



California

ITEM NO. 3

CITY OF OCEANSIDE

JOINT MINUTES OF THE CITY COUNCIL SMALL CRAFT HARBOR DISTRICT BOARD OF DIRECTORS COMMUNITY DEVELOPMENT COMMISSION OCEANSIDE PUBLIC FINANCE AUTHORITY

JUNE 20, 2012

REGULAR MEETING **2:00 PM** **COUNCIL CHAMBERS**

2:00 PM - OCEANSIDE CITY COUNCIL (COUNCIL),
HARBOR DISTRICT BOARD OF DIRECTORS (HDB), AND
COMMUNITY DEVELOPMENT COMMISSION (CDC)
OCEANSIDE PUBLIC FINANCE AUTHORITY (OPFA)
- REGULAR BUSINESS

Mayor
HDB President
CDC Chair
OPFA Chair
Jim Wood

Deputy Mayor
HDB Vice President
CDC Vice Chair
OPFA Vice Chair
Jack Feller

Councilmembers
HDB Directors
CDC Commissioners
OPFA Directors
Esther Sanchez
Jerome M. Kern
Gary Felien

City Clerk
HDB Secretary
CDC Secretary
OPFA Secretary
Barbara Riegel Wayne

Treasurer
Gary Ernst

City Manager
HDB Chief Executive Officer
CDC Executive Director
OPFA Executive Director
Peter Weiss

City Attorney
HDB General Counsel
CDC General Counsel
OPFA Legal Counsel
John Mullen

For this regular and joint meeting, the Council sat as all 4 governing bodies [Council, HDB, CDC and OPFA] 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), Community Development Commission (CDC) and Oceanside Public Finance Authority (OPFA) was called to order by Mayor Wood at 2:00 PM, June 20, 2012.

2:00 PM - ROLL CALL

Present were Mayor Wood, Deputy Mayor Feller and Councilmembers Kern and

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

June 20, 2012

Joint Meeting Minutes
Council, HDB, CDC and OPFA

Felien. Councilmember Sanchez arrived at 2:02 PM. Also present were Assistant City Clerk Trobaugh, City Manager Weiss and City Attorney Mullen.

City Attorney Mullen titled the following items to be heard in Closed Session: Items 1, 2A and 2B.

[Closed Session and recess were held from 2:00 PM to 4:02 PM]

CITY COUNCIL, HDB, AND CDC CLOSED SESSION ITEMS

Closed Session to discuss litigation, property acquisition, labor relations and personnel matters

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

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

Item discussed (OFA, OFMA); no reportable action

2. CONFERENCE WITH REAL ESTATE NEGOTIATOR (SECTION 54956.8)

A) Property: Property bounded by Pacific Street, Myers Street, Seagaze Drive, and Civic Center Drive (APN 147-261-01 through 12; 147-076-1,2,3,10,11,12); Negotiating Parties: SD Malkin Properties; Negotiator for the City: Peter Weiss, City Manager, and John Mullen, City Attorney; Under Negotiations: Terms of Disposition Agreement and Lease

Item discussed; no reportable action

B) Property: Oceanside Marina Suites, 2008 Harbor Drive North (portion of APNs 143-120-06 and 09); Negotiating Parties: City of Oceanside and Pacific Suites, Inc.; Negotiator for the City: Douglas Eddow, Real Estate Manager; Under Negotiations: Price and terms for the lease of real property

Item discussed; no reportable action

4:00 PM – ROLL CALL

MAYOR WOOD reconvened the meeting at 4:02 PM. Present were Mayor Wood, Deputy Mayor Feller and Councilmembers Sanchez, Kern and Felien. Also present were Assistant City Clerk Trobaugh, City Manager Weiss and City Attorney Mullen.

CONSENT CALENDAR ITEMS [Items 3-12]

The items listed on the Consent Calendar may be enacted by a single vote. There will be no separate discussion of any Consent Calendar items unless requested by members of the Council/HDB/CDC or the public through submittal of a Request to Speak form prior to the commencement of this agenda item.

The following Consent Calendar items were submitted for approval:

3. City Council/Harbor/CDC/OPFA: Acceptance of Joint Minutes of the Small Craft Harbor

District Board of Directors, Community Development Commission, City Council, and Oceanside Public Financing Authority of the following meetings:

March 16, 2011, 4:00 p.m. Regular Meeting of the City Council/CDC/Harbor
April 5, 2011, 4:00 p.m. Adjourned Meeting of the City Council
February 1, 2012, 2:00 p.m. Regular Meeting
February 28, 2012, 9:00 a.m. Special Meeting of the City Council
February 29, 2012, 4:00 p.m. Special Meeting of the City Council

4. City Council/Harbor/CDC/OPFA: 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)
5. City Council: Approval of the plans and specifications for the Morro Heights Road Improvement project, and authorization for the City Engineer to call for bids
6. City Council: Approval of annual purchase orders for the purchase of equipment, supplies, materials, and services in amounts over \$50,000 for the Information Technologies Division and associated funds; and authorization for the Financial Services Director, or designee, to execute the annual purchase orders for FY 2012-2013
7. City Council: Approval of Amendment 2 (**Document No. 12-D0397-1**) to the CPI Property Lease Agreement with Manheim Investments, Inc., for the premises located at 4691 Calle Joven, decreasing the square footage of the premises and extending the term of the agreement to May 23, 2016, for total revenue in the amount of \$565,531.16; and authorization for the City Manager to execute the amendment
8. City Council: Approval of Amendment 4 (**Document No. 12-D0398-1**) in the amount of \$114,779 to the professional services agreement with Taylor Group, Inc., for the environmental remediation and wells abandonment services for 1617 Mission Avenue (former Police Fueling Facility), for final work to conclude the project; authorization for the City Manager to execute the amendment; and approval of a budget appropriation in the amount of \$63,000 from the Public Facilities Fees Unallocated Fund 503 Balance to the project account to complete the funding for the project
9. City Council: Acceptance of the Treasurer's Report (**Document No. 12-D0400-1**) for the quarter ended March 31, 2012, and adoption of **Resolution No. 12-R0399-1**, "...approving the Policy for the Investment of City of Oceanside Funds".
10. City Council: Acceptance of grant funds in the amount of \$60,000 from the California Department of Transportation Division of Aeronautics awarded to the City of Oceanside, as the sponsor, for improvements to the Oceanside Municipal Airport; and approval to appropriate these funds to the Airport Maintenance and Operation Fund
11. City Council: Adoption of three resolutions related to the Oceanside General Municipal Election to be held on November 6, 2012: **Resolution No. 12-R0401-1**, "...calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 6, 2012, for the election of Mayor, two members of the City Council, City Clerk and City Treasurer"; **Resolution No. 12-R0402-1**, "...requesting the Board of Supervisors of the County of San Diego to consolidate the General Municipal Election to be held on Tuesday, November 6, 2012, pursuant to Section 10403 of the Elections Code", with the Statewide General Election; and **Resolution No. 12-R0403-1**, "...adopting regulations for candidates for elective office, pertaining to materials submitted to the electorate and the costs thereof for the General Municipal Election to be held on Tuesday, November 6, 2012"
12. City Council: Authorization for the City Engineer to call for bids for construction of the Harbor Lift Station No. 4 Force Main Replacement project located north of the San Luis

Rey River and east of the Pacific Street Bridge at Harbor Drive South

DEPUTY MAYOR SANCHEZ moved approval of the Consent Calendar [Items 3-12].

DEPUTY MAYOR FELLER seconded the motion.

Motion was approved 5-0.

GENERAL ITEMS

General Items are normally heard after any 5:00 p.m. Public Hearing Items. However, if time permits, some General Items may be heard prior to any 5:00 p.m. Public Hearing Items, following the Consent Calendar.

13. **City Council: Approval of the City of Oceanside Zero Waste Strategic Resources Management Plan, and direction to staff to implement the elements of the Plan beginning in FY 2012-13**

COLLEEN FOSTER, Management Analyst, stated on August 25, 2010, the Council unanimously passed a resolution to request staff to develop a Zero Waste Strategic Resources Management Plan. This plan called for achieving a 75% waste diversion by 2020. From that point on, staff has been working with Zero Waste & Associates to develop a Zero Waste Strategic Plan. We went through a Request for Proposals (RFP) process and we selected a very qualified consulting firm.

Since 2010, we have held multiple meetings with stakeholders, as well as workshops in our community. In August of 2011, we kicked off development of the Plan and we commenced facility tours and interviews with major stakeholders and partners within the community. In November of 2011, we held 4 workshops with over 100 citizens and stakeholders. Those workshops discussed issues concerning reducing waste, reusing, recycling and compost. We solicited major feedback from our stakeholders from those workshops.

The Zero Waste Plan process depended upon the work that we received from the Integrated Waste Commission (IWC). They supported the development of the Plan all the way through. The Zero Waste Subcommittee, in particular, worked closely with staff and Zero Waste & Associates to develop this Plan. She recognized members of the Integrated Waste Commission.

In May of 2012, after working on the Plan for a year, the IWC recommended approval. That is what she is presenting today, our Zero Waste Strategic Resource Management Plan.

Today Oceanside is already a leader in regards to waste diversion. We had a 67% diversion rate in 2010. Our Zero Waste Plan calls for 75% diversion. We do expect increased diversion from our new automated services with our new agreement with Waste Management. We also expect an increase in recycling once we start implementation of AB 341, California's mandatory commercial recycling mandate, which becomes effective July 1, 2013. From the increase in recycling, there is a potential value of materials of over \$8,000,000 in commodities. By recycling and reducing our waste stream, we can actually save money and maybe earn money down the road.

Oceanside is in the process of significantly enhancing our diversion through new services. We have the new 3 cart system. In the past 4 months we've already seen a significant jump in participation by recycling. We now have our small quantity generator program, which is a financial incentive to reduce waste and recycle more. Because of this, it really helps with the zero waste recommendation to support implementation of

new services to increase waste reduction and recycling. Basically, the Zero Waste Strategic Plan before Council today calls upon using existing resources and services to keep costs low and improve our diversion rates and ability to maintain compliance with State mandates.

We also have our Green Oceanside campaign. Over the last 4 years, we've developed an effective campaign in developing community awareness about all of Oceanside's sustainability efforts. The Zero Waste Strategic Resource Plan calls upon enhancing educational opportunities with our business community, residential areas and schools to further support our Green Oceanside environmental objectives. The Plan supports partnerships and grant opportunities to keep costs at a minimum.

AB 341, California's mandatory commercial recycling mandate, is a major component of implementation for this Plan. Whether or not we're implementing a Zero Waste Plan or not, all cities are required to meet compliance for AB 341. AB 341, which becomes effective July 1, 2013, requires all major businesses to recycle and sets new statewide goals of 75% recycling. This Plan calls for a 75% diversion rate, which is the same diversion rate that the State is calling for by 2020. Zero Waste Plan recommendations include expanding education of resource opportunity to the business sector to encourage and support adoption of waste reduction and recycling. AB 341 in particular does have a very specific timeline starting July 1st.

Over the past few months, staff has worked with Cal Recycle to develop our strategies and meet compliance. We are going to be required to report on our initial compliance measures as early as summer of 2013. This summer and winter, we're going to be contacting all major commercial entities that meet the standards and helping them set up recycling, if they have not already done so. This is a component of our plan, but it is also something staff is working on to meet compliance. The Plan further supports our efforts to meet compliance with AB 341 and meet the 75% threshold.

The Zero Waste Plan supports partnerships and recognizes that businesses are leading the way. One of the great things about the community workshops is the representation we received from the business community. Businesses are leading the way in regards to zero waste, such as Vons and Safeway. Both Albertson's in Oceanside will be zero waste Albertson's within the year. They are a major supporter of the Zero Waste Strategic Plan. They attended our workshops and have voiced their support for the City in adopting this plan. Other supporters are Point Loma Nazarene University, as well as the U.S. Military, who had set up a net zero program. That program provides a potential partnership opportunity with Camp Pendleton. She also recognized local partners who have supported development of the plan.

Residents, businesses and schools all want to compost more, especially food scraps. Organic recycling is a major component of reducing your waste stream. Organics represent up to 50% of our waste stream. This has a huge potential to gain value from adopting this plan and moving forward with our diversion goals. Our zero waste recommendation within the plan is to expand home composting programs and food donations, which will ultimately lower waste bills by expanding business and residential curbside composting options. Down the road, one component of the plan is to look into potential curbside and commercial composting in Phase II of the plan.

Initially, there are some great opportunities that we're already learning to develop, especially in our home composting system and also composting programs at our school district.

The overall recommendations within the Zero Waste Strategic Plan before Council are new policies for reuse, recycling and composting to encourage local partners

to invest in programs required to waste less and recycle more. The City's primary goal is to meet State mandates and community expectations through the adoption of policies and incentives that educate, promote and reinforce our zero waste goal – 75% diversion at 2020.

The plan recommends Phase I from 2012 to 2017, working off our existing programs, updating our ordinance to reflect new services and mandates, implementing policies and programs for environmental preferable purchasing, waste reducing, expanding food donation and composting options, and expanding our Green Oceanside outreach education plan. Phase II is from 2017 to 2020 and focuses more on opportunities in regards to facility development and composting.

This plan is identified as a no-cost strategic option. The \$175,000 quoted in Phase I is our current operating budget to comply with our AB 939 mandate: contract management and education outreach to provide services and opportunities to reduce our waste stream. Grant funding is also used to supplement these costs. The \$1,000,000 for Phase II is a rough estimate and is more dependent on what opportunities come up at that point in time.

For Oceanside to reach its goal of 75% by 2020, we need to divert another 15,000 tons per year of materials from landfills. Staff's recommendation is for Council to adopt and implement the Zero Waste Strategic Resource Management Plan to get to 75% diversion by 2020.

Public input

CORRINA GOODWIN, 1310 Avocado Road, Palmquist Elementary School, stated we are trying to educate our children about the environment, as well as learning how to reduce, reuse and recycle. We have done a school-wide waste audit that lasted one week where we collected all of the waste from the entire school. We weighed and measured it and then diverted what we could every day for 7 days. From there, we took that data and showed the children, staff and parents how much we were already throwing into our waste stream, which was about 48%. During that one week, we had our children do waste sort at lunch time: compost, recycle, trash and other. We then went to the classrooms and did student and teacher education on what reduce, reuse and recycle is. Four weeks later we ran the waste sort again, and we found we were close to the 75% waste diversion. We went from 48% to about 74%. We also created our Student Green Team.

CAMERON BROWN, youth, thanked Council for making recycling a priority in Oceanside. We are already a leader in California as we produce 4 pounds of waste per person, and the State minimum is 6.3 pounds per person. We can't stop here. Please consider this zero waste plan. If we don't move beyond the recycling, we will continue to shut-down full landfills, breathe dirty air, pollute our water and beaches and generally harm our environment. For the youth in our community, zero waste is vital. If we continue producing trash at our current rate, when he is 60, we will produce nearly 1,000,000,000 tons of trash per year. In nature, every bit of waste is reused. The goal of zero waste is reused. The goal of zero waste is to mimic nature. The benefits of zero waste are less need for raw materials, faster progress, sustainability support and money savings. With today's economic struggles, saving money should be reason enough to choose the zero waste plan. He hopes Council will do it for the youth in our community.

JARED VILLNUEVA, youth, read from a letter previously sent to Mayor Wood that stated Palmquist Elementary has a zero waste program and a Green Team that helps our program. The City needs to start a zero waste program because we use way too much trash. It harms our environment and ends up in our ocean, which harms sea life. Every day we produce tons of trash in the City, but we can change that. If we

reduce our trash, it will keep our landfills not as full. A lot of trash ends up in our environment and makes it look ugly. Many of our sea life are being harmed by pollution and trash. On a field trip to the Harbor, we scooped up what was in the ocean, and we saw a ton of man-made trash floating in the ocean. We also saw a seagull trying to eat a plastic bag. It's obvious that a zero waste program is right for the City. Some might argue that we can't be zero waste or that recycling is a waste of time; however, trying to be zero waste is better than not trying. A zero waste program is very important because it will make a difference in the future.

GEORGIA RORIPAUGH, youth, is a firm believer that we need to have zero waste all over the planet because if we keep piling up trash, we will have no planet left to live on. Recycling saves resources. If we use them all up, we will not survive. Palmquist Elementary is taking charge in zero waste. She is a student at Palmquist, and we have a Green Team of parents and more than a dozen students that assist in this excellent program. With all due respect, please support our school and our plan for zero waste.

JIMMY KNOTT, 127 Sherri Lane, stated many mobile home parks have rules or management edicts against composting for individuals and community composting. We have recycling containers in the parks, with a lot of parks being accessible to the community; a lot of people go through our dumpsters and take out the recyclables. There needs to be increased Code Enforcement for this problem. We also have people, like construction workers, from outside the park dumping trash in our dumpsters. The park managers struggle with this constantly. When there is a need for revision of service, because the park owners have the contract with the waste hauler, it's slow or it never comes. This needs to be corrected.

Public input concluded

COUNCILMEMBER SANCHEZ stated this is a wonderful plan. She had a chance to attend Palmquist's distinguished school celebration, and we talked about being a zero waste school. These kids are leading our City to zero waste. Palmquist is the model school that 4 other schools are looking at to see how they were able to cut costs for the school district and use that saving towards the students rather than toward waste. She congratulated and thanked the participants at Palmquist.

The Girl Scouts were able to bring the first recycle bin to our beaches. She thanked them. They are thinking about making this world a better place and doing it.

It was exciting a couple of years ago to have a 5-0 vote recognizing that zero waste, as a goal, was going to bring us jobs and lower our costs eventually. We have some educating that we have to do, and we have to relearn things. Oceanside is the leader in the County and perhaps in the State. We threw out a challenge, and Waste Management said they would be the first waste hauler addressing zero waste goals and making it happen. She thanked Waste Management and our Integrated Waste Commission.

Council has seen the benefit of this. Above and beyond it being the right thing to do, it creates jobs. The City is a leader and is showing everybody how it's done.

She **moved** approval [of the City of Oceanside Zero Waste Strategic Resources Management Plan **[Document No. 12-D0404-1]**, and direction to staff to implement the elements of the Plan beginning in FY 2012-13].

DEPUTY MAYOR FELLER **seconded** the motion. Palmquist has fantastic parent participation in this, and that makes just about everything more successful.

Page 2 says a new single stream, single container recycling program. By single stream, you're talking about combining all of the recyclables in one container, is that correct?

MS. FOSTER responded single stream is our current system that we just transitioned to. All of our recyclables are now in the one blue container: paper, bottles and cans.

DEPUTY MAYOR FELLER asked what food donation means.

MS. FOSTER responded there are many options of that, but primarily that is if restaurants or stores have edible food, we can set up avenues and relationships with local community and resource centers to donate those foods. We're trying to reduce the amount of food destroyed.

DEPUTY MAYOR FELLER stated there is a lot of need there, especially with the churches. Many of the churches are huge contributors to the needy.

What does "enforcement for voluntary compliance" mean?

MS. FOSTER responded we're encouraging voluntary compliance, especially with AB 341. We're not looking to give tickets to businesses. We're not allowed to do that. The State mandate encourages voluntary compliance. It's putting the emphasis on education outreach to the business community.

DEPUTY MAYOR FELLER clarified that enforcement means we're helping them understand what we're trying to do.

MS. FOSTER stated it's more related to monitoring. The components of AB 341 require education outreach and monitoring.

DEPUTY MAYOR FELLER stated there are 3 Albertson's in Oceanside. Are you getting them all?

MS. FOSTER responded we're getting them all. All of the Albertson's are moving to zero waste.

DEPUTY MAYOR FELLER has always been a proponent of material recovery facilities, like what was designed in El Cajon. What is their diversion rate? They're probably close to 75%. What they do is run everything across a conveyor to get sorted. Very little goes to the landfill. Is that what you're talking about in 2017 to 2020, looking at a facility that does that type of thing?

MS. FOSTER responded the plan focuses on a reuse-centered facility. Currently, we have our bulky item pick-up where Waste Management drives by and picks up bulky items. A lot of those materials can be recaptured. A desk or a chair can be sold again. Potentially, one of the options in Phase II is to look at developing the relationships with local Salvation Armies and those types of thrift store facilities. We need to develop a facility where the bulky item truck is going through that facility first, and those materials are being picked out and potentially sold. So there is a lot of commodities in our waste stream.

DEPUTY MAYOR FELLER doesn't want to discount the recovery facility. That's an important thing to get to zero waste.

COUNCILMEMBER KERN asked if the 75% refers to weight or volume.

MS. FOSTER responded the 75% is in regards to tonnage. The Cal Recycle measuring system is focused on pounds per person per day. We had an expert over at Palmquist who was talking about that. If you would relate the pounds per person per day, they're looking towards a 75% recycling goal. That is 75% of the materials out of the landfill. It is based on tonnage received.

COUNCILMEMBER KERN stated then as our population increases over time, we're still going to base our recovery rate on the number of people and pounds per day, not just what our weight is now. Is that correct?

MS. FOSTER responded yes.

COUNCILMEMBER KERN stated we've had the blue bins for a few months now. Do we have any numbers on how much before versus now?

LORI SUMMERS, Waste Management of North County, responded we have been looking at that, and it's about a 40% increase that we're seeing with recycling for residential.

COUNCILMEMBER KERN asked if with the month over month increases we see a trend line coming up as time goes on.

MS. SUMMERS responded that usually at the beginning of these programs is where you really see the spike. It's something new, and a lot of education has gone out. It will probably balance out or go into a slow mode. If we keep doing education, we'll keep seeing the bumps. Historically, all cities increase between 40% and 50% when they go to the single blue bin.

COUNCILMEMBER KERN stated that's the lesson we learn from Palmquist. It shows what can happen by giving education to people. Our task is to educate people at home on how to continue to use the blue bins, recycling on the beach, etc. It creates a habit. It creates a lifetime of learning how to recycle and reuse for those kids at Palmquist.

COUNCILMEMBER FELIEN stated it was mentioned that our goal is to get to 75% by 2020. What percentage are we at now?

MS. FOSTER responded we are currently at 67%.

COUNCILMEMBER FELIEN stated that seems very doable over 8 years. He extended his accolades for the Girl Scouts and the students at Palmquist.

MAYOR WOOD thanked everyone for their efforts.

Motion was approved 5-0.

14. **City Council: Approval of a five-year Property Lease Agreement with Allied Gardens Towing, Inc., dba Road One, of San Diego for their use of City-owned Property located south of North River Road between Calle Montecito and Redondo Drive, to be used primarily as a towing and impound facility, with revenue to the City in the minimum amount of \$390,000 annually; adoption of a resolution changing the Oceanside Police Department Towing Operator Regulations and the Master Towing Contractors Agreement mandating that all vehicles impounded at the request of OPD be stored and impounded at the City-owned property; and authorization for the City Manager to execute the agreement**

MAYOR WOOD received a lot of emails and phone calls on this item and would recommend a continuance in order to get more feedback. That will be up to Council. He **moved** to continue this item in order to get more information.

COUNCILMEMBER KERN asked if we have to move it to a date certain.

COUNCILMEMBER SANCHEZ responded no, it's a General Item.

CITY MANAGER WEISS suggested it be moved to July 5, 2013.

CITY ATTORNEY MULLEN stated this is not a public hearing. You don't need to give us the date.

COUNCILMEMBER SANCHEZ is prepared to go forward today, but if the Mayor wants a continuance that's fine. She has some very strong thoughts and opinions on this.

MAYOR WOOD knows that some people are prepared to go forward with this today, but he got input from a lot of people wanting more information.

COUNCILMEMBER KERN **seconded** the motion. One of our responsibilities on the dais is to make an informed decision. If we have people who feel they aren't fully informed, then we should wait until everybody is comfortable with the information they have.

COUNCILMEMBER SANCHEZ will support the Mayor's motion. She's had the opportunity to speak to the towing companies in Oceanside. We're talking about eliminating 4 businesses and creating a monopoly with this item.

MAYOR WOOD stated if Council doesn't have enough information about this item to make a decision, we'll be getting it from people outside of Council and staff. People are saying they don't know about this and have even hired legal counsel to address it. If you combine all of these businesses and how long they've been in Oceanside, it would probably come to over 10 years.

MAYOR WOOD asked if this is continued would people still speak today or come back when it's back on the agenda.

CITY ATTORNEY MULLEN responded it's on the agenda today, so people have the right to speak. If the majority of the Council supports a continuance then no action is going to be taken other than continuing it. Speakers would still have a right to speak tonight, but there would be no reason to.

COUNCILMEMBER FELIEN is concerned with this issue as well. He supports the continuance. He would not be prepared to vote yes if we voted tonight. He's concerned about the issue of a monopoly and would like that addressed. He wonders if it's worth hearing the staff report and speakers in order to get this laid out on the table. That way we'd have an idea of what's at stake, and the public will have something to respond to. He understands what the position of the City is.

DEPUTY MAYOR FELLER is very familiar with this business as he previously worked in it in the 1990's. He knows all of these people who are affected. He's not sure we have done the right Request for Proposals (RFP) that explained everything to those that would be applying. He's ready to decide today, but if it's the will that we continue it to July 5th, by then they will have contributed even more to the community.

MAYOR WOOD can see this will be continued so we can all be informed. If we

vote to continue, the public can still come up and address the issue of a continuance if you've turned in a Request to Speak form.

Motion was approved 5-0.

15. **City Council: Approval of a two-year lease agreement with CityMark Oceanside, LLC, for the City's use of approximately 2.4 acres of land (APN 147-350-18 and 19) along Cleveland Street between Pier View Way and Seagaze Drive, to provide continued interim public parking at a cost to the City in the annual amount of \$1,200 plus approximately \$30,844 annually for City-provided maintenance of the property; and authorization for the City Manager to execute the agreement**

KATHY BRANN, Downtown Development Manager, stated this item is for 2 downtown parking lots on the east side of the railroad tracks. Initially, the CDC entered into a lease agreement with CKatellus, who back then owned the properties. The lease agreement was to provide interim parking in the downtown area to help supplement parking at the time that wasn't being provided. Technically, this lease was due to expire at either 5 years, or when the North County Transit Center parking lot got constructed. We have had an agreement with CityMark that we would continue to pay the lease payments to continue to supplement the parking in the downtown. However, as a result of the elimination of the Redevelopment Agencies, we have to switch this agreement from the CDC to the City. In addition, the Redevelopment Agency has been paying \$60,000 per year to lease these 2 parking lots, and we had to renegotiate that down to \$100 per year. Although they weren't happy about it, they were willing to do that to show good faith. They're a good neighbor, and they want to continue to provide parking in the downtown.

As shown in the staff report, there are some costs that we've been paying for - the maintenance and striping, etc. We get income from some of the parking in that lot. All in all, it far outweighs the benefit of having the surplus parking in the downtown.

Staff recommends that Council approve a 2-year lease agreement with CityMark, LLC, for the use of those 2 parking lots on Cleveland and Pier View, and to continue to provide the inner parking and authorize the City Manager to execute the agreement.

COUNCILMEMBER SANCHEZ moved approval [of a two-year lease agreement [**Document No. 12-D0405-1**] with CityMark Oceanside, LLC, for the City's use of approximately 2.4 acres of land (APN 147-350-18 and 19) along Cleveland Street between Pier View Way and Seagaze Drive, to provide continued interim public parking at a cost to the City in the annual amount of \$1,200 plus approximately \$30,844 annually for City-provided maintenance of the property; and authorization for the City Manager to execute the agreement].

COUNCILMEMBER KERN seconded the motion.

Motion was approved 5-0.

16. **City Council: Approval of the Operating and Maintenance Agreement with MainStreet Oceanside, Inc., for a public art piece and directional signs for the period of February 1, 2012, through February 1, 2013, at no cost to the City, and authorization for the City Manager to execute the agreement**

KATHY BRANN, Downtown Development Manager, stated the CDC has had an agreement since 2009 for a kiosk program. We created a kiosk program that allowed visitors, tourists and people coming into downtown to be able to look at a map and see all of the different restaurants and places they could visit. In addition, there is also

signage that talks about upcoming events. We have had MainStreet manage that kiosk for us for a number of years.

Before the end of Redevelopment, we actually had some money set aside so we could build 3 more kiosks: one at the North County Transit property, one at the North County Transit public parking lot, and one on the east side of the underpass under the railroad tracks. It's been highly popular. Right now MainStreet is not really making any money with the program because they had to renovate the sign at Windham and the art piece. Hopefully in the future they'll realize some income from this.

Staff recommends entering into a 1-year lease agreement with MainStreet.

COUNCILMEMBER KERN moved approval [of the Operating and Maintenance Agreement **[Document No. 12-D0406-1]** with MainStreet Oceanside, Inc., for a public art piece and directional signs for the period of February 1, 2012, through February 1, 2013, at no cost to the City, and authorization for the City Manager to execute the agreement].

COUNCILMEMBER SANCHEZ seconded the motion.

Motion was approved 5-0.

INTRODUCTION AND ADOPTION OF ORDINANCES

The following items are ordinances for introduction or adoption by the City Council/HDB/CDC/OPFA. Ordinances are laws of the City of Oceanside and require introduction and adoption at two separate City Council meetings (urgency ordinances are an exception, and may be introduced and adopted at one meeting as an emergency measure). The City Council/HDB/CDC/OPFA has adopted a policy that it is sufficient to read the title of ordinances at the time of introduction and adoption, and that full reading of ordinances may be waived. After the City Attorney has read the titles, the City Council/HDB/CDC/OPFA may introduce or adopt the ordinances below in a single vote. There will be no discussion of the items unless requested by members of the City Council/HDB/CDC/OPFA or the public through submittal of a Request to Speak form prior to the commencement of this agenda item.

26. **City Council: Adoption of an ordinance of the City Council of the City of Oceanside amending Chapter 8 Section 5 of the Oceanside City Code increasing card room gross revenue fees** *(introduced on June 6, 2012, 5-0 vote)*

After titling of the ordinance, **COUNCILMEMBER SANCHEZ moved** approval of **Ordinance No. 12-OR0407-1**, "...amending Chapter 8 Section 5 of the Oceanside City Code increasing card room gross revenue fees".

MAYOR WOOD seconded the motion.

Motion was approved 5-0.

[Recess was held from 4:54 PM to 5:13 PM]

5:00 – ROLL CALL

Mayor Wood reconvened the meeting at 5:13 PM. All Councilmembers were present.

INVOCATION – Pastor David Skates

PLEDGE OF ALLEGIANCE – team members from Oceanside Girls Softball Association

PROCLAMATIONS AND PRESENTATIONS –

Presentation – “Pet of the Month” presented by Elkie Wills, San Diego County Humane Society & SPCA

Presentation – Employee Service Awards

Presentation – Mayor’s Youth Sports Recognition and Appreciation Award

Off agenda – Presentation – John Craven Memorial Award by San Diego Housing Federation to Margery Pierce, Neighborhood Services Director

Presentations were made

CLOSED SESSION REPORT

22. Closed Session report by City Attorney

CITY ATTORNEY MULLEN reported on the items discussed in Closed Session: Items 1, 2A and 2B.

PUBLIC COMMUNICATIONS ON OFF-AGENDA ITEMS

No action will be taken by the City 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

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

CATHY NYKIEL, MainStreet Oceanside, reminded everyone that Thursday is market day in Oceanside with the Farmer’s Market in the morning and the Sunset Market in the evening.

This year’s Independence Day Parade theme is Amazing American Heroes. We have 105 participating groups who entered this year for the parade, which is on June 30th at 10:00 a.m. on Coast Highway from Wisconsin to Civic Center Drive. The parade is funded through donations and manned and coordinated through volunteers. She thanked all of the donors and volunteers.

PAUL NEVINS, 2014 Mountain Vista Way, stated a lot of the merchants on Coast Highway are concerned about not seeing the Coast Vision Plan going ahead. Del Mar is pushing the same sort of plan and implementing it. Solana Beach, Encinitas and Carlsbad all have plans as well. They are all redoing their Coast Highway and making a more friendly atmosphere. They will draw what little business we have left here down to their cities. We have to pay attention to what effect our transportation policies have on the local merchants in our community. He trusts Council will take that into consideration and do the best for our job creators.

FRED ATCHLEY, 4872 Cardiff Bay Drive, Palomar Amateur Radio Club, invited everyone to their Annual Field Day. It demonstrates their ability to convert a vacant lot into an emergency communications hub with all facilities, including electricity. He thanked the City for their support of amateur radio service.

5:00 P.M. – PUBLIC HEARING ITEMS

Public hearing items are “time-certain” and are heard beginning at 5:00 p.m. Due to the time-certain requirement, other items may be taken out of order on the agenda to accommodate the 5:00 p.m. public hearing schedule.

24. City Council: Consideration of a General Plan Amendment (GPA 10-00001) and Local Coastal Program Amendment (LCPA 12-00002) to allow updates to

the City's Circulation Element and to bring them into conformance with the long-range planning and policy direction to guide growth and preserve the quality of life within the City of Oceanside; and introduction of an ordinance and adoption of a two resolutions to effect these amendments – Applicant: City of Oceanside *(Continued from June 6, 2012, for Council discussion/action only)*

ASSISTANT CITY CLERK TROBAUGH reminded Council that the public hearing on this matter was held on June 6, 2013, with public input at that time. The hearing is now closed and Council discussion is being continued.

MAYOR WOOD received some calls and emails after that hearing. That meeting went long so we let the public have their input and then closed the hearing and came to Council. Some people were concerned that the meeting was stopped at 10:00 PM, which is our policy. We continued it to this date. If he continues this to another date, he cannot reopen it to the public, unless we continue it from this date to another date where it is notified to the public for a hearing. He's not sure Council approves of that. He asked for clarification from the City Attorney.

CITY ATTORNEY MULLEN stated the question posed to him was if you could reopen the hearing at this meeting and the answer, under City Code 2.1.42, is no. No public hearing may be reopened without due and proper notice being given to the applicant and opponents of the project designating the time and place of said reopening. If it were Council's desire to take additional public testimony after you've already held the public hearing and closed it, you would have to continue it to a date, and that hearing would have to be noticed. Otherwise, Council is free to move forward today with the Council discussion and direction.

MAYOR WOOD heard on that night from the Councilmembers that they wanted to start at this particular point and not reopen.

COUNCILMEMBER SANCHEZ started to say at the previous hearing that she believes the recommendations with respect to how staff created Alternatives 1 and 2 were highly arbitrary, as did the Planning Commission. The recommendations turn the City on its head. For Coast Highway, the recommendation is to turn it into a neighborhood street. The recommendation for Rancho del Oro Road is to turn it into a highway. There does not appear to be uniform policies contained in the Circulation Element.

We have the perfect opportunity to become a walkable, bicycle-friendly community, integrating and planning for Class A bicycle lanes. Long Beach has been talking about implementing Class A bicycle lanes, and she thought Oceanside would be first with that. We're losing a valuable opportunity. We have the perfect opportunity at Rancho del Oro Road to create Class A bicycle lanes to connect to El Corazon. We're trying to get safe routes in order to get people out of their cars and onto their bikes. There is a vision for El Corazon Park to be for families and all kinds of activities, and to incorporate bicycles in that project. This is a lost opportunity.

With respect to Rancho del Oro interchange, she incorporated by reference the Council action that took it off the Circulation Element and the findings. That project has no business on our Circulation Element anymore. The rationale for it, when the City first drew it's grid, was that it was going to be a regional project. It was supposed to be commercial land, which would have been the perfect use for an interchange. Instead, there were land-use changes, creating residential. Carlsbad decided not to be the lead agency on that bridge. They've had so many changes in their land-use that it no longer makes sense for them to have a connection.

Staff is thinking we can go forward with a half interchange, but Caltrans was very clear when we were discussing what do to about a Rancho del Oro interchange. They said no. They would not approve a half interchange. It is a tax bill because it has no possibility from the federal government or the State. It's a highly controversial project that does not make sense.

Best case scenario is that it's a tax bill. Worst case scenario is that it's going to give developers the right to build higher densities because they're going to be able to use the fact that it's on a Circulation Element to say the traffic counts make sense. On Carlsbad's side, their high density projects coming down the pike are going to impact Oceanside residents and traffic in a very negative way.

Regarding the Pala Road extension, she believes this was something we had already discussed and decided. She incorporated by reference Council's action in removing it from the Circulation Element, as well as the findings that had to do with the project. Also, the residents had gone through several stages of higher density and traffic. They had another housing project, a school and the impacts of this very large shopping mall project. In exchange for supporting the shopping mall, they said they didn't want the Pala Road extension. Pala Road extension also means having to mitigate mitigation. It's remitigating mitigation land. That's counterproductive. The City has already spent money to mitigate. We would have to put a road through mitigation, which is a highly expensive project. That doesn't make sense either.

The Melrose Bridge is something Council has taken action on. She incorporated by reference the Council action and the findings that Council made with respect to taking the bridge off. It makes no sense. If we're going to maintain agricultural lands in South Morro Hills, then we must not build that bridge.

When she first came on the Council, she got information from the City Planner explaining why the City was laid out the way it was and why there were no fees being collected for the bridge or for anything having to do with potential future development. We had to do it because we wanted to maintain what we had. It makes sense. You create densities where you have the services and roads. You don't create densities where you don't have those. This is not smart planning. We need a diversification of our economy in Oceanside. The idea that we're planning for all residential in Oceanside doesn't make sense. It would not be a good vision for us.

Practically all of the farmers bought with the current designation land-use, which is agricultural. If they do not want to farm anymore, they can go down to 2.5 acre lots. She is hoping Oceanside can lead in agri-tourism and wineries. This is something everyone has been talking about, and we have the perfect climate and land. She cannot support placing the Melrose Bridge back on.

She supports Jeffries Ranch Road. When we planned for High Hope Ranch and talked about the development, there was an agreement that there would be a right turn in/right turn out at Jeffries Ranch Road. Staff stated that as well. For whatever reason, we did not comment on Caltrans' plan to close it. When it happened, no one really knew it was going to happen. That's discouraging. Having Jeffries Ranch Road open is going to provide public safety to that community. There was some discussion about closing it for the widening of Highway 76, but based on the discussions and development that was being proposed, we promised our residents that we'd have a right turn in/right turn out. In the scheme of things, it would not be that expensive, and we need to make good on that promise.

We need to go back to the drawing board. We also need more public meetings. There was a gentleman here who didn't even know about the Pala Road extension. We should have had these meetings at the community level. She doesn't know why we only

had one or two in the Council chambers. That doesn't satisfy the public input. In going back to the drawing board, we should integrate more livable cities policies, including walkability and bicycle friendly. She's heard the argument that we should be going forward on the land-use updates before we go forward on our Circulation Element. We need to decide what we want to do in the City and then how we're going to move people from one place to the next.

The alternatives on the chart on Page 4 seem arbitrary with Alternative 1 and Alternative 2. We haven't done enough to really decide where we should go in the next 40 to 50 years. She cannot support staff's recommendation.

COUNCILMEMBER FELIEN stated we also have the alternative of keeping the current Circulation Element, is that correct?

JOHN AMBERSON, Transportation Planner, responded that is correct.

COUNCILMEMBER FELIEN's goal is to keep the maximum options available. It's likely that some projects wouldn't get developed. Times change, but as a City we should keep the maximum flexibility possible. On the current Circulation Element, is the Pala Road extension included in that?

MR. AMBERSON responded yes.

COUNCILMEMBER FELIEN asked if the Melrose Bridge going to North River Road is in the current Circulation Element.

MR. AMBERSON responded yes.

COUNCILMEMBER FELIEN asked if there is any project listed here that is not included in the current Circulation Element.

MR. AMBERSON responded yes. We have Coast Highway at 2 lanes, as identified in the Vision Plan, as part of Alternative 2.

COUNCILMEMBER FELIEN knows that some of the shrinking projects aren't there and the making Mission Avenue one-way. Is there anything that's making things bigger on this that's not on the current Circulation Element?

MR. AMBERSON responded no.

COUNCILMEMBER FELIEN stated so anything here that's modifying it is basically to shrink down.

MR. AMBERSON responded yes.

Regarding the Coast Vision Plan and the issue of the roundabouts versus the traffic signals, **COUNCILMEMBER FELIEN** has received a lot of phone calls and emails and would like the public to understand some of the trade-offs. In terms of shrinking Coast Highway down from 2 lanes to 1 lane and putting in roundabouts, how do roundabouts compare to signals in terms of safety and handling traffic flow for any given size?

MR. AMBERSON responded generally roundabouts have a greater level of capacity; they can move more traffic through the intersection. It's generally safe for pedestrians. The challenge that we're faced with on Coast Highway is that we have an existing roadway with existing intersections and businesses that are literally right up to the curbs. In order to fit a roundabout and still maintain the same level of capacity at

the existing intersections, we'd have to either blow out some of the existing buildings to widen the intersection to get 2 lanes of capacity through the intersection with a roundabout, or retrofit a roundabout with just one lane of capacity. That seems to be more feasible, but there would be impacts associated with that in terms of capacity, levels of service and operations of traffic on Coast Highway.

COUNCILMEMBER FELIEN stated one of the issues that he's heard was the idea of discouraging traffic from using Coast Highway as an alternative to Interstate 5 when it's backlogged. If we went down to 1 lane, as opposed to keeping it 2 lanes, would we accomplish that or would we be cutting off our noses to spite our faces? Many communities have this trade-off where they're trying to deal with traffic that's unrelated to their community, like people looking for a shortcut. Would we just be punishing ourselves and lengthening the time, or are there studies that show if it takes longer people will stay on the freeway?

MR. AMBERSON responded it is generally desirable to keep freeway traffic on the freeway and out of Oceanside if there something on the freeway that would cause traffic to divert. The concern that staff has is that we don't understand the possible level of impact to the parallel residential streets if that type of event occurred. Without any occurrence and with Coast Highway just being 2 lanes, there could be potential impact to the parallel residential streets, which is a different characteristic than exists in Encinitas or Del Mar. Staff feels the aspect of Coast Highway becoming 2 lanes needs to be vetted with traffic calming and related identified mitigation measures. We haven't done that yet. We've analyzed Coast Highway, but we haven't analyzed the parallel residential streets.

COUNCILMEMBER FELIEN asked if when the Coast Vision Plan was done, did the public support the idea of removing businesses to make larger roundabouts, or was the consensus to have the one-lane roundabouts to fit in the space that was available.

MR. AMBERSON doesn't think that was even discussed during the charettes and the visioning process. That's why we have the concern that if we do something like that on Coast Highway, which is a viable project, it needs to be vetted through detailed analysis, not only for traffic but land-use. If we get fairly aggressive with land-use, we can really make something nice happen down there. One can't do without the other.

COUNCILMEMBER FELIEN is open to the idea of having that kind of project. He doesn't think we should amend the Circulation Element to assume that's going to take place before the studies have been done. He doesn't think approving this without it rules out that project. We need to go in with our eyes open.

Regarding College Boulevard, the current plan and one of the alternatives has it being 6 lanes for its entire length, and Alternative 1 and Alternative 2 recommend it as a 4 to 6 lane hybrid. Is the 6 lanes realistic anymore, or does the hybrid plan accommodate the realistic traffic we can expect on that road? He spends a lot of time on that road, and at College and Oceanside Boulevards there is a tremendous back-up. How would the hybrid plan address College?

MR. AMBERSON responded it is possible to widen College to 6 lanes. Right now in the current Circulation Element, it's programmed to be widened to 6 lanes between Old Grove Road and Lake Boulevard. It's currently 6 lanes between Lake Boulevard and Waring. Our concern was the impact that 6 lanes would have on the existing homes that front College Boulevard between Thunder Drive and just north of Roselle.

In 2010, staff initiated a project study report where we had extensive outreach with the community and analyzed alternatives. The result was a recommendation to do

what we brought forward today as part of the Circulation Element with a hybrid. We proposed widening College Boulevard to 6 lanes between Avenida De La Plata and Olive, where the congestion really is bad, and then keeping 4 lanes between Olive to just north of Waring Road. That preserves the neighborhood environment. We also have some traffic calming elements that we're proposing as part of the improvement.

COUNCILMEMBER FELIEN is leaning toward keeping the existing Circulation Element, with the modification of College Boulevard going to down to a 4- and 6-lane hybrid. In terms of Rancho del Oro and the Highway 78 interchange, you mentioned in Alternative 1 that it's included. Is that included as the full interchange or the half interchange?

MR. AMBERSON responded the full interchange was modeled as part of the Circulation Element Update. We discussed this at length at the Planning Commission meeting. There was some concern about the City's ability to actually construct a full diamond. At that time, we had brought forward the idea that you could conceptually do a half diamond with a west on/off. We did some preliminary design plans and ran those by Caltrans, and they seemed satisfied with the designs.

COUNCILMEMBER FELIEN clarified then the full interchange is what's included here. If he voted for either alternative or to keep the existing Circulation Element, it's the full interchange, correct?

MR. AMBERSON responded yes.

COUNCILMEMBER KERN agrees with Councilmember Sanchez that we probably should have done the Land-Use Element before we did the Circulation Element because land-use drives your circulation. He is inclined to agree to just keep what we have and take each road on a case-by-case basis. He's in favor of the Coast Highway Vision Plan. He went to Long Beach and saw how they handled it. That's something that could be achieved as we go forward, case-by-case. Right now he would stick with what we have and then as we go forward, we would try to do a Land-Use Element and incorporate the Vision Plans that we have done.

We've already approved the one-way couplets on Mission Avenue. It may not get funded now because of Redevelopment, but that project is going forward. Even though it wasn't in the original Circulation Element, we changed it on a case-by-case basis. All of these projects can be changed on that basis. Right now, instead of taking all of the options off the table, we should keep them all on the table. Maybe in the future we can get some money together to do the Land-Use Element. That's the one thing she asked for the first week he was on the Council back in 2006, a General Plan Update on the Land-Use Element. It seems like we just go from place to place.

He **moved** to approve the program EIR at this time, but make no changes to the Circulation Element.

CITY MANAGER WEISS stated, based on what he's hearing, Councilmember Kern's motion would be to certify the EIR, but reject the modified 1995 Alternative 1 and Alternative 2; reject all the alternatives as presented.

COUNCILMEMBER KERN responded right.

CITY ATTORNEY MULLEN stated the EIR that's in front of Council covers all of the various alternatives, but the CEQA findings in front of Council only cover Alternative 1. The question would be, if you want to move forward with certification of the EIR, does that include the adoption of the findings that have been prepared for Alternative 1, even though you're not approving a project?

COUNCILMEMBER KERN responded yes. We can always go back and change. We've changed the Circulation Element on a case-by-case basis over the years.

JERRY HITTLEMAN, City Planner, responded another alternative might be to deny the Circulation Element, and then we would automatically go back to whatever is existing today.

CITY MANAGER WEISS stated if the Council has an interest in Coast Highway, then he would suggest having a separate direction or motion to staff to initiate any of those individual ones he's heard.

COUNCILMEMBER KERN complimented staff for their hard work. Councilmembers don't seem to be comfortable with some of the alternatives. The Planning Commission was trying to pick and choose. We need more time to deal with this and come up with a plan that most people agree with. There are some elements in here that he agrees with, and some that he thinks will never get built. He doesn't think the Pala extension will ever get built. He doesn't want to go through and pick and choose. We should come back at a later time with a clear idea or wait until we get a Land-Use Element and do it all at once.

ASSISTANT CITY CLERK TROBAUGH stated we have 2 resolutions on the agenda for adoption. Councilmember Kern's motion is to take no action tonight, which then defaults back to the current Circulation Element.

COUNCILMEMBER KERN concurred.

COUNCILMEMBER FELIEN seconded the motion for discussion.

COUNCILMEMBER SANCHEZ asked if that means we do not certify the EIR.

COUNCILMEMBER KERN responded correct.

COUNCILMEMBER FELIEN wanted to make sure he understands what it means not to certify the EIR and not approve the CEQA findings.

MR. HITTLEMAN responded we'd just be left with the existing Circulation Element as it exists today.

COUNCILMEMBER FELIEN asked if that's causing any penalty or causing us to go back to square one on something.

MR. HITTLEMAN responded no.

DEPUTY MAYOR FELLER asked for information about the Carlsbad project and the traffic they are looking at.

MR. AMBERSON responded Carlsbad modified their Land-Use Element to begin with to designate open space through the western side of the Quarry Creek area. They've come forward with a multi-family condo complex project that's going to generate somewhere around 6,000 plus cars a day. That project is proposing their only access out onto College Boulevard by way of Haymar and Marron Roads. We just got a submittal of the revised Traffic Study this week, and we'll be providing review and comments on that study. We think there is going to be some project mitigation required to intersections on College Boulevard, specifically at Plaza and College, and possibly at Vista Way and College. There may be even more depending on how the review of the traffic study goes.

DEPUTY MAYOR FELLER stated then we have them held hostage. You could probably deny them access if they weren't willing to participate in other aspects. Whether it's an interchange at Rancho del Oro or the opening of Mira Monte.

We have approved a right in/right out at Jeffries Ranch Road at this point, is that correct?

MR. AMBERSON responded the direction that staff received from Council was to move forward with the environmental and the design.

DEPUTY MAYOR FELLER asked if staff is assuming Council is going to approve that. That is not in this Circulation Element, is it?

MR. AMBERSON responded Jeffries Ranch Road is not a Circulation Element street. It's not a street that we analyzed or is used by the greater Oceanside traffic. It serves primarily that neighborhood. When we started the Circulation Element Update, we understood that access would not be provided as part of the Caltrans improvements on Highway 76. Things developed during the course of the update and we changed the mapping in the Circulation Element Update to show that Jeffries Ranch Road is connected to Highway 76. We identified it as possibly being connected in the future in the Circulation Element. It doesn't have any bearing on level of service analysis or cause any impacts to the Circulation Element roadways.

DEPUTY MAYOR FELLER asked if this is going to be free or a tax bill?

MR. AMBERSON responded there's going to be a cost associated with that.

DEPUTY MAYOR FELLER doesn't like the idea of throwing away a completed EIR. He's not sure how we treat that. We did that once already with the Rancho del Oro interchange. We threw away \$1,000,000 there. He doesn't know how to accomplish what he's hearing on one side without this involving the EIR.

MR. AMBERSON stated if we're going to revert back to the existing Circulation Element, that means we're going to keep the existing Circulation Element 2020/2030 network. There is a possibility that may not be lost if staff can come back at a later time and bring before Council the policies that we've developed as part of the Circulation Element Update with respect to transit, transportation demand management, bicycles and pedestrians. Staff did a full Pedestrian Master Plan that hasn't gotten approval from Council yet. We were trying to bundle it in here, but we could bring that back at a future time. Hopefully we can keep those policies as part of the existing network.

DEPUTY MAYOR FELLER asked what happens to the EIR.

MR. AMBERSON responded it doesn't get certified.

DEPUTY MAYOR FELLER asked what use is that.

MR. AMBERSON responded it's specific to Alternative 1. If we adopt the modified Circulation Element alternative then we don't have the analysis to back that up. It's already in the existing Circulation Element.

DEPUTY MAYOR FELLER mentioned the meetings that were held for the residents on College Boulevard were very well attended by everybody who wanted an interchange at Rancho del Oro. Those were probably as numerous as those that don't.

CITY ATTORNEY MULLEN clarified his understanding of the motion that's

been seconded is to take no action on the 2 resolutions in front of Council, the resolution approving the General Plan Amendment and the resolution certifying the EIR and adopting the relevant findings for Alternative 1. As a result of that, we would continue to go by the existing Circulation Element if that motion carries.

DEPUTY MAYOR FELLER asked how much this Circulation Element cost.

MR. AMBERSON responded altogether it was close to \$700,000 over years. We were discussing the possibility of certifying the EIR because the consultants are telling him that we did the environmental analysis associated with the Circulation Element modified network alternative.

MAYOR WOOD stated staff has done a good job, and it's hard to do anything because it's usually a 50-50 split. We get feedback all the time from people who do and don't like it.

He's been uncomfortable with this for a long time. When he started 10 years ago on the Council, the hottest issue was Rancho del Oro and Highway 78. He walked all of the neighborhoods and a couple of things come up, including Melrose and the bridge. Rancho del Oro was the first one he got a lot of contact on, and he started asking questions of Caltrans and others. Apparently the people who bought homes on Rancho del Oro were given false information about what the highway would be and were thinking about suing the City. Nobody was going to pay for the bridge unless the City did or Carlsbad. Because of that, he asked Congressman Issa, who said they would not spend any money on anything that is not popular. He went to Caltrans, and they said they didn't have money for it. Carlsbad doesn't like to have an intersection or bridge within a mile of another one like El Camino Real or College because it causes an X pattern and is too dangerous. So nobody was going to spend the money on it.

He sits on the SANDAG Board as the representative for Oceanside, and this is not in the 2050 plan. Nobody is going to talk about it until at least 2050. It's kind of a lost cause. Why spend our time and money on it if it's not going to go forward? He went back and asked them about doing one side, putting a ramp onto Highway 78 and a ramp off at Rancho del Oro and Highway 78. Caltrans' big boss said no way. That may have changed, but he doesn't know. It's still on the Circulation Element and there's no way it's going to go forward in our lifetime, so why is it still on there?

Regarding Melrose, 10 years ago when he was walking around, they were saying it was the last Williamson Act environmental habitat area up there, and it's for ranching and that type of activity. At that time, the big issue was that if we didn't do the bridge over, we'd never get approved for traffic mitigation. That's true, but who's going to pay for the bridge? It would cost a fortune in money and delays because of the habitat issue. We needed to get the bridge to get the extension, and it's never going to be built in his lifetime. If it's not going to be built, why is it in the Circulation Element?

Regarding Jeffries Ranch Road, this was a promise from a previous Council, and a promise is a promise. We've heard it for many years, so let's get involved and do it.

He gets a lot of feedback from the businesses on Coast Highway that they are hurting. They see heavy traffic when the freeway gets stopped, and there is cut-through traffic that doesn't patronize the businesses. He gets feedback from other Mayors along Coast Highway who are looking at a more walkable community that's more pedestrian friendly and helps the businesses by slowing down traffic. Two lanes in each direction seems to move the traffic faster but does not help with a pedestrian- or business-friendly community.

The single-lane roundabouts seem to function in Long Beach. He likes it and got feedback from bicycle and walkable community people saying they like it. There needs to be something other than 2-lane traffic with traffic signals to make it a walkable community. It takes time and money. He's hearing of more and more cities that are doing it.

He'd like to look at it and see if it's feasible cost-wise and will slow down traffic to help the downtown businesses. The vote looks like its leaning toward leaving it as-is and looking at things on an individual basis. He doesn't mind that, but some of the things he and Councilmember Sanchez brought up don't belong in there because there is no funding that he's aware of, and he sits on SANDAG. Highway 78 and Rancho del Oro isn't feasible because he can't imagine Carlsbad letting a bridge drop into their natural habitat area. They are worried about putting a lot of homes/condominiums/apartments right on our border and making it their low-income area. That will terribly impact the south side of Highway 78 and College. We know there has to be mitigation to some extent for that. All of the North County Mayors meet monthly to talk about these issues, and they're all looking at being walkable beach communities like we want to do.

COUNCILMEMBER SANCHEZ will support the motion, but for different reasons than her colleagues. She believes this EIR is deficient. We haven't gotten the vision that most of our residents are excited about, which is a bicycle-friendly community. Leaving things as-is includes the Rancho del Oro interchange; leaving College Boulevard at 6 lanes, even though the hybrid is much better; the Melrose extension is on there, including the bridge; the Pala Road extension; and Mission Avenue as a 4-lane major arterial, even though that's not been included here for our changes for Mission Avenue. She believes we should adopt Alternative 2, but since she feels this EIR is deficient, she's going to support the motion.

COUNCILMEMBER KERN hopes people understand what we're trying to accomplish. We're trying to patch this together with what we think is the best plan. It is his understand that unless we adopt Alternative 1, the EIR is no good. He's not totally happy with Alternative 1. It doesn't have the Coast Highway Vision Plan incorporated in it and he would like that in there.

CITY ATTORNEY MULLEN doesn't believe it's accurate to say the EIR doesn't cover these 3 different alternatives; it does. Each of the 3 scenarios have been fully analyzed at a programmatic level. The issue is that the CEQA findings in front of you are only for Alternative 1. If Council were to give direction to go with a modified 1995 alternative, which is essentially the baseline, the taking out of Old Ranch Road and Jeffries Ranch Road and adding in many of the policies, we would have to return with CEQA findings for that action. Your motion is to keep the existing Circulation Element. Therefore, that's essentially the no project alternative.

COUNCILMEMBER KERN asked isn't that essentially modified 1995.

CITY ATTORNEY MULLEN responded with some changes. Staff could explain how that's different from the existing Circulation Element.

COUNCILMEMBER KERN must have misunderstood. If we can certify the EIR and use the modified 1995, then we can actually go from there. He understands Deputy Mayor Feller's concern about throwing away \$700,000 worth of EIR, but we can adopt the modified 1995 and come back with additional CEQA findings.

DAVID DiPIERRO, City Traffic Engineer, stated one thing that is different with the modified 1995 versus our current Circulation Element is the policies that we put in place with this new update. We're looking at the Bike Master Plan, Pedestrian Master

Plan, traffic calming, etc. Some of these things have already come to Council, but there are other things with the Complete Streets. We're just starting to adopt some of those policies. There are policies that are written into the modified 1995 that are not in our current Circulation Element. That would be one of the big changes.

COUNCILMEMBER KERN withdrew his original motion. He moved to adopt the final program EIR and the modified 1995 alternative Circulation Element, which incorporates the Bicycle Master Plan and the other plans, and come back with additional CEQA findings to support those.

COUNCILMEMBER FELIEN withdrew his original second.

DEPUTY MAYOR FELLER seconded the new motion. We're getting landlocked because of other communities. Cannon Road should be relieving that whole southern part of the City over to Interstate 5, but Carlsbad stopped that project dead. The same has happened with the Rancho del Oro area. That bridge at El Camino is a huge mess most of the time. We have to have open roads, even if we're going to do the Bicycle Master Plan, Coast Highway Vision Plan, etc.

He got an email today from somebody wanting to know what the level of service is for College and El Camino if the Rancho del Oro interchange is not built. We discussed that several years ago, and both of them fail. He's glad we cleared this up because he hates to throw away the entire EIR.

COUNCILMEMBER FELEIN wanted to confirm that the EIR cost \$700,000.

MR. AMBERSON replied in that neighborhood.

COUNCILMEMBER FELEIN stated that's big dollars. He shares Deputy Mayor Feller's concern that all of that doesn't go down the drain. He asked earlier what the penalty would be, and \$700,000 is a pretty big penalty. What's the effect of approving the motion? He also heard that the EIR only applies to Alternative 1. What's the impact of approving the 95 modification with the EIR?

MR. HITTLEMAN responded the EIR looked at all alternatives equally. We have the findings oriented toward Alternative 1. We could certainly come back and bring other findings that would be appropriate for the 1995 modified alternative.

COUNCILMEMBER FELIEN asked what the difference is between the existing Circulation Element and the modified 95 alternative.

MR. AMBERSON responded the existing Circulation Element assumes that Jeffries Ranch Road is connected and Old Ranch Road, between Guajome Lake and Melrose, is connected. The modified Circulation Element alternative assumes those connections are not made.

COUNCILMEMBER FELIEN stated it was mentioned that Jeffries Ranch Road is not a Circulation Element road. He doesn't know if Old Ranch Road is a non-circulation road.

MR. AMBERSON responded it's a non-circulation road. With respect to modeling, we had to adjust the model network to make sure that it doesn't distribute the traffic to those streets, assuming they're not connected.

COUNCILMEMBER FELIEN originally voted against the Jeffries Ranch Road project, but if we vote for the modified 1995 and to approve the EIR, are we foreclosing any Council voting for the Jeffries Ranch Road project, since it's a non-Circulation

Element road?

CITY MANAGER WEISS responded no. Council has already given staff direction, and we are moving forward with the design and environmental for that. It does not allow you to use developer-related thoroughfare fees to pay for the design or ultimate construction, if that's what you choose.

COUNCILMEMBER FELIEN stated if we vote for the motion that's currently on the board, we get to keep the EIR and the \$700,000 that was spent, and the modified 1995 version doesn't impact any of the major projects in the current Circulation Element. It seems to be a win-win. Then we can modify Mission Avenue for the vision project and the one-way project as needed, and we're not at risk of conflicting with the EIR.

CITY MANAGER WEISS responded that's correct.

COUNCILMEMBER FELIEN thinks that's the direction we ought to go.

ASSISTANT CITY CLERK TROBAUGH wanted clarification if they are adopting the EIR, are they adopting the resolution certifying the EIR or is that separate?

CITY ATTORNEY MULLEN responded we will need to bring back a resolution certifying the EIR for the modified 1995 alternative with the appropriate CEQA findings. We can take Council's direction via this action tonight to do that and come back. We will need to have a resolution formally certifying the EIR for the 95 alternative with the appropriate findings.

COUNCILMEMBER SANCHEZ asked if we will be continuing this hearing to a time certain for those findings.

CITY ATTORNEY MULLEN responded no. We will re-agendize it.

COUNCILMEMBER SANCHEZ clarified that we're not approving the EIR today because we need to have those findings.

CITY ATTORNEY MULLEN responded you need to have those findings.

MAYOR WOOD stated a lot of things took place tonight. He's uncomfortable that now it's changed so much and we didn't allow more input from the public. By statute he can't unless we continue this. I'm sure we'd have a lot more input from the public on some of these changes. He feels it's a disservice to tell people they can't talk and then change things around. The first motion was appropriate because it sounded like it was coming back to Council and people could show up at that meeting. This motion seems like a resolution and that's it.

COUNCILMEMBER SANCHEZ wanted clarification that this is direction to staff and at the next hearing, which will be renoticed, the public will be able to speak. Is that correct?

CITY ATTORNEY MULLEN responded there will be an item placed on the agenda to adopt the resolution.

MAYOR WOOD stated that would be on the Consent Calendar.

CITY ATTORNEY MULLEN believes that's the case. He can research that matter. The public will have the ability to speak to the item on the agenda.

COUNCILMEMBER SANCHEZ asked if Council could give staff direction to not put it on the Consent Calendar.

CITY ATTORNEY MULLEN said sure. It will come back as an item for Council to consider. Where it's placed on the agenda, we could consult with the City Manager's office about that.

COUNCILMEMBER SANCHEZ would rather it not be placed on the Consent Calendar.

CITY ATTORNEY MULLEN assumes it won't be on the Consent Calendar. Typically, when you give direction to not go with the staff recommendation, we come back on Consent. He understands why Councilmember Sanchez would not want to do that here.

COUNCILMEMBER SANCHEZ clarified the motion before us is direction to staff to come back to us with the resolutions.

CITY ATTORNEY MULLEN responded for the 1995 alternative and appropriate CEQA findings.

Motion was approved 3-2, Wood and Sanchez – no.

CITY COUNCIL REPORTS

17. **Mayor Jim Wood**

MAYOR WOOD stated there will be free summer concerts at Heritage Park almost every Sunday in July and August. Race Across America is getting bigger and bringing more publicity.

Jean Tweedie passed away on June 8th.

18. **Deputy Mayor Jack Feller**

DEPUTY MAYOR FELLER stated Sara Reece is the new Executive Director of the YMCA, and he asked the Mayor to invite her to meet the community.

He reminisced about Jean Tweedie and the years he had known her.

This Sunday, El Camino High School has the Wildcat Foundation, which is a car show. Friday is a golf tournament at Arrowood for the Boys & Girls Club. Monday the Rotary Clubs of Oceanside have theirs at El Camino.

19. **Councilmember Gary Felien**

COUNCILMEMBER FELIEN attended the Wally Maloufa Day Celebration, the opening for the All Tune and Lube on Mission Avenue, the YMCA opening of their new physical fitness center, and the opening for the Race Across America.

He attended the Eagle Scout ceremony for Logan Wakefield from Troop 752 and a Chamber of Commerce event at Mission San Luis Rey.

He attended the Neighborhood Watch meeting in his neighborhood and encouraged all citizens to participate in that program for their communities. It makes a difference in making the community safe.

He attended the Palmquist Elementary School recognition as a Distinguished School, the San Diego Regional Economic Development Conference Dinner and the Memorial Day celebration at the Veteran's Association of North County Resource Center.

He attended an event held in partnership with industry helping the mentally disabled find permanent employment, the promotional ceremony at the Police Department and the Armed Forces Appreciation Day event.

20. **Councilmember Jerome M. Kern**

COUNCILMEMBER KERN will attend the golf tournament on Friday with the Boys & Girls Club. On Monday he has been invited to meet with Congresswoman Loretta Sanchez about the Southwest Innovation Cluster, which brings job innovation to North County. He attended the most recent Concert in the Park, and it was packed.

Last week he met with a delegation from France that was in the area and was looking at possible investment opportunities related to maritime manufacturing.

Last Friday he met with the Youth Entrepreneurship Program. They are looking for business owners who would be interested in mentoring young people on how to start and run a business.

21. **Councilmember Esther Sanchez**

COUNCILMEMBER SANCHEZ attended the VANC Memorial Day ceremony and the Wally Moulfua day at Oceanside High School. She attended the Pow Wow at the Mission and the Phil-Am celebration. She attended the MLK Scholarship Awards, the Safe Neighborhood Summit.

She thanked Oceanside voters for being informed and turning out to vote to help their neighbors. The voter turn-out may have exceeded the 2010 primary election.

Shane Hidalgo was killed in a car accident Sunday. He was 24 years old.

ADJOURNMENT

After a moment of silence for Jean Tweedie and Shane Hidalgo, who passed away, **MAYOR WOOD** adjourned this joint meeting of the Oceanside City Council, Community Development Commission, Small Craft Harbor District Board of Directors and Oceanside Public Finance Authority at 7:14 PM on June 20, 2012. [The next regular meeting is scheduled for 2:00 PM on Wednesday, June 27, 2012].

ACCEPTED BY COUNCIL/HDB/CDC/OPFA:

Barbara Riegel Wayne
City Clerk, City of Oceanside