problem with using Series 10 with 2030 numbers. When the Series 11 comes out, depending on what the changes are, they can do that. However, they are tying themselves to Series 11 in the motion. If they are ready to go forward now, he suggested saying to use Series 10, with the 2030 numbers, and when Series 11 comes out they would make the adjustments. Then he could support it.

COUNCILMEMBER SANCHEZ responded that she is also hearing staff say that they can wait for a month and get a better idea of the Series 11 status. They can go forward on the other parts of the update. She is interested in the rezoning part, and that is something that they could do in the meantime.

COUNCILMEMBER KERN stated that his only concern is that they are tying themselves to something that is out of their control. They have the Series 10, they are waiting for another agency to come out with Series 11, and best guess is June. However, it may not be until September. His biggest concern is waiting and that they are tying themselves to something that is beyond Council. It may not come out until January of next year, knowing how SANDAG works some times.

INTERIM CITY MANAGER WEISS thinks that, between now and when staff can get this to Council in March, if there is any indication from SANDAG that there will be a delay, staff will tell Council that. He would support what Councilmember Kern is saying. If there is going to be a delay, then staff would recommend moving forward. If SANDAG is confident that they are going to have that information available within the time frame that they indicated, it may make sense to rely on that.

Council has some time to deal with this. His recommendation is that staff will bring back an item in March that deals with the Series 10 and Series 11 update. They recognize that Council is interested in looking at all of the alternatives. They will continue working on the bicycle, transit and all of the other elements that they can work on to keep the Circulation Element as a whole moving forward, but they will bring the limited item of the modeling process back to Council in March.

COUNCILMEMBER SANCHEZ asked if they could ensure that there is notice, at least to mail a notice to the 150 for whom they have addresses.

MAYOR WOOD stated March is not that far off. He would like to have the updated version of whatever they are going to do.

COUNCILMEMBER FELLER does not think that they have 150 to mail out since some of the comments were from the same people. He asked if the RCP is updated every 3 years.

MR. MURPHY responded that there are usually interim updates and then major updates usually on a 2-year cycle.

COUNCILMEMBER FELLER stated that means that they can add what they want for Oceanside, including Rancho Del Oro and getting involved with the Parkway Plan, etc. Those are things that they can ask for now, and he thinks they should. He will go along with this recommendation. They are talking about Series 10-2030. There is not going to be a significant difference in their needs, in fact it is probably going to be even more adverse significant changes as they look at the future in North County. If they do not take into consideration what is happening with the Chargers, etc., it will be a huge issue.

COUNCILMEMBER SANCHEZ spoke in favor of staff's request to bring this back in March. She therefore **withdrew her motion**.

INTERIM CITY MANAGER WEISS said staff has enough direction to proceed with the efforts they are taking and bring an item back to Council in March on the Series 10 and Series 11 issue.

2. **Public Communication on City Council Matters (non-agendized items only)**

JIMMY KNOTT, 124 Sherri Lane, speaking on behalf of his father and family, expressed thanks for the prayers, letters, e-mails and calls on the passing of his mother. He expressed his family's gratitude and thanks to the the Oceanside Fire Department paramedics and the police investigators.

This has been one of the hardest things in his life that he has ever had to do. From this point forward, his father will come first.

MAYOR WOOD stated that their thoughts and prayers were with Mr. Knott and his family.

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January 30, 2007 – 5:30 PM

Council Adjourned Meeting Minutes

ADJOURNMENT

MAYOR WOOD adjourned this adjourned meeting of the Oceanside City Council at 7:55 PM on January 17, 2007.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne, CMC
City Clerk, City of Oceanside

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



California

CITY OF OCEANSIDE

MINUTES OF THE:

CITY COUNCIL

TUESDAY, JULY 10, 2007

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 4:03 PM, Tuesday, July 10, 2007, for the purpose of a workshop.

PLEDGE OF ALLEGIANCE

Councilmember Kern led the Pledge of Allegiance.

ROLL CALL

Present were Mayor Wood, Deputy Mayor Chavez and Councilmembers Feller and Kern. Councilmember Sanchez was absent. Also present were City Clerk Wayne, Interim City Manager Peter Weiss, and City Attorney John Mullen.

WORKSHOP ITEM

1. **Vision Planning/Overlay Areas**

JANE McVEY, Economic Development/Redevelopment Director, reviewed that Council requested an informal workshop on the concept of master planning and visioning for various areas of the City. Today they will be talking about specific areas of the City, the existing zoning, and master planning in general.

To distinguish the various kinds of planning the City might wish to undertake, she noted that one type might be economic planning, i.e., the current fiscal position, future economic sustainability, fiscal goals, etc. Another is land use planning, covering what uses are in place now, what land uses are missing, etc. The two combined together [economic and land use planning] might provide strategic planning and goals. Those might then culminate into advance/master planning.

Ms. McVey addressed current issues facing some areas in the City:

- Jobs -- maintaining our current commercial, office and visitor serving land which speaks to the issue of economic planning
- to increase the jobs-to-housing ratio -- Previously there was a .66 jobs-to-housing ratio; it has now decreased according to the SANDAG data to .62.
- plan for fiscal sustainability -- Council directed a fiscal sustainability study about the long-term sustainability of the community.
- infrastructure requirements—road networks, water, wastewater, etc., which may have finite capabilities that would need to be expanded to meet increased densities i.e. housing, office, etc.

The City also has a lot of current neighborhood issues: traffic, height/bulk/scale of adjacent construction, design inconsistencies, a sense of place, etc. Another goal/challenge is that there is a wide variety of opinions and increased community outreach going forward to reach a consensus on goals prior to development plans. Another issue is the Coastal Commission rules/constraints.

She displayed a City map depicting certain geographic areas, i.e. hot spots for which there is some economic pressure or neighborhood concerns. Using computer graphics, staff displayed those areas, what is going on in those areas and current zoning. The areas reviewed were:

- North Coast Highway, between Neptune & Harbor Drive –This is a highly visible area. Many residential developers have approached the City for rezonings; it has significant Coastal Commission issues and some nonconforming uses; it is an area of great opportunity to earn significant money from the hotel base at 10% through the Transient Occupancy Tax (TOT).
- North Town Side [changed from Site] Area, [generally bordered by Horne Street, Civic Center Drive, Neptune/Highway 76 ramp, alley east of Coast Highway] — This is a mix of single and multi-family residential and some institutional properties; it has excellent access to I-5; it is not a good retail area, but is a potential office area; it needs attention.
- NCTD Transit Station Area, [generally bordered by the railroad tracks, Missouri Street, alley east of Coast Highway, and Seagaze Drive] — The station needs a remodel, has parking capacity issues and is not a good image; there are older commercial/industrial uses in the area; the interaction with the downtown tends to be northbound, and there are some opportunities to direct it southbound to keep the congestion of the buses outside of the downtown; the area surrounding the station could be a mix of mixed, vertical uses, with some office and retail opportunities. NCTD does want to redevelop their property and acquire other property in the immediate area. If NCTD wants to master plan their property, they would fund a great deal of the master planning effort.
- North Cottage Seaside District, [generally bordered by Coast Highway, Eucalyptus, including areas to Oceanside Boulevard, Horne Street, Topeka, etc.] — The area includes quaint cottages, and the neighborhood wants to retain the historic charm.
- Mid Coast Highway Mixed-Use, [generally bordered by Washington Street, railroad tracks, just north of Oceanside Boulevard, and east of Coast Highway] — It has much frontage on Coast Highway, quite a bit of marginal retail and shallow lots; brokers/owners have asked for more height and vertical mixed use and interfacing with the North Cottage District issues; master planning would allow an opportunity between these to possible integrate.
- Coast Highway Sprinter Station [generally bordered by the railroad tracks, Morse Street, areas east of Coast Highway and areas north of Oceanside Boulevard] — This is the most westerly Sprinter station with a loop to CSU-San Marcos, which will bring a different clientele to this area and may be facing issues of mini-dorms, etc; there is direct access onto I-5; there is a tourism interest due to the Sprinter, beach, etc.; immediately around this station both north and south is a mixture of old industrial, new residential, and some commercial; this is a high investment opportunity; a staff concern is exiting the Sprinter station, which is an image issue and has no curbs, gutters, sidewalks, signage, etc.
- Center City Golf Course [75 acres] — This is near a Sprinter station and I-5 and is very visible; immediately to the north is an area of significantly inconsistent zoning; a Council workshop in August 2006 discussed this, and Council dedicated \$96,000 in 2007/08 to that effort, although they are waiting for results of the Chargers' analysis of the potential office demand before proceeding; this is a large piece with significant restraints due to the fact it is currently parkland.
- Oceanside Boulevard Corridor between I-5 and El Camino Real — Council already established a master planning effort for this area; it is a mix of retail and industrial and much is WWII era industrial; most of the IG heavy industrial zoning is either here or in the airport industrial area; many industrial uses have outdoor storage and are older buildings with low ceilings; it is on a visible street; it is in close proximity to I-5, on a Sprinter line; there will be much more traffic as the business parks to the east build out; it is adjacent to the Loma Alta Creek; and tonight is the first public workshop on this effort.

- Melrose Drive/Oceanside Boulevard Area — This area has 3 undeveloped corners, and the southwest corner has a gas station; it is the eastern City boundary with retail potential, and residential developers have expressed significant interest; there are 2 high-volume streets; and an EIR is in process for the connection of Melrose.
- Airport Industrial Area — This area has many old WWII era industrial buildings with low ceilings; the frontage used to be on Mission before Highway 76 was built, and now they are highly visible from Highway 76; it has good proximity to I-5; in the interior much of the area has no curbs, gutters or sidewalks; the market might indicate warehouse use in this area because of its proximity to I-5, but the downside of warehouse is not many jobs and lower wages; the question is whether this is a long-term office opportunity, etc.; all jobs are not fancy jobs.

Other issues include the need for additional office sites to replace office space. Oceanside Boulevard is currently mentioned as a strong opportunity for construction of office space. The City would like to improve its office space per capita ratio. We are presently at 4.37 square feet per capita; the County average is 28.17 square feet per capita. Office is not evenly distributed across a geographic area. It tends to cluster at the confluence of 2 major highways, which we have at Highway 76 and I-5 and at Highway 78 and I-5. So there are opportunities, as well as the downtown and the transit station, to create some office space. The City also needs to improve its jobs-to-housing ratio as noted earlier. We have added about 2,400 jobs so far in Ocean Ranch, but it is less than anticipated. Another issue is hotel sites. Oceanside has relatively few hotel sites, and those have some complexity to them, i.e. location, adjacent uses, environmental issues, conditions, etc. We need hotel sites. A workplan item of the City Manager is to identify some additional hotel sites this coming fiscal year.

This is not an exhaustive list of areas. It specifically does not include the South Oceanside Neighborhood Beach Cottage district nor the Morro Hills area. There are areas not addressed, but those presented are considered the "hot spots" or big-ticket areas at this time.

PETER KATZ, Senior Planner, stated master planning is a technique that communities are using to achieve a higher quality pattern of growth. There are many advantages. Chief among them is achieving greater value out of the same land. The process can be very challenging. There is a high attrition rate since many master plans are started, but few get written into law and fewer still are actually followed. He has worked with many communities throughout the country in this process. The most important indicator for success is great urban design, or simply stated, creating great places. The second element is an effective public process, where citizens feel a true sense of ownership of the plan. Finally, better regulations are another factor. About a year ago we had a workshop on form-based codes and regulations that achieve what is shown in the plan.

The first two points are key and are connected. The term place-making is often connected with the intention. It is easy to do the same uses and building types, etc., but the key is to put them together in a model that is far more compelling. It has to do with the fine grain mixing of uses and a lot of the details of design. The term mixed use has been used extensively and refers to the idea of retail imbedded within a neighborhood in a manner that is compelling rather than offensive.

The process is a sequential series of steps:

- 1) Visioning – This is where the community values begin to come to bear IN terms of what kind of physical place we will inhabit. The vision is typically expressed in policy terms — a list of objectives or sometimes visuals drawn from other places, but the visioning is not the physical plan, which is the major weakness of the process. The vision can be a great catalyst for discussion, but the process of doing it well requires a lot of resources on the part of the City and a lot of energy on the part of the citizens. People get very excited, but at the end of the day there is no actual plan. Then when the planning process does come forward, there is a sense that it had already been done. That said, the vision can roll straight into a master plan, which is ideal.

- 2) Master Plan – The master plan is the heart of the process where the rubber hits the road. There is the discipline of what goes on whose land. It looks at land uses, building and street types, public space opportunities, etc. Master planning brings the opportunity to plan in an integrated way. Transit-oriented development is the kind of development that grows up around a rail station. There are major pieces of infrastructure and the ability to manage parking as a utility available to many different property owners, rather than forcing each property owner to accommodate a certain number of parking on their land, which sometimes cannot be done as efficiently as desired.

A result of this planning process is that the zoning may change. There are the starting densities and starting zoning, but that may change during the process. That is where the codes come in.

- 3) Codes – The codes become a new zoning ordinance and are written into law; the form-based codes literally codify the plan. An important thing is that a lot of these areas to be looked at will probably achieve some kind of up-zoning, but it is not just a case of crossing out a number in terms of height or the number of units to replace it with a bigger number. As that is done, it is also important that certain rules are put in place for shaping the configuration of new development so that the quality is there. Density is not the thing that creates the quality, but the rules with which the density is allocated are the best assurance of that.
- 4) Administration/Implementation – This is the final stage where the benefits are realized. If all the prior steps work in an optimal way, it results in a place where there is a Master EIR in place. Presuming there is a strong market demand, there is an opportunity to build out a neighborhood or district in a sequential way fairly rapidly while optimally holding onto the quality.

He addressed the term streamline permitting. That is not a case of throwing out the rule book. In an ideal world it is a case where the rules give greater control of the outcome while it is easier for an applicant to move forward. There is a level of predictability where they know what is expected of them.

He then displayed a computer graphic of how the steps line up sequentially. There is an opportunity to telescope them. The first 3: vision, master plan and codes, often will be all included in an intense one-week charrette process. However, that process begins with 3-6 months of preparation, market studies, soils reports, and all manner of needed base information for this intensive workshop. Even though draft codes will be produced during the charrette, they will typically be refined over the following 3-6 month period. It is important that the wave of support created by this extensive public process is the wave that carries the project into implementation.

An important note is that the process tends to thrive on controversy. Often, what brings citizens out are their concerns.

The process underway on Oceanside Boulevard is about halfway through the visioning process. The first big public input session is tonight.

There are economies of scale in master planning. If the City is committed to master planning a variety of sites in different parts of town, there is a change to develop a citywide library of acceptable building and street types. There is no reason why what you develop on one plan area cannot be applied to 2 or 3 others. You may not use all the building types in every area, but the library is developed.

Adjacent planning areas can be combined; often there is a similar citizen group concerned about something happening. In a number of situations there will be a property owner with large parcels that will want to put resources into a process, and, providing that a certain caliber of consultant is maintained, there is no reason why everyone who has a stake in the outcome cannot put resources into the process. The displayed citywide library of building types for Sarasota County, Florida as an example.

There are a lot of interesting techniques and opportunities to really use the master planning process to help in the quality of how we grow and also increase the value of our community.

MS. McVEY stated that, after reviewing the various areas and what is going on behind the scenes and the economics of what is happening, staff has 4 recommendations, believing that from a staff or money perspective the City would not be able to do everything at once:

- 1) North Coast Highway– because there is a revenue opportunity due to the hotel zoning, and there are image opportunities as the gateway to Oceanside and San Diego.
- 2) North Cottage Seaside District – since it is a fairly defined area, and there is a predefined goal among the neighbors in that area to retain the cottage atmosphere. However, it is immediately adjacent to the third area, which is a combined area.
- 3) NCTD Transit Station/Mid Coast Highway Mixed Use area – because NCTD would fund part of the planning, the City would leverage any money with NCTD money and then lump these 2 areas together since they are physically adjacent to each other and there will be some common themes in what they are proposing, i.e. some Local Coast Plan amendments, EIRs, etc. So these areas could be bundled. It is also possible to bundle the North Cottage Seaside with this, but it would lag the Seaside area.
- 4) Coast Highway Sprinter station -- There is a major transformation of this area coming. This Sprinter station will be remarkable; it has a little property around it, is close to the beach and has I-5 access. This will be an enormous transformational opportunity in the City.

Those are staff's recommendations.

Public Input

MIKE MELLANO, 462 Wilshire Road, has property in South Morro Hills. He felt it was time to start looking at the master plan for Morro Hills and think about changing it from agricultural to some other use, because over the long run a good master plan different than what we have will benefit everyone in the City. He has no opinion on what the best master plan is; he just knows that things are changing, and the agricultural economy is changing. With long-term planning, that area could become a very good tax opportunity for the City and the property owners.

SUSAN PARUOLO, 618 North Nevada Street, asked why their area is not within the redevelopment district.

KATHY BAKER, Redevelopment Manager, responded that the Redevelopment Agency was created in 1975. The predominant land use in that area is residential. She understood that a lot of the residential property owners did not want to be included in the redevelopment area. That is her understanding of why that area was not included.

JOHN McDONALD, 5064 Corte Alacante, stated there was a discussion of values and principles, and he asked whose values and principles. If you piecemeal the process, then the values and principles will be the values and principles of the people in that district, which may be totally inconsistent with where the City as a whole wants to go. Without a set of guiding principles and values, he asked what we will do with these districts but allow people who happen to currently have businesses there, for example, to decide what is coming. By putting those lines in, you are deciding neighborhoods. He has never seen that process work for defining neighborhoods. He thinks it is an extremely dangerous assumption.

Regarding the process, he has been through these public entity processes. Do not believe for one minute that the population is involved in these processes. Look at the ethnic mix, the age mix, anything; there is a serious flaw. If the City goes down this road, let's find a way first to explore a proper public process where there will be input so that the failures mentioned will not occur.

There is a strong urban bias in everything he has personally seen in these presentations. The options of having a true western view of what society can be like and have good economic high-tech development is not being presented to the people in this City. Whatever labels are used, it is high-density-right-to-the-street kind of thinking, and it does not represent all options. There are all kinds of people who could do it differently.

What is master planning; where is the arts element. Master planning is not just streets, it is culture and arts. If we are master planning these areas, it is not done just by defining sizes of buildings, setbacks, etc.

JIMMY KNOTT, 124 Sherri Lane, stated that part of the Coast Highway/Sprinter station area is his La Salina Mobile Village, which has them concerned. Since it involves his park, he encouraged Council to empower his community and set up a group that would guide each of these steps. Staff did not mention the early pioneer cemetery and its future. Staff did not mention that there is already a passageway to Buccaneer Beach. The public has been asking for years to have a mid-street walkway, some lights and simple things that would help the public get across the street.

The Loma Alta Creek is one of the most sensitive and most polluted, but it is not being addressed here. Coast Highway, with the Sprinter coming through 64 times a day, is looking for huge accidents to occur because people drive down that hill at 50 mph. The speed should be 25 mph from one part of the City to the other; then people will get the message. What about the visitors in the RV parks in this area?

CAROLYN KRAMMER, 904 Leonard Avenue, is glad Council is taking this step in developing a vision for our City, rather than it being planned by greedy realtors and developers who don't care about our quality of life. She would like more workshops on this and for them to be held at a time when more people can attend, i.e. evening workshops for participation. She likes the idea of North Coast Highway staying visitor-serving with hotels and restaurants, which is a coastal issue. It is a perfect place and is a gateway to our City. The North Townsite area folks also want to be part of the planning process. She lives in the North Cottage Seaside District. They are not really north, so perhaps it should be called Seaside Heights because their area has some awesome coastal views.

Regarding the Center City Golf Course, she would like to keep the uses as parkland since it is designated parkland.

NADINE SCOTT, 550 Hoover Street, agrees with John McDonald. All of a sudden we have a workshop and are making recommendations with no public input. This is an irregular day to hold a workshop; most are on Wednesdays. She suggests the Council get back on track to 3 meetings a month, whether or not there are graduations or summer vacations, because Council is hired to do the people's business first. She would like a lot more workshops on these topics. She is floored that the top priorities are all Coast Highway areas since about 90% of the residents live east of that area. She thinks there should be a lot more business development downtown that is not dependant on new buildings, new height, new mixed use. She was shocked to hear that our work-to-jobs ratio is falling when we have paid professional staff who is supposed to be generating business.

She would like the City to look at the infrastructure needs, including the millions of dollars of road safety improvements needed. The City needs to serve the residents.

RICHARD EISENDRATH, Vista resident, felt we need to keep moving forward with development. All of the area in the coastal zone should be blended into one section. His suggestion is to incorporate all of the southern part of the coastal zone and do a master EIR for that area, to get it all done at one time and not have to keep going back to Coastal. On development in the coastal area, how long would that take since staff advised them not to do any projects in the coastal zone for 2-5 years.

MS. McVEY responded, stating her indication was that the City has a Local Coastal Plan (LCP) amendment before the Coastal Commission at this time; they hope to be on a calendar in October/November of this year. If on that calendar, then the City would be able to begin some sort of public process as soon as the hotel has started. So her recommendation in that meeting was to wait until around July 2008 to begin a master planning process for the NCTD area and the areas immediately outside of it since we have this pending LCP amendment before the Coastal Commission. It took the City from August 2005 to get to this place to be able to submit the LCPA on the "D" District; it takes a significant amount of time and public outreach to do that. So if a development began in July 2008, it might take a year to submit that (after an EIR, the public outreach, etc.) and then begin developing. Specific development plans,

engineering drawings, construction drawings and building permits all take time. So it is not that nothing will start for 6 years; rather it is the nature of the approval process and the LCPA process, which is time intensive.

Based on this, she recommends waiting until the hearing at the Coastal Commission before we pursue a second one.

BOB BERG, 1712 Pacific Street, is interested in the possibilities available for developing South "O," similar to a piggy-backing off the redevelopment-type zoning, height increases, etc. If we could do an overlay of the heights in this area, more people will want to develop there. He would want to make his 1940s and 1950s style houses up to current code, and it would benefit the City to increase tax revenues. He suggested they leave the density alone in some areas and maybe increase it in others, depending on demands, because the population will increase and they will need places to live. They should also review parking with more leniency. In some areas the bike trail took out a lot of parking. There is off-street parking on Myers Street on the west side. So they should maybe not pursue sidewalks in that area for parking and maybe upgrade the zoning for mixed use in South "O".

DONNA MCGINTY, 2405 Mesa Drive, has lived in this community for 66 years. She sees redevelopment all over this thing and is not happy about that. She does not mind paying property tax, but we continue to pay property tax that benefits the redevelopment area while not seeing much in return for our outlay east of I-5 where 90% of us live. She does not appreciate staff's reference to 'marginal retail' businesses. She has been in business for herself for about 40 years.

TERRI MARRACCINO, 22821 Belquest Drive, Lake Forest, is a property owner in the 600 block of North Horne Street and has 2 properties in the 500 block of North Clementine Street. They are members of the North Townside group, which is a very active group working to improve the area. She would love to see the North Townside group have more consideration regarding the master plan. She supports what the City is trying to do and the need to prioritize. North Townside is a smaller area and may need special consideration regarding planning and design. It may be a nice area to consider boutique hotels, since there is a shortage of hotel rooms in the area. It is a very mixed area and is inconsistently zoned. They would like additional consideration.

DAVID NYDEGGER, President/CEO of the Chamber of Commerce, has offices located at 928 North Coast Highway, which is in the North Coast Highway section. Since this is the visioning, this is the first time to look at some of these ideas. Staff said focusing on the North Coast Highway area would be a good revenue source, so if we can start with the money, we can go forward from there. A critical area for them is the Sprinter, which is an important piece of the puzzle. Additionally, on North Coast Highway there is a nonconforming use that should be addressed.

Public Input Concluded

INTERIM CITY MANAGER WEISS indicated that with Council's efforts on Oceanside Boulevard corridor and with this topic, Council is changing the fundamental practice of what has existed over a number of years into looking to the future and what is envisioned in these areas. Staff has identified a number of those areas to start the process. Staff has not pre-determined anything; staff is asking Council for their priorities of which areas to start with. It will be a lengthy process and includes significant public input. Even though the goal is to eventually do all these areas and more, they are limited in both financial and staff resources.

This does not preclude developers from coming in on their own, just like NCTD is doing with the transit center in proposing their own plan. That is available to anyone.

His recommendation is based on the funding that was allocated this year. While Ms. McVey recommended the top 4, his recommendation to Council would be to pick the top 2 and direct staff to come back as soon as possible with an outline for the process and a schedule for each of those areas.

COUNCILMEMBER SANCHEZ knows this is the tip of the iceberg. She agrees to the need for several workshops on this before making the final decision on which 2

areas. She assumes it is which 2 beyond the Oceanside Boulevard and Center City Golf Course areas, which they have also funded. So the discussion is a total of 4 at this point.

In the future, it would be nice to have whatever has been done in the past available for review. For example, she knows they had a study/presentation done on the Sprinter station about 4+ years ago. It would be nice to build on those ideas.

They had a lot of discussion about North Coast Highway, and ideally that is the number one area. Taking a couple of steps back, it is important to have the sustainability study to know what our needs are in terms of economic development and how we can create these new opportunities to sustain our growth. In our minds are more hotels, which will be one of the answers to sustain the quality of life we want. She agrees North Coast Highway needs to be at the top of the list.

Going down the list presented, she first addressed North Townside, where the City will be building a fire house. Since we are imposing ourselves into the neighborhood, perhaps we should finish this piece. There were suggestions for hotels; maybe we should look into this, since it is going from North Coast south, and building on what we have done. This would be doable.

Regarding the NCTD transit station area, which was chosen as No. 2, we requested a study on a convention center, and that was chosen as a potential site. She still thinks a convention center could be at Mission Square, and we can work with the owner for a good gateway project. When people get off the freeway there, she has often heard the term "99 cent city," and she does not want that for Oceanside. We need different opportunities for everyone.

Next on the list is [North] Cottage Seaside District, which is being pushed by OCNA. We have given a green light to staff to work with the community to talk about preservation. That is something staff is already looking at and has discussed with OCNA.

For Mid Coast Highway Mixed Use, she stated that whatever we do we would probably use for the rest of the development of Coast Highway, whether it is adding a floor or residential on top and retail/commercial/office on the bottom when they see that as a potential vision. There are some pockets of that on Coast Highway. It would be great to know what buildings we would like to preserve in terms of character and what buildings can be replaced.

Addressing the Center City Golf Course area, she sees this area as an economic development project, but it will be a huge challenge in that it has to be something that a majority of the voters will agree to.

Regarding Oceanside Boulevard, she pointed out that people are already working on this important project.

While she would like Melrose and Oceanside Boulevard area and the Airport Industrial area planned, the Coast Highway Sprinter station is the project she would jump on because of past studies. It was to be a destination for many people, so that is what it should be. Mass transit works when there are a lot of people going to the same place at the same time, but Oceanside does not have many places like that. This is probably the one Sprinter station with the most potential, so she would like to see that.

The question is the priorities and how much money is available to do these things, as well as when the sustainability study will be completed.

MS. McVEY responded that there is an Economic Development Commission sustainability committee. They are hoping to get that study to Council in 90 days.

COUNCILMEMBER SANCHEZ asked to what extent the Planning Commission is working on things (rules, zoning changes, mixed use, etc.) that would affect what they want to do.

JERRY HITTLEMAN, Acting City Planner, responded that on August 15 Council will be reviewing a set of goals and priorities for the Planning Commission, along with a mixed-use ordinance, which would be separate but somewhat integrated into the master planning process. Mixed use applies to all commercial zones.

COUNCILMEMBER KERN questioned why there is no mixed use in the coastal zone.

MR. HITTLEMAN responded that when the mixed use ordinance went forward in 2002, the City did not follow that up with a Local Coastal Plan amendment (LCPA) since that was a much larger study. Therefore, they just proceeded with the areas outside the Coastal zone. They would have needed Coastal Commission approval, and they would have wanted more study done. It would be more complicated than areas outside the coastal zone.

COUNCILMEMBER KERN clarified that it is just something that needs more work if the City wishes to proceed, and **MR. HITTLEMAN** concurred.

COUNCILMEMBER KERN thinks the North Coast Highway area should be our No. 1 priority due to limited time, staff and money. That is our north gateway area, and we would get a quicker return on the money. He asked if they need an LCPA there.

KATHY BAKER, Redevelopment Manager, explained that an LCPA is not needed if we follow the zoning existing today, which does allow for mixed use, etc. They would prefer residential to not be on Coast Highway, but at the rear of some of those properties. Parts of it might, however, be in the appeal jurisdiction to the Coastal Commission.

COUNCILMEMBER KERN stated that with the Sprinter coming, the NCTD area and the Sprinter station should be the next to look at. We have not told NCTD to not to proceed with their development, have we?

MS. McVEY responded that staff suggested that NCTD start in another area. If they wanted to proceed in early 2006 when we were pushing the LCPA forward, we would not have the staff or resources to do 2 major projects like that. That project will require a large EIR, etc. Staff is very supportive though. So we asked them if they would wait until July 2008, and they concurred.

COUNCILMEMBER KERN's problem is that it sounds like we are chunking things rather than taking a bigger area. If we are doing an EIR with all that associated work, why not expand it out of redevelopment and all the way down to the Sprinter station where it crosses Coast Highway to do the whole area at once, or perhaps the coastal zone.

MS. McVEY responded they were trying to identify areas where there was a defined goal and constituency and a cluster of concepts/ideas that would naturally group together. The NCTD is a defined area and will be broader than the actual NCTD footprint on private property. The same holds true with the Mid Coast Highway area. Each area has its own challenges; one size fits all will not necessarily work. It is at Council's discretion.

COUNCILMEMBER KERN felt, such as in the North Townside and OCNA areas, there could be overlay zoning on existing properties to protect them if the use did not intensify. If we changed the use, an EIR could be needed.

COUNCILMEMBER FELLER wanted to clarify that the City could change mixed use in the coastal zone in the future.

MR. HITTLEMAN responded that it is a potential for the future. It would take more study, about 12-18 months.

COUNCILMEMBER FELLER questioned the issue of making the North Townside area a new redevelopment area.

MS. McVEY responded that we would have to go through a process to demonstrate that the area was significantly blighted enough to be able to incorporate it into the redevelopment area. That would involve an application to the State, and it would be a challenge.

MS. BAKER added that at the State level, they have made it very difficult to define blight. We would need consultants to do an analysis. It is a very lengthy process. It is probably far easier for us to do some type of a master planning effort or have an overlay to allow more flexibility on zoning and development standards, such as form-based planning, which would be ideal for the neighborhood.

MS. McVEY added that the City could accomplish what a community wanted without needed redevelopment if the basic issues are height, density, land use, and design guidelines. Those could be accommodated with planning/zoning and has nothing to do with redevelopment.

COUNCILMEMBER FELLER would like to hear more about the master planning of Morro Hills in the future. He reviewed the need to improve our corridors, many of which are east of I-5. The Mission Avenue corridor definitely needs to be improved, probably all the way out to El Camino Real. His main concern is Coast Highway from the north all the way to the south, which has blighted buildings, empty lots, aesthetic issues, etc. Something has to be done. Some time ago Deputy Mayor Chavez mentioned the platinum overlay in Anaheim, and he has also looked into that program. That overlay seems to be a simple process, although it may not be. Anaheim gave property owners an opportunity to do great things with their property by the use of this overlay. We need to work toward something like that, which allows the property owners opportunities to gentrify their properties and allow maximum use.

He thinks Coast Highway has to be fixed. He questioned the height limit on North Coast Highway.

MS. BAKER stated that the height limit on North Coast Highway is 65 feet if it is a mixed-use project, which we would consider a hotel project. That is roughly 5-6 stories. To change that would require an LPCA. The downtown height is different.

COUNCILMEMBER FELLER wanted to think outside the box on Coast Highway. The Coastal zone goes to the alley between Freeman and Coast Highway, so we can take care of blight in a lot of areas. Regarding the area around the lagoon, he is not in tune with staff on making the area by MoorCo, etc., into a big open space area.

MR. HITTLEMAN clarified that it was just those immediate properties since they have had serious flooding problems in the past.

COUNCILMEMBER FELLER believed there were creative ideas that could happen there also. The vision has to be what the property owners see for their corner of the world, and our job is to set the rules and follow them. Again, the platinum triangle in Anaheim will make them millions of dollars. Also, we need to make the best use of the Sprinter.

DEPUTY MAYOR CHAVEZ reviewed economic development and the jobs-to-housing ratio. The EDC strongly recommended the City not re-zone any office space land to residential. When looking at North Townside, staff recommended we not put row homes into the Cottage area, but we did. The onus is upon the Council to see what we have done and where we are.

It is the zoning of the land that will create the traffic. With the Sprinter coming, we should have looked at the zoning some years before this. For that reason, he highlighted that Council already directed staff to put Melrose Avenue through. When Melrose goes through, it will be one of the largest north/south corridors in the County. If the principle is that zoning comes before roads, then we need to look at that.

Regarding his priorities, he has always been pushing jobs. We are already working on Oceanside Boulevard, which will hopefully create offices and jobs. Regarding North Coast Highway, we need to go where the money and interest is today. The City Manager asked for 2 priorities, and he is giving one: North Coast Highway.

On a staff handout, it says that, after the meeting the staff would identify the best approach for the area that is prioritized — North Coast Highway — and come back to Council with an estimate of staff and consultant resources needed and proposed timeframes to complete. He asked when that plan will be before Council.

MR. WEISS stated staff's expectation was to come back no later than the first meeting in September.

DEPUTY MAYOR CHAVEZ thinks it is extremely important to get that done. Then after the timeline, he wants to go down Coast Highway.

Regarding the public's concerns and the process, when this is designed, he wants a sense of place and art/culture. We all want a very open, public process. It is interesting to hear the public, with some saying to break it down by little neighborhoods, and some are saying to look at the whole city. Council needs to have that discussion because he has been hearing 'neighborhoods'; but others are saying there needs to be a vision for the entire city.

MAYOR WOOD stated if we are going to have these workshops, they need to be convenient for the public. He sits on the NCTD Board, and they want to work on their joint issues and uses for the downtown station as No. 1 and the one by Oceanside Boulevard. They are interested in joint uses and they are willing to financially assist. They are looking at residential, mixed-use aspects on their property. They are interested in financially participating, and those should be pushed high up on the list since it means money from somewhere else.

We are to look at the City as a whole, but money and staff issues mean looking at it in bits and pieces. We want projects that will bring in a tax base and money, making an economic base for the City to provide for everything the citizens want, i.e. services. No one understands what it is like dealing with the Coastal Commission. No matter what Council does, the Coastal Commission can change it. So that is a big worry and an important factor, since they have the final say. Therefore, we need priorities.

His priorities are Coast Highway as No. 1. It should be a priority from the north to the south, depending on staffing abilities and if any changes to the LCP are required. If so, it means a lot of time, which takes away from the economic development, or money to the City. That is his priority with the understanding that we do not have an LCPA issue with the Coastal Commission. While North Coast Highway was staff's No. 1, he wants to consider the area from the north to the south on Coast Highway, which needs to be a priority. Then he would go to staff's No. 3 choice, the NCTD transit station, and would connect that to No. 4, which is the Coast Highway Sprinter station. He would put those 2 together. The next in line would be staff's 3rd and 4th choices, which would be NCTD since those would be joint mixed uses with money.

So, Coast Highway and those 2 transit center locations would be his priorities.

Items listed in this process east of I-5 include Melrose, Oceanside Boulevard, and the Airport area, and he believes they are addressing themselves. Also, the Valley Drive-Ins are supposed to be 1,000,000 square feet of shopping center. He has seen a list of potential shops/restaurants, and everyone would be thrilled. So areas east of I-5 are moving forward on their own in some aspects, since the Highway 76 corridor will be a booming east/west corridor and the businesses know that.

Again, Coast Highway is his priority. If it happens to start at the north end first, that is fine, but he would like to see the whole corridor. If taking it piecemeal, he noted that if it means mixed use goes a little higher on Coast Highway as it goes south to show that they can expand, that is fine. Upfront, the 2 NCTD sites would be his next priority. It does not mean all of the others are not important; they are all important. He has recently been contacted by Los Angeles developers who are interested in condominiums. However, they are looking at 30 stories, and they are looking here. Maybe the fact the Chargers are interested brought some big developers looking in the area. Outside of the coastal area, there could be extremely, top-notch high-rise condominium projects in our City.

COUNCILMEMBER KERN agrees with the Mayor's priorities. The idea of North Coast Highway and then the transit district south, out of redevelopment and all the way down the coast. The other areas are also important, but let's start with these 2.

COUNCILMEMBER SANCHEZ proposed that there be another criteria for deciding our priorities; that is, that we look at opportunities for consensus. For example, going higher than 65 feet on Coast Highway may not fly. She would probably be against it. She would like to maintain the character of our City in terms of the coast and being a beach city. If we are to have priorities, they should choose the paths of least resistance and opportunities for a coming together.

She concurs with the North Coast Highway priority, which will take some time. For North Townside, perhaps we would not need an EIR for boutique hotels. Perhaps we could streamline that process since it sounds like a wonderful thing for that area. Since we are already proceeding on Oceanside Boulevard and the Center City Golf Course areas, which are huge projects, her other priority would be the Sprinter station. We have the opportunity to make that a destination; it is like a gateway for those traveling on the Sprinter coming to Oceanside.

MR. WEISS stated we would all like to see Coast Highway from north to south looked at. The problem with making one large effort is the amount of time and property owners. Right now we have a significant effort with Oceanside Boulevard and looking at Center City Golf Course, recognizing that there are some very unique alternatives. If we pick too many or too large an area, it would take a very long time. Staff tried to break them down into manageable areas in order to get something done in a reasonable timeframe. They all interrelate but, with the current efforts, staff wants to get something done as quickly as possible. If we can get some relatively rapid successes, we can build on that. This is something new.

Staff has heard clearly that North Coast Highway is a Council priority. One he would recommend is North Cottage Seaside if it really is to preserve what is there now. If it is, that could be accomplished quickly if that is what the neighborhood wants. If so, it could be one of the first areas, just to gauge how much public input is needed for something that is supported by the neighborhood. In other neighborhoods, there will be some relatively controversial issues. Our ultimate goal is to try to do all of the areas.

COUNCILMEMBER FELLER responded that is a different situation in that it is a neighborhood, as opposed to something that benefits the entire community, such as a corridor. We cannot operate if every time someone wants to do something different to their property an individual appeals it to the Coastal Commission. Some issues will never be a consensus.

MAYOR WOOD summarized that Councilmembers said the whole Coast Highway is a priority, but there is a consensus to start with North Coast Highway and NCTD aspects.

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

ADJOURNMENT

MAYOR WOOD adjourned this Adjourned Meeting of the Oceanside City Council at 6:23 PM, July 10, 2007.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne, CMC
City Clerk, City of Oceanside



California

CITY OF OCEANSIDE

JOINT MINUTES OF THE: CITY COUNCIL SMALL CRAFT HARBOR DISTRICT BOARD OF DIRECTORS COMMUNITY DEVELOPMENT COMMISSION

SATURDAY, AUGUST, 18, 2007

REGULAR MEETING

8:00 AM

COUNCIL CHAMBERS

Mayor
HDB President
CDC Chair
Jim Wood

Deputy Mayor
HDB Vice President
CDC Vice Chair
Rocky Chavez

Councilmembers
HDB Directors
CDC Commissioners
Jerome Kern
Jack Feller
Esther Sanchez

City Clerk
HDB Secretary
CDC Secretary
Barbara Riegel Wayne

Treasurer
Rosemary Jones

For this adjourned and joint meeting, the Council sat as all 3 governing bodies [Council, HDB and CDC] simultaneously but took action as the respective agency for the jurisdiction covered by each item. Council titles only will be used for brevity throughout the entire meeting.

The adjourned and joint meeting of the Oceanside City Council (Council), Small Craft Harbor District Board of Directors (HDB) and Community Development Commission (CDC) was called to order by Deputy Mayor Chavez at 8:05 AM, Saturday, August 18, 2007.

ROLL CALL

Present were Mayor Wood, Deputy Mayor Chavez and Councilmembers Feller, Kern and Sanchez. Also present was Assistant City Clerk Holly Trobaugh.

CLOSED SESSION ITEM:

MAYOR WOOD titled the agenda item to be heard in closed session: Item 1. Closed Session was held from 8:05 AM to 1:04 PM.

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

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

PUBLIC EMPLOYEE APPOINTMENT

Title: City Manager

Direction was given to staff.

3. Public Communication on City Council Matters – None

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

August 18, 2007 – 8:00 AM

Joint Meeting Minutes
Council, HDB and CDC

ADJOURNMENT

MAYOR WOOD adjourned this meeting of the Oceanside City Council to Wednesday, August 22, 2007 at 4:00 PM for a Mayor/Council Workshop. This adjourned meeting of the City Council was adjourned at 1:04 PM, August 18, 2007.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne
City Clerk, City of Oceanside

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



California

CITY OF OCEANSIDE

MINUTES OF THE:

CITY COUNCIL

WEDNESDAY, AUGUST 22, 2007

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, Wednesday, August 22, 2007.

PLEDGE OF ALLEGIANCE -- Led by Jane McVey

ROLL CALL

Present were Mayor Wood, Deputy Mayor Chavez and Councilmembers Feller, Kern and Sanchez. Also present was City Clerk Wayne, Interim City Manager Peter Weiss, and City Attorney John Mullen.

WORKSHOP ITEM:

1. **Waterfront Improvement Project**

JANE McVEY, Economic Development & Redevelopment Director, stated the main goal of this Council workshop is for Wallace Roberts and Todd (WRT), the City's consultant, to present the waterfront improvements plan vision for direction from the Council. There have been 2 public workshops held for public input. However, this has not yet been to commissions, which will occur at a later time.

The history of how this started was that about 5 years ago staff began discussing the improvements needed at the waterfront area, and realized that the scope of what was needed was very large and included everything from aesthetics to structural integrity. So, in 2005, staff discussed these issues with Council, many of which deal with future capacity as we have more people coming to the beach, and infrastructure was needed to handle the volume of people. Council directed staff to develop a Request for Proposals (RFP) for a consultant team to research those issues, conduct public meetings, present a vision, and go through the environmental impact report (EIR) process and eventual construction. The firm of WRT was approved by Council in September 2006. Many departments have been involved through this process. She introduced Kathy Garcia.

KATHY GARCIA, Project Consultant, with WRT, stated Council's input is needed at this mid point so that they can come back with recommendations.

Using computer slides, she pointed out the study area they have been looking at, which starts at the northern end of Breakwater and goes south to Wisconsin Street, Pacific Street at the eastern edge, and out to the end of the pier at the western

edge. This only includes public property; they will not be talking about any of the private property, since these are all public improvements.

Last September Council specifically directed WRT to recognize that the beachfront is really Oceanside's life, and tasked us to make it a better place for both the citizens and the visitors. They specifically wanted the restroom improvements prioritized, whether it entailed replacing or retrofitting them. WRT's scope of work was to protect and enhance the public investment and look at planning for replacements before they are needed. The purpose is to anticipate the long-term needs and prioritize and phase them in, many of which are 20 to 30 years into the future.

She reviewed their impressions of Oceanside and its history. They noticed that this is one of the few cities in California where the downtown actually comes right to the shoreline, which is very important. As they looked into how to approach this, they felt the community connection to the beach was important, as well as tying the downtown improvements, residential areas and future hotels and activities to the water's edge. Moving north and south along the beach, they noticed that the beach experience changed. From the north, it was more family oriented with smaller groups of people. Closer to the pier/amphitheater, it spoke about community and was where more people congregate. The Oceanside spirit is something they wish to capture in the designs for the waterfront.

Community workshops were held February 26 and April 30, and people challenged us to step outside the box. From public input, they heard many different things: some wanted things to stay exactly as they are, and others wanted change. That is why they decided to come to Council for input/direction.

Starting with the restrooms, in their investigations they looked at the need for more/improved stalls, it was apparent there was a definite need for additional restrooms at both the amphitheater and the pier. They would like to look at doubling the capacity, both through remodeling some of the current facilities and also replacing them, as well as constructing a new amphitheater restroom for additional facilities. In conjunction with that, they recognized the need for more beach showers and changing areas. Input was also received on the need for a higher level of service and an increased maintenance of the restrooms, especially on busy weekends. When WRT returns with the detail of the recommendations, they will discuss budgeting for increased maintenance.

The amphitheater/bandshell, which is the event and performance space, lacks a lot of modern accessories. There is also concern about noise projections. The possibility of creating a new bandshell that enhances the acoustics and provides other opportunities will be discussed.

They investigated the beach community center. The building is in fair shape. The gym might be better utilized in a different location. As people requested them to think outside the box, they wish to consider the possibility of locating a gym near the schools and parks and looking at a new community facility in that location that optimizes the oceanfront.

They investigated the pier, including having a structural engineer do both the above and below water examination to look at the piles of the entire pier. The goal is to prolong the useful life of the pier and in order to do that, they will return to Council with a long-term maintenance program that addresses periodic component replacement.

Regarding beach concessions, they wanted to look for specific locations for these beach goods and services along the area and provide them with adequate utilities and spaces to queue and not block areas.

WRT is committed to looking at an environmentally responsive set of solutions. They want to look at cleansing the rainwater that falls onto the waterfront area, looking at more natural ways, such as a bioswaled, which are planted areas that filter drainage. They would also be looking into sustainability by making sure that new construction follows the "green" building standards, as well as looking at natural

means for erosion control and using drought tolerant planting.

There are many public services along the beachfront: lifeguards, police, beach maintenance, which are in fairly antiquated facilities and are extended beyond their maximum capacity for space. So they wish to look at an option that provides them with better visibility, capacity for quicker responses, and consolidating them into a beach safety and operations center.

At the community meetings they also heard that the pedestrians should be prioritized, so WRT is looking at creating new paths along The Strand and the beach that will separate the pedestrians from the cars, including creating new ramps and stairs from the top of the bluffs and new drop-offs. Many people felt The Strand circulation should be improved, so they are looking at re-stripping and reconfiguring the current pavement to provide separate bike lanes.

Parking was also an issue. There are opportunities to optimize the areas that are used for parking. For example, they are looking at consolidating small lots, such as the one under the pier, to replace it with more beach and perhaps increase the capacity at Betty's lot, which, if structured, could increase capacity.

Addressing the specifics for the northern stretch, which is Breakwater Way to Civic Center Drive, they are proposing replacement of the restrooms at both Breakwater and Sportfisher with new facilities; to add new drop-offs at Breakwater and Civic Center Drive; to cluster amenities at the beach access points, i.e. picnic tables and a beach shower; to create a 'wave walk'—a separate pedestrian way at the back edge of the sand that would allow pedestrians to walk along the beach area; and creating bioswales along the edge of The Strand to capture and cleanse the stormwater. [Computer slides were used to show what these items could look like.]

Going into specifics for the southern stretch, which is Seagaze Drive to Wisconsin Street, she noted many of these same improvements repeat in this southern end, i.e. drop-offs at both Seagaze and Wisconsin; clustering amenities at those beach access points, such as Ash Street; re-addressing/remodeling Tyson Street Park and Seagaze Park; creating new restrooms at Tyson and remodeling the restroom at Wisconsin, including ADA access and more stalls; continuing the 'wave walk' to Ash Street, where the high tide line prevents it from continuing any further; enhancements to The Strand for dedicated bike lanes; the bioswales to capture and cleanse the run-off. [Computer slides were used to show the possible reconfiguration of The Strand for pedestrian, bike and vehicle space and to show what these southern stretch items could look like.]

For 'the core' area, which includes Civic Center Drive south to Seagaze, the community mentioned many improvements that could occur. They looked at developing a pier improvement program; drop-offs at both the community center and Seagaze; creating a beach safety operations center and community facility at the location of the present community center; revamping the amphitheater; new restrooms at both the amphitheater and Betty's lot; creating a parking deck at Betty's lot with a plaza on top; and providing an overlook at Mission Avenue so that Mission Avenue actually comes to the water's edge.

Regarding the pier, they will return with an expanded maintenance/enhancement program. In the short term, the bracing needs to be replaced on the timber pier, and they need to perform a seismic investigation on the approach to determine the component replacement program and extend the useful life of the pier.

The Community Facility and Beach Safety Operations Center is proposed at the current beach community center location. They are proposing that the ground floor of this new building be the police station and a new lifeguard headquarters, and in the back have an area for maintenance/support; above that would be the community activity rooms, which would almost triple the amount of community accessible space that is at the community center now, with the exception of the gym; and the top of this new building could be a green roof, or a park [at Pacific Street level]. These recommendations would follow after the gym is relocated to another site.

Looking at the amphitheater and bandshell, there is a need for new restrooms,

and they would propose those towards the edge of the pier to be shared by both beach and amphitheater users. It could be structured with the amphitheater enclosure. They are looking at creating a new bandshell, enlarging the stage, proposing a 'curl' shape—a multi-purpose structure that serves to connect the top at Pacific to the pier and provide ADA access, providing an aperture to provide shade for the seating. It could be used to hang the sound and lighting so that the sound system is no longer directed only to the east but to the audience. The current restroom facilities could be remodeled to be the 'green room' function to support the stage. A computer slide depicted what the stage could look like if the back was transparent, to allow the ocean waves to be part of the action on the stage, with an overhead structure that could resemble a wave shape.

Today, Betty's Lot holds about 90 cars. The parking could potentially be doubled if the lot were decked. There could be parking on 2 levels, and beach concessions could be developed toward the front facing the ocean so that the parking is not visible. They could provide for additional restrooms and, on the roof top, have a plaza for community events [as depicted in computer slides]. This would utilize the land 3 times instead of just once.

Mission Avenue presently has an uneventful terminus. It is important to continue the downtown right to the waterfront, and they would propose an overlook, with a ramp to the water, stairways, and a playground at the terminus with a beach orientation and picnic shelters.

WRT will utilize Council's direction tonight to develop formalized recommendations to bring back to Council for review of the master plan, probably sometime this winter. They know they need to go to the Coastal Commission staff for their input to make sure their concerns are addressed. With the master plan, they will be doing a full environmental review, looking at CEQA documentation, and will return with phasing and funding recommendations over time.

Tonight WRT is looking for Council direction on a number of points: how to refine the concepts; is there agreement to look at new/renovated restrooms; the approach to the long-term maintenance/improvement for the pier; the idea of a Beach Safety and Operations Center combined with a community facility; structuring Betty's Lot with activities; the amphitheater/bandshell replacement; the pedestrian improvements; the drop-off points; The Strand improvements; and the gateway at Mission Ave.

COUNCILMEMBER FELLER questioned what happens to the buildings under the pier: the lifeguard headquarters and McDonald's.

MS. GARCIA stated the lifeguard headquarters would become a lifeguard station. Regarding McDonald's, at this time they are looking at consolidating the concessions, which could open that area up some. They looked at the area for restrooms. However, there would be an area for McDonald's if not in this area.

MAYOR WOOD noted that the S.D. Malkin hotel would be interested in much of this in front of their hotel. He knows they would be interested in having lounge chairs or beach access to their customers. He knows they are probably willing to assist us in the cost of that. He asked if that had been addressed.

MS. McVEY responded that they have not talked to Malkin about sharing in any costs.

Public Input

JOHN McDONALD, 5064 Corte Alacante, stated the Arts Commission has not seen this, but they consider this venue of the amphitheater to be the most important single arts-oriented venue possibility in the City. They are extremely concerned that this aspect be treated carefully. On their process concerns, it was mentioned that the commissions will be involved at a later time. Now is the time. Speaking now as an individual, he has a worst case scenario that Council not even include a strong improvement in this venue, which seems to have happened. This is not a strong strategy for a major venue that would be world class. It needs to be treated that way

now. The next worse scenario is that you look at the venue in a strong way, and you ignore all the surrounding things. There needs to be a strategy for the major venue , while making sure it does not interfere with the other things.

KAY PARKER, 4377 Albatross Way, is happy to see this proposal come forward and is happy to see the plan for the community center, which is presently underutilized. It is a strategic corner we need to develop to service the new population coming to the City. This is a great plan. She is sure the total cost will be very expensive, but we need to commit to the plan.

RUTH CLIFFORD, 314 South Pacific Street, walks the pier often. About 9 weeks ago she walked the pier to Ruby's restaurant and tripped on one of the metal spikes on the pier. She noted that another gentleman tripped and fell and hurt his head on the pier, and the ambulance came for him. Another lady reported a fall, as well. The pier is very dangerous. It is crucial that something get done to fix this problem with the metal spikes and wood deterioration.

DAVID NYDEGGER, President and CEO of the Chamber of Commerce, stated this seems like a great step in the right direction. He questioned 'the curl' design and if it would be at the same height as the pier or would go down to the sand.

MS. GARCIA responded it would not go down to the sand; the height would not go above the top of Pacific Street.

MR. NYDEGGER thinks currently the bandshell seats about 3,000. He asked if there has been consideration to expand that and possibly do away with the hard concrete.

MS. GARCIA responded the hard concrete has the opportunity to be used for movable seating, but they also looked at the area immediately to the south between Mission Avenue and the amphitheater as being the extra seating. Depending on the seat configuration, they believe there could be 500 – 800 more in that area as well, totaling around 4,000.

MR. NYDEGGER loved the idea. The priority should be the restrooms. He liked the overall concept and the 'wave walk'. Also, tripling the space is great.

DEENIE PROVO, 999 North Pacific Street, owns a unit and is also a realtor there, so she represents herself and about 30 others; for many these are their second homes. A concern is in hearing about building a new restroom because the Breakwater Street restroom has the potential to block views for owners of North Coast Village units. The restroom definitely needs addressing, as some of our owners can actually see the people inside the restroom. During the earlier meetings, she brought up the idea of a change of traffic flow. Currently traffic comes in from Surfrider north. Those headlights come right into some of the North Coast Village units. It could easily be rectified by changing the traffic pattern, which would also take care of people who are coming down Breakwater Street and run into the one-way traffic going the opposite direction. Therefore, they have to make a U-turn at the end of Breakwater, which is not built for U turns. Currently Surfrider has the nice round-about, so if the traffic pattern were changed, they could easily turn around there. She likes the 'wave walk' idea; anything that can be done to separate the pedestrians from cars is a wonderful idea.

JOHN HINKEL, 1610 Via Otano, is an architect working in San Diego. Speaking as a resident, he thinks this is a wonderful baseline to start with for a much needed vision along the waterfront, which is the armature to act as an identifier for this community from which we can build the redevelopment of the core downtown area. This proposal has many strong ideas that can be built upon, and he encouraged Council to endorse and encourage further development of those identifying elements for the City. He wanted to make sure attention is given to developing this beachfront area with an understanding that it can draw development for downtown; to make sure the core resident use is maintained for this portion of the beach; to look closely at the program uses for the community facility so that they appeal to the core residents for the highest and best use of that function; and to make the bandshell more compatible in terms of identity and user-friendly nature, i.e. acoustics, etc.

SAM OLIVER, resident, loves what he sees. He lives south of Wisconsin, and his concern is to not stop the 'wave walk'; it needs to continue all the way to Wisconsin. We need to do something to clean up the south end which is ugly. Just before Wisconsin is the ugly fenced-in property, which needs to be torn down.

MARTY BENSON, 999 North Pacific Street, spoke about encroachment on the beach. More development beachward is almost always a bad idea. He is for segregating the sidewalk and hopefully the bike path from motor traffic. He suggested the sidewalk be raised from the bike path and the bike path separated with a curb from the street. The 'wave walk' looks like it goes concurrently along the beach with the existing sidewalk. Having 2 pedestrian paths seems superfluous and would only create more concrete on the beach on a receding beach line. Rather than the 'wave walk' just put a curb up on the inside of the bike lane. He is concerned about the roof on top of Betty's Lot. Making that a 3-story structure will give private and public interests another reason to want to put up seawalls with the receding sea line. He referenced problems in Solana Beach and La Jolla. He warned against guaranteeing some of the public space for private use. He is concerned about the need for recycle bins.

GARY NESSIN, 2987 Highland Drive, Carlsbad, is a realtor. The WRT proposal looks excellent. He has one suggestion for a different use for Betty's Lot. He would suggest trading with one of the CityMark lots for Betty's Lot, where there could be a parking structure and perhaps a gym, and maybe go 5 stories on one of those lots to get way more parking spaces out of it. Then on Betty's Lot, a small boutique hotel could be developed with a restaurant. It is too close to the beach to waste it with parking, considering the City is trying to develop high-end hotels in the beach area.

DANIELA MARSHALL, 419 South Weitzel Street, Arts Commissioner but speaking as a resident, is very concerned about what she has seen regarding the amphitheater. The rendering displayed was fine for dancers; however, she asked where the props would be stored for theater. What kind of backstage would there be. A transparent back is cute but is absolutely useless. To have lights always in a curve is also useless. This is the City's best, largest venue and can put the City on the map if it is done correctly. She would rather see nothing done than have that kind of use. Her other concern is the type of building illustrated. She endorses the multi-use but felt it should be less bulky, more interesting and architecturally different. Regarding the pathway along the beach, she noted that dogs are not allowed on the beach. If there is a pathway, she asked where they will walk with their dogs since the pathway would be on the beach.

Public input concluded

COUNCILMEMBER SANCHEZ attended one of the community meetings. One thing raised was that people like to walk their dogs along the street, which was left out of the presentation. Her priority is the bathrooms, which they have heard about many times. Priorities need to be discussed because this would be a huge cost.

She is very concerned about the bandshell. With the different types of performances, changing rooms are a big priority, as well as having the stage/sound improved with higher-tech sound equipment, which has been discussed for several years. This is a focal point for the performing arts. We need the ability for more seating. Looking at some of these ideas, she felt it was an intense urbanization of the beach. She was hoping to incorporate a sense of what we have: keep some of the open space and some of the views of the bluffs. She lives on the beach, and the walk would be high maintenance to keep it clean due to sand and wind. She would rather use that higher maintenance resource to keep the restrooms as clean as possible and insure that the trash is picked up more often.

She liked the notion of landscaping, but she does not want landscaping to replace walking areas. The existing sidewalks are used. She likes the drop-off points. She remembers when The Strand was 2-way traffic, and people cruised which was part of the experience of the beautiful view. She agrees the pier is essential.

For her the restrooms are her number 1 priority; second is the pier

maintenance—it is starting to look shabby; and then the bandshell. The 'wave' takes too much from the sand, and there may be future problems with receding sand. Regarding the beach community center, it is not underutilized. Currently, 3 schools use it; it is utilized by youth; and it is probably the only structure for youth to be by the water. She is not completely convinced that we need a 2-story building there. If there is any serious proposal for more activities, it has to include keeping youth there. She did not see that.

She did not like the architecture; it felt like a box. That would be a lower priority for her for the beach community center. She did not think the City has any other place it could build a gym, and it would have to be west of I-5. In terms of Betty's Lot, it has been used for different purposes. She does not want to see increased parking there; she would like it somewhere else. She would rather go up on the transit center, and not increase the parking at the beach.

On Pacific Street you can see the beach and sand. To have to get out of your car and walk out to see that is a radical change. It feels like too much urbanization. This proposal would take away views from Pacific Street and some views of the bluffs.

COUNCILMEMBER KERN wished to clarify that no one intended these drawings to be the final architectural drawings for these buildings; these were only conceptual. He use to do Seagaze concerts, and that bandshell needs upgrading. It is very difficult to use. They used the community center as the green room and had to shutte people back and forth. He likes the idea of the green room being in the old restroom area; it makes more sense. This bandshell is the strategic point; it almost defines Oceanside. Concerts are held there, and most people's impression of Oceanside is the bandshell. It is critical to do something there.

Process wise, he would concentrate on the core area first, which would be the pier/community center/bandshell area, and work out from there. Obviously the restrooms have to be addressed, even if we have to increase the maintenance schedule and keep the existing bathrooms in better shape. The pier is a maintenance problem now, and we need to bring that up to speed.

He is not tied to the idea of needing a basketball court west of I-5. We need to put that use/gym where the kids are, maybe a full gym at Balderamma or behind the high school/Center Street area, which would be better utilized by the youth in the area. Having a basketball court down on the sand does not make sense since many residents have moved east.

He is not thrilled about having a sidewalk on the beach. He likes the idea of maybe articulating the existing sidewalk and putting the bioswales/landscaping with shade trees there, rather than putting more concrete on the beach, which does not look good. This is a great start to the idea. Input was to bring the sidewalk all the way to Wisconsin, and if we used the existing sidewalk area and articulated it out farther out, etc., then we would have a walkway from one end to the other. There are simple fixes like re-directing traffic, and the police and Harbor & Beaches can look at that re-routing.

Again, this presentation is a great starting point. This is the time to start involving the commissions to get their ideas. It will cost money, so we will have to prioritize our spending. His feeling is to prioritize at the center [core] because that is where most people come, and that will give the biggest return.

DEPUTY MAYOR CHAVEZ has attended a couple of the public meetings. In a discussion with the City Manager, he questioned if there is a vision first, and they would then phase that, or whether they take incremental steps, which grow into a vision. Many times, people in the community, such as the Oceanside Boulevard Task Force, get excited about the color of a fence without even looking at the vision of the boulevard. Sometimes we do the same with the beach. In looking at the presentation, we are doing some of that here with these little steps. He would break these items into: maintenance, the things we have to do, and then the vision. He is having a hard time with this since he sees 2 different things here. If you don't have a vision and you believe in the incremental steps, it will not work.

To him restrooms are not a vision. The presentation was written in 'north', 'south', and 'the core'. He would have rather seen the vision better and then the core. The core is where it is, and it will grow from there. Redefining the north and south from the core would be a better way to do it. Also, the money will be at the core, which is the reasoning for other people to invest in that area. So he would go with the core first, and then go out.

This is a great beginning, but he also wants the commissions' input. If we start with the core, then we need to hear from the commissions now.

To respond to questions, he stressed that new and renovated restrooms are a maintenance issue, not a vision. His observation and recommendation is whatever the amount of facilities for men, double that for women for restrooms. We have to do the pier long-term maintenance.

The vision starts at the core and starts with the bandshell replacement and amphitheater enhancements. That is definitely a yes. How it is developed with lights, acoustics, he does not know, but from a spectator point of view, to have it open with a breeze and see the ocean is a nice venue. The Betty's Lot parking structure is a great idea. He does not see that as urbanization of the beach. If we put grass on top of the structure, that is great. The beach safety operations center/community facility would provide a lot of room for lifeguards and police, and the 2nd floor is nice. Parking closer to the beach is good for families. New drop offs are good. The Mission Avenue overlook and beach gateway is a wonderful idea. Regarding the wave walk and pedestrian improvements, he agrees with pedestrian improvements but disagrees with the 'wave walk' due to skateboarding, sand, etc.

COUNCILMEMBER FELLER questioned how many people could sit in the bandshell, and he thinks the bleachers could hold about 1,500. With another 1,500 chairs on the deck, there could be 3,000. He has concerns as well about the bandshell replacement. We must be informed about the total uses there; it is not just cultural arts, but picnics, graduations, and many things. We need to look at how that will work. He too worked the Seagaze concerts, and the back room is a disaster. This is a very focal place, which we need to focus on. The bathroom in that area has to be demolished.

The traffic pattern intrigued him, and he suggested that be looked into. There are maintenance issues with the pier and bathrooms. The idea of more showers, changing areas, and restrooms would be a great addition. He was on the pier a few weeks ago, and stepping on the spikes is a problem. The beginning of the pier has new boards, which is fine. The pier is part of the focal point, and it is necessary that they to continue to maintain it. There are problems with fishermen and clean-up. He recently had a surfer ask him about keeping the sand with reefs or groins. Regarding the wave walk, he concurred with Councilmember Kern that having a sidewalk more up against the street may be more appealing. The beach keeps the youth in the beach area; there is plenty for them to do without a gym.

Regarding the community center, we should consider how much we could shade the public. What was displayed was open through the back of the bandshell, but he does not know if that could be functional for all the uses there. He liked the presentation and would like to see just about all of it put into action. The committees and commissions should participate and add their insight. Double-decking Betty's lot is a great idea. Drop offs are a good idea. The Mission Avenue overlook/gateway looked good.

MAYOR WOOD stated this is a financial issue as well. This presentation is a general idea/concept, which we all have. The order in which we want them is a financial issue. The one thing Council agrees on is pier maintenance, and bathrooms/showers/changing rooms are somewhat of a priority. He does not know that all new ones are needed, but they should improve them or keep them cleaner. That is not his priority, other than keeping them clean. He would rather focus on 'the core' for that vision. It is the community center, the pier and everything there. With that in mind, he would put the amphitheater as a priority. He does not foresee a sail type overhead structure. We need a building with changing rooms/green room. Also, with concerts, they try to keep the people out that do not pay. The way it is set up,

anyone going near the pier sees it for free. Having a view through the amphitheater to the back ocean would create another interference because the backdrop would be people behind the stage. It needs to be a building that focuses the sound/energy towards the seating. So the amphitheater is his priority.

Bathrooms is a maintenance issue in keeping them clean. Adding more comes down the line and is not his priority.

Regarding partnerships, he noted that some of the hotels/businesses will want facilities there for their guests. He thinks they will have to kick in. He does not want it roped off for their guests; however, they would like cabanas that everyone could use, and they could help/partner for some of these items/amenities by the pier.

Regarding the direction of travel, The Strand use to be a 2-way street. They changed it to one-way because it was too narrow, with bike lanes, pedestrians, etc. Expanding that roadway onto the sand would encroach on the beach but it would give 2-way traffic that could be beneficial in the heavy summer months to move traffic. Perhaps a study can be done by the traffic engineer. He does not want a wave walk encroaching on the sand. He would concur with a wave walkway, as is in the harbor, to be alongside the roadway on The Strand. It would allow for landscape with water drainage. The wave pattern is fine, but not out on the beach.

Regarding the community center, he does not believe the sports events there are a priority. He knows schools use it and we use it, but in the big scheme of things, there are places for the gym elsewhere. That is a very valuable piece of property. It has only one story with lousy parking which is not the best use. He can understand having it decked for underground emergency parking and having lifeguards and public safety there, especially in our busy months. The second story would be a great location for events. It should be all glass towards the ocean to take advantage of the view. This would compete with our neighbors who are building community and banquet rooms in our hotels directly behind, so he is not sure if this is the best benefit there. Our public safety has to be in this area, whether it is there or maybe at the 'Y' at the top end at Pacific Street, it is needed.

He is not sure the community room is a priority. He would say yes to all, except it is about finances. With that in mind, he thinks the pier/amphitheater is a priority. As discussed at SANDAG also, the facilities to clean the storm water drains will be a major issue for all beach communities, with no funding. Because of financial aspects, he would not name 4 or 5, but just name the amphitheater as the priority, with continued maintenance of what we have. After that, the priorities should be the community center; whether it is a combination safety center or not, it is misused now. It could easily be 2 stories, not extending above the bluff. That could be a prime location for City uses, if the west side was all glass. The other items would be way down on his list. Regarding Betty's parking lot, parking is a priority, but going to multiple stories is very expensive. He asked if the City is to become landlords to rent the frontage stores with mixed use. He does not want to do that now, but he would certainly consider an RFP/RFQ for someone else to build on our property as a partnership. He likes the rooftop concept. The rest of the items are far down on his list.

Again, his number one priority is the amphitheater. Regarding restrooms, etc., modifying the buildings we have there is less expensive, which could be done in the time being. Keep the big picture in mind of the vision to bring people to the downtown beach areas. The partnerships to build things are a possibility.

COUNCILMEMBER SANCHEZ stated the idea of Betty's Lot and the rooftop grass area and double-decking was actually part of the Manchester project that was specifically rejected because of bulldozing the bluffs. She does not want to revisit that issue.

In terms of final comments, her recollection of 2 years ago when we gave direction for this was that we were very interested in the amphitheater, bathrooms and pier. Her expectations of the presentation were not met. She thought they would be told exactly how they would get these things done, how much it would cost, a range of different ideas, and that this would have gone through the whole community

process, including the commissions. Rather it was only a wish list with no money on any items and a request to prioritize. She is disappointed because she feels they have wasted 2 years. Council had previously advised what they wanted, and that was the bandshell, the restrooms and whether we could use the existing bathroom with historic significance. We are rehashing and expanding, and she still does not know the costs. Those are her concerns. We now have a different Council. The previous Council did not want to touch the beach community center. She still feels the same way for the kids' uses. She does not know if the Coastal Commission will allow those kinds of uses. Her preference would be to come up with something that would not be controversial and that would not get a lot of people upset. Whatever we do, let's go forward on the things we know we all want: the amphitheater, bathrooms and the pier. In designing something that is focal, maybe less is more. If we concentrate on a beautiful venue there, everything else can happen. We can update the sidewalk, spruce up and do recycling, but the focal point is something discussed 2 years ago.

COUNCILMEMBER KERN gets the sense that we will be narrowing our vision on the core first. At SANDAG we go through these unconstrained exercises all the time, and everyone gets their hopes elevated. Then they realize there is not even a tenth of the money. From this point forward, we should focus our vision on the core before we start moving out to the edges. The maintenance issues have to be addressed. The community area, which is just north of the community center down to Betty's lot, is the narrow vision.

Whatever they do will not have some controversy attached to it. Do not be afraid of controversy. His direction is to come back with a vision; bring it forward with community buy-in on what can be done with that community center. He is not sure if the Betty's lot idea will go through Coastal Commission, but bring it back. For the amphitheater, input from the performing arts people is needed to make sure it is functional.

COUNCILMEMBER FELLER was pleased with the presentation. He concurred with Councilmember Kern about not being afraid of controversy. The majority of the City is excited about this progress. This is important to the economics and the viability of this City. Everything displayed is about progress for utilizing our beachfront. We know we will have to face people at the Coastal Commission. We should not be afraid of it.

MS. McVEY, responding to items, stated the initial intention was to look at the core area. With the public meetings, there were many requests up and down The Strand. Some can be done incrementally, but others have a domino effect. For example, the place for the bathrooms necessitates a building and its location. Staff wanted to find out what Council's priorities were so they would know what to focus their conversation with the Coastal Commission staff on, and then go to the Commission. So hypothetically, if Coastal staff said there is give an take, such as with the wave walk. However if they saw more access on the roof gardens and the reduction of some parking on The Strand, it might, in their minds, be a bit of give and take for producing the wave walk, etc. So yes, the core area is the highest priority, but we want the community to have a seamless experience so that if you were on the top or south of The Strand, it is not wildly different.

Regarding the comment that the prior hotel bulldozed the bluff, she believed that was correct. This one would bridge over between Pacific, so the bluff does not get demolished. Regarding reefs, groins and sand retention, the project did not look at the sand on the beach; that is a separate study.

MS. GARCIA, addressing the comment on the number of stalls, stating the current bathrooms now exist with an interior corridor and stalls, which limit wheelchair accessibility and are a security item and add to the bulk. With the newer state beach restrooms, they are looking at a different format, which results in a narrower width of the restroom because they exclude the corridor. So within the same footprint, they can add a couple more stalls. Regarding the ratio, with Breakwater as an example, right now there are 4 men's and only 3 women's accommodations. They would come back with a total of 12, if designed in a more unisex manner but posted as women's or men's, with similar designs. They could take those 12 and allocate 4 and 8, or 6 and 6.

DEPUTY MAYOR CHAVEZ felt 4 and 8 is where we should be going.

Further responding, **MS. McVEY** stated the displays are only illustrative of where a building would go; the final architecture is not determined. This is only showing a placeholder for a building. They have done an RFP for parking garage No. 2 on lot 23 and have held it in abeyance until further along with the main hotel. As they progress to a December hearing on the hotel, then they would be ready to get the RFP out the first of the year with updated construction costs. So they do have a second parking garage planned.

MS. GARCIA stated there were questions regarding trash/recycle bins, and those would all be included in the master list. They heard Council clearly on the proposed pedestrian walk. By moving it closer to The Strand, they can continue it all the way to Wisconsin. With the roundabouts, they can incorporate the sidewalks to meet those. That is a perfect place to cluster showers, trash, and recycle bins all in a uniform manner.

On the amphitheater, they will go back and work with the theater consultant they have on the team. The idea was the back could be enclosed or open, depending on the performance, as well as to use the green room facilities in the existing amphitheater restroom and building a new restroom facility there. So the facility would be there but in a different part of the complex. They will look very carefully at the amphitheater and options.

MR. WEISS stated that based on the input, they have general consensus to initially minimize the focus area to 'the core' area, which is the primary focus from Seagaze to just north of the community center, with the main focus on the amphitheater. They recognize the need to get input from Coastal Commission staff. This is just a vision; not the design for the amphitheater. We heard clearly the need for commissions' input and from theater people. We heard Council that there is to be no wave walk on the beach. He will discuss with staff regarding putting together some pier and restroom maintenance plans. In the last 2 budgets they have included \$100,000 for pier maintenance. They have been working on spike issues, so some items have already been addressed. As it relates to the vision, staff has general direction, and they will move forward on that.

2. **Public Communication on City Council Matters (off-agenda items)** -- None

ADJOURNMENT

MAYOR WOOD adjourned this Adjourned Meeting of the Oceanside City Council at 6:13 PM, August 22, 2007, announcing the special Council meeting scheduled for tomorrow, Thursday, August 23, 2007 at 4:00 PM.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne
City Clerk, City of Oceanside



California

CITY OF OCEANSIDE

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

THURSDAY, AUGUST 23, 2007

SPECIAL MEETING 4:00 PM Council Chambers

Mayor
HDB President
CDC Chair
Jim Wood

Deputy Mayor
HDB Vice President
CDC Vice Chair
Rocky Chavez

Councilmembers
HDB Directors
CDC Commissioners
Jerome Kern
Jack Feller
Esther Sanchez

City Clerk
HDB Secretary
CDC Secretary
Barbara Riegel Wayne

Treasurer
Rosemary Jones

Interim:
City Manager
HDB Chief Executive Officer
CDC Executive Director
Peter Weiss

City Attorney
HDB General Counsel
CDC General Counsel
John Mullen

For this regular and joint meeting, the Council sat as all 3 governing bodies [Council, HDB and CDC] simultaneously but took action as the respective agency for the jurisdiction covered by each item. Council titles only will be used for brevity throughout the entire meeting.

The special and joint meeting of the Oceanside City Council (Council), Small Craft Harbor District Board of Directors (HDB) and Community Development Commission (CDC) was called to order by Mayor Wood at 4:00 PM, Thursday, August 23, 2007. The pledge of allegiance was led by City Clerk Wayne.

Present were Mayor Wood, Deputy Mayor Chavez, and Councilmembers Feller and Kern. Councilmember Sanchez arrived at 4:07 PM. Also present were City Clerk Wayne and City Attorney John Mullen.

CLOSED SESSION ITEM:

- 1. PUBLIC EMPLOYEE APPOINTMENT, PUBLIC EMPLOYMENT, PERSONNEL EVALUATION**

PUBLIC EMPLOYEE APPOINTMENT: City Manager

Closed session on Item 1 was held from 4:07 to 4:16 PM.

- 2. Closed Session report by City Attorney**

CITY ATTORNEY MULLEN reported out of closed session that Item 1 was discussed, and Council, in closed session, by a 4-1 vote, with Councilmember Sanchez voting no, appointed Peter Weiss City Manager. The terms and conditions of his contract will be considered at the September 12 Council meeting.

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

3. **Public Communication on City Council Matters (off-agenda items)** -- None

ADJOURNMENT

MAYOR WOOD adjourned this Special meeting of the Oceanside City Council, Community Development Commission and Small Craft Harbor Board of Directors at 6:13 PM, August 23, 2007, to an adjourned Mayor/Council workshop to be held at 4:00 PM on Wednesday, August 29, 2007.

ACCEPTED BY COUNCIL:

Barbara Riegel Wayne
City Clerk, City of Oceanside