



California

# CITY OF OCEANSIDE

## MAYOR AND COUNCIL WORKSHOP

FEBRUARY 20, 2013

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

**2:00 PM - OCEANSIDE CITY COUNCIL  
- WORKSHOP**

**Mayor**

Jim Wood

**Deputy Mayor**

Jack Feller

**Councilmembers**

Jerry Kern  
Esther Sanchez  
Gary Felien

**City Clerk**

Zack Beck

**Treasurer**

Gary Ernst

**City Manager**

Peter Weiss

**City Attorney**

John Mullen

The adjourned meeting of the Oceanside City Council was called to order at 2:02 PM, Wednesday, February 20, 2013.

**10:00 AM - ROLL CALL**

Present were Mayor Wood, Deputy Mayor Feller, Councilmembers Sanchez, Kern and Felien. Also present were City Manager Weiss, City Attorney Mullen and City Clerk Beck, who led the Pledge of Allegiance.

**WORKSHOP ITEMS:**

**1. FY 2013-14 General Fund Budget Workshop**

**PETER WEISS**, City Manager, stated that as a result of the Council's prior budget adjustments and looking proactively at our longer range revenues and expenditures, the City's 5-year forecast has been updated, and the prior forecast deficits have been significantly reduced. For the upcoming fiscal year of 2013-14, the City's projected costs will not exceed revenues. Therefore, the additional cost-saving measures through reduction of programs and services for the 2013-14 budget year will not be necessary. Referring back to the 5-year forecast, for 2013-14 our revenues are just slightly above our expenditures, resulting in a slight surplus of a few thousand dollars. However, based on the projected revenues and expenditures, particularly those expenditures resulting from increased worker's compensation costs and what we believe will be increases in PERS costs and health insurance costs, we are looking at deficits in 2014-15 of about \$1,700,000. In 2015-16 that grows by an additional \$200,000 if those revenues and expenditures are left uncorrected.

We are seeing some positive signs on the revenue side, particularly in sales tax. Our property taxes are slightly increasing; however, we still have over 15,000 property tax appeals on file with the County Tax Assessor at this time.

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

In January, Council identified a number of budget priorities that you'd like to see implemented. We have about \$1,300,000 available in one-time funds. Those are primarily the result of some one-time revenues we've received. Also, with the dissolution of the Redevelopment Agency, we received some residual tax balances that came back to the City. In Council's Economic Development Strategic Plan, they had identified one of their priorities, should we ever have money, as looking at establishing a business revolving loan fund. At the upcoming Council meeting, staff will present Council with more detailed information and see if you want to pursue that. It makes sense to look at attracting and retaining businesses, as that was one of your Economic Development Strategic Plan priorities. We're recommending that Council allocate \$500,000 to that revolving loan fund. That leaves you about \$800,000 to allocate to the various budget priorities that you discussed in January.

A computer graphic was used to show those priorities and an estimated cost to implement them. He recommended that Council allocate the monies toward one-time expenditures. There are some on the list that would result in ongoing expenditures. Keep in mind that as you add ongoing expenditures as increments, the budget deficits in future years will increase likewise. Leading the pack in this regard is restoring library hours. This would result in the extension of about 14 hours for the library at approximately \$95,000. It is an ongoing expense, but you do have the ability, should there be a problem in the future, to roll back those hours. This does not result in additional staffing at this time; it just adds back staffing that we had before.

Regarding enhanced pier maintenance, with what we already have programmed for the pier, the additional \$90,500 will finish all of the bracing and also the decking. There are sections of decking where there is a gap in the middle. All of the decking will be replaced using this additional money.

Enhanced street maintenance would be covered in your CIP budget. We are currently programmed to add a significant amount of money to the street maintenance program. It is at about \$4,000,000, depending on what Council does with some of the other CIP priorities.

There was an issue in regards to the Development Impact Fees, primarily for El Corazon. There was a study done in 2008. That study would need to be updated. That costs about \$22,000. We will be bringing an item forward, probably at Council's second meeting in March, that has more information. On that one you do not need to make a decision or provide direction today; we will be bringing you additional information in March.

There was an issue of conducting a citizen's survey. We've estimated that, based on what other cities have paid for surveys, it will be about \$35,000, but that will be contingent upon the overall extent and direction of what you'd like to see in that survey. Part of that would require additional Council direction. If you want to include the survey cost in the budget, we would put it in. However, before we did the survey, we'd have to have further discussion with Council as to what type, how broad and what exactly you'd be looking for in that survey.

Another priority was restoring the City's traffic calming program. We have a range listed. \$115,000 would add a position back to the traffic section to do neighborhood traffic calming. We have over 60 neighborhood requests that have been filed with us. The other option would be to outsource the traffic calming function. Council did adopt an updated traffic calming program several years ago. We could do an RFP (Request for Proposals) to identify 3 or 4 firms that would be able to provide those services and make those firms names available to any neighborhood that would be interested in pursuing that program through their own initiative if you'd like.

Regarding eliminating red light cameras, we have some contractual obligations within the existing contract with RedFlex. There is a buyout provision. If that is something you'd like to see, it would appear that we would have to buy out that

contract, which is estimated at \$48,000. There are other legal issues that the City Attorney's office is looking into. If Council's intent is to eliminate those cameras, you could provide that direction, and we would have to make an assessment and have some negotiations with the vendor to see what it would take to actually buy out that contract.

Regarding filling the gap for local news and information, we've identified a part-time person who would take that over. We haven't clearly identified the scope of all it would be, whether it's weekly newsletters or ongoing press releases that would go to the local media. We've only identified a cost for providing the part-time service.

One of the priorities was enhanced Code Enforcement. We've identified a cost for adding two part-time people for Code Enforcement.

We would need some direction with regard to those budget priorities, but from a staff level we would recommend that you accept the draft General Fund budget with no additional program or service reductions, provide direction on any additional budget priorities that you would like to see above the ones we've identified for you and provide direction to staff to prepare the 2013-14 budget for adoption and bring it back to you in June.

Public input

**LINDA SILLS**, 42 Chico Lane, stated regarding the budget, she is opposed to the Melrose Extension, although that wasn't mentioned today. She is vehemently opposed to the traffic calming situation because that's part of the Earth Charter. She spoke of her views on Smart Growth, which she is against. She asked Council to read the Earth Charter.

**JOHN SEYMOUR**, National CORE, didn't plan on being here today, but if the issue of the proceeds on the sale of Laguna Vista come up, he'd like to provide input. Laguna Vista Mobilehome Park was purchased with mortgage revenue bonds/mobilehome park bonds, and they were guaranteed by the rents of the tenants. They were implemented using federal HOME funds, so the circle of life on those bonds are all housing. Legally, he believes you can spend it on anything you want. We're asking Council to move that money back to Housing so it can be reinvested, not granted or gifted, but loaned to affordable housing, specifically the Mission Cove project. The Cove project is about \$81,000,000 of total development costs, of which we're responsible for about \$65,000,000 in private money that we're bringing to the table. According to the National Association of Home Builders (NAHB), the Cove project will generate at least 100 jobs per every hundred units, and we have 288 units; 10,500 square feet of retail; an adult daycare center; a family resource center; parks; tot lots and open space. This is more than just vertical multi-family housing; it's an investment.

The NAHB has also stated a typical tax credit for a 100-unit project, generates not only the jobs, but income and sales taxes during the construction and during the life of the project. This project is not just an affordable housing project; it's an investment with quantifiable income coming to the City. In addition, the project, just by itself, is going to pay \$5,500,000 to the City and the school districts in development fees, etc.

We're asking for the proceeds from the sale of Laguna Vista to come back into the Housing Fund and then loaned to these types of projects that are an investment for the City.

**COUNCILMEMBER SANCHEZ** asked how many units there are.

**MR. SEYMOUR** responded The Cove under the Vision Plan and as adopted unanimously by the Council is 288 units and 10,500 square feet of retail.

**GORDON POLK**, 1032 Tait #9, is part of a group in South Oceanside that has been growing and would like Council to pay a little more attention to their area. He

works in the community and hears statements about how great Carlsbad is and Oceanside isn't. We're working hard in South Oceanside to start making people heading north on Coast Highway a little bit more excited after they cross the lagoon. We all want that for Oceanside.

**SONDRA RENWANZ**, 416 South Horne Street, spoke about the deaths that have been happening in her area. The teens have too much time with nothing to do and nowhere to go. We need some programs for that age group. It is her understanding that the Camp Fire Girls building is empty right now, and it might be a space we could use for programs. She asked Council to think about reserving some money for that instead of putting it all into police and gang units. She appreciates those, but it isn't quite enough. We have to tackle it from the other end too. We need to give the teens a place to go and things to do.

**DIANE NYGAARD** represents Friends of El Corazon, who are very pleased to see an option included in the budget packet to update the park impact fees for El Corazon. We see that as the next step toward putting together a financing plan that will allow us to build a wonderful park in the heart of our City.

As an individual, she stated outsourcing traffic calming is a concern to her. In neighborhoods like hers where there is a homeowner's association, it's easy to just add the fees to cover the costs of a program like that. In other neighborhoods, particularly our poor neighborhoods, it doesn't seem like that could happen. It would make it easier for wealthy neighborhoods to do this and difficult or impossible for poor neighborhoods if we were to outsource it. This program has been a real benefit to our community.

Regarding the red light cameras, the cost of the penalties to cancel an existing contract, which includes \$48,000 plus a police officer, is a high price to pay. There is a lot of concern about the red light cameras, but if we minimize the work under that contract, let the contract run its course and save those out-of-pocket dollars, it would be a net benefit to the community.

**DIANE FENCL**, 307 South Horne Street, encouraged the Mayor and Council to look hard at the Mission Avenue Improvement Plan. Our City needs those investment dollars you all talk about, and the only way we're going to get it is to improve the look of this City. There are a lot of vibrant businesses that would come into this City. We've seen a few people take big risks, like opening the Flying Pig or Petite Madeline, and they've had great success. There is so much opportunity if we would clean up our streets. The improvement plan was approved and they were set to go on it, but there was a hold put on it because the retail stores on the street didn't want it to interrupt their business. She walked the street, front and back, and found that every business has a back entrance. Out of all the businesses between Clementine and Coast Highway, there are 33 spaces. Out of those spaces, 36% are banks or service businesses, not retail; 30% are vacant; and 7% are retail. There is nothing happening on our main street. She doesn't see how it would jeopardize their business for 2 months to have this street redone and make this look like an inviting town.

Carlsbad is a great little town. As you continue south, every little town is vibrant and redoing streets, but when you come to Oceanside it not that way. There is great opportunity here, and more businesses would come if Council would do something that says you care about this City. We need to see results. Please consider Mission Avenue and get it on the calendar before summer so we can say we care about our City.

**JIMMY KNOTT**, 127 Sherri Lane, reminded Council that during the years of this economic crisis a mantra has been said about the Reserve Fund being spent and we need to rebuild it. Another mantra has been about the unfunded pension mandates. You say you have a bunch of surplus money, so are you going to do something?

Regarding the Business Revolving Fund, Councilmember Felien, Melba Bishop and he designed a program that was zero risk, federally backed and used the

investment portfolio and investing in local credit unions, along with the current City Treasurer who brought forth the idea of using those funds to do the same thing with zero cost to the City. That was turned down by Council. Council has changed slightly since then, so he encouraged Council to reconsider it again as an option to this formula, which would free up \$500,000.

South Oceanside and Oceanside Boulevard have corridor plans that are sitting on the shelf. He urged Council to keep those alive.

**JACK ANDERSON**, 4871 Baroque Terrace, is against wasting money on traffic calming, unless it's for enforcement. Since we can't afford to have a uniformed officer sitting somewhere for days on end when someone complains about speeding, we should have the people who are complaining contact the police with better information like time of day, etc. so an officer can be there only during that time and maximize the officer's efficiency.

He is in favor of Code Enforcement, particularly as it pertains to unlawful signs on the street right-of-way. Our City is getting to look tacky with all those signs hanging all over the place.

**LINDA WALSHAW**, 151 Robby Lane, stated here we are again trying to stop the moving train that is this Council majority. \$500,000 for another study for Coast Highway and \$2,000,000 for the Melrose Extension that the City's own Planning Department rejected because it would cost millions for Oceanside taxpayers and would only shave mere seconds off commute times for people coming from outside of Oceanside. Another \$35,000 for another unidentified study/consulting report in today's budget. Doesn't the City employ Planners, Engineers and other qualified personnel who could do these studies?

It's become obvious to the public that the Building Industry Association (BIA) doesn't like the answers they get from the City employees and have to hire outside consultants to make excuses for their projects by using this Council majority. The public is not that gullible. It is obvious that the only reason these Councilmembers are pushing for the Melrose Extension and the sewer study for Morro Hills is that the BIA wants to develop Oceanside's only remaining agricultural land, against the public's wishes. Three residents of Morro Hills do not constitute a majority of the voters.

The Council majority's previous excuse for all of these development ideas is that it would bring jobs to Oceanside. When Councilmember Sanchez asked this Council majority if they would guarantee construction jobs would go only to Oceanside residents, that proposal was rejected. Now that hotel construction is underway in downtown Oceanside, families of 25 Oceanside steel workers stand idly by while developers have brought in workers from Arizona.

Also in this budget, you're allocating an additional \$35,000 for a newsletter or News Information Officer to fill to the gap between the Council majority and the public. If you think voters will approve of your use of their tax dollars to put propaganda out for your projects, you are sadly mistaken. She read quotes from the public that were in today's newspaper about the Council majority.

**DONNA MCGINTY**, 2504 Mesa Drive, stated recent events in the Brooks Street/Crown Heights neighborhood have come too close to all of you who have to work in this building. The gang activity there is nothing to take lightly. If she were a parent living in that neighborhood with children, she would be just a little upset. Every dime that can be spared from any area at all, or anything that can be postponed until things get better, needs to be put into that neighborhood. She's been watching the events unfold, the lawsuits occurring and the remedies being taken to force the out-of-town property owners to do the right thing, and that's the way to go to begin with. Every dime that can be spared in this community to make that area safer for all of us, should be used to eliminate the tirade that is occurring there on a daily basis. They've done

wonderful things in Eastside with the cooperation of the parents, schools and the City. That needs to repeat itself in Crown Heights.

**JOAN BROWN**, 511 Rockledge, wants the alleyway paved. She noticed there is a lot of road work in the Capital Improvements Budget. The City had quite a bit of problems the last time you did the streets; everybody was complaining. Her street was done about 6 years ago and it's already cracked. She hopes when the City has all of this work done again, you tell the people doing the work to get it right and get some kind of warranty on the work.

Instead of spending money on studies, Crown Heights looks like a war zone because of all the wires. On Division and Garfield streets nothing has been undergrounded since she's lived here, which is about 15 years. When she moved here Mission Avenue was just finishing up, and that's the last undergrounding she's seen. When they were putting in the new row homes by the beach, they didn't have to do the undergrounding, they just paid the in-lieu fees. What has been done with these undergrounding in-lieu fees? Instead of \$500,000 being put into another study, you should put it into the landscaping on Oceanside Boulevard so you can get better businesses in there and clean it up a bit.

She hopes that the little bit of extra money goes toward capital improvements that show something good in our City.

Public input concluded

Regarding the elimination of red light cameras, **COUNCILMEMBER SANCHEZ** stated when we signed this contract, which she voted against, she was advised that if it didn't pan out financially it could be terminated without termination costs. She doesn't believe we hired an officer to look at the cameras; his job was to look at the footage to insure they were able to get enforcement in court on those citations. What is the status of the current red light cameras?

**CITY MANAGER WEISS** stated the cameras are installed at 4 intersections. The contract does have a clause that if the revenue generated does not meet a certain amount, which is to pay for our costs for both the vendor and for a police position, not a sworn officer, then we could terminate the contract. However, there are sufficient revenues being generated to pay the contract cost. There is an additional termination clause in the contract that is prorated based on when the contract was executed and what's left on that contract. He believes the contract expires in 2015.

**COUNCILMEMBER SANCHEZ** stated we can choose not to increase the intersections where red light cameras would be, and maintain just these 4 until 2015, and then we would not have to pay the \$48,000 fee.

**CITY MANAGER WEISS** stated the contract is pro-rated based on time and the number of intersections. There are 4 intersections and, based on the current contract, we've estimated that buy-out to be roughly \$12,000 per approach. If you let the contract expire in 2015 and we do not renew that contract, then we would save that money. At this point, there are no plans to increase the number of intersections.

**COUNCILMEMBER SANCHEZ** remembers the contract having a discussion about possibly going to more intersections, for a total of 20 or so.

**CITY MANAGER WEISS** believes it allows up to 9, but there has not been any additional effort made to expand the number of intersections.

**COUNCILMEMBER SANCHEZ** thinks that, hoping to save as many dollars as possible, she would be more inclined to not increase the number of intersections with red light cameras. She voted against it and would like to see them disappear. If it's going to save us some funds to let the contract die, she would be willing to go with that.

In terms of the Crown Heights Camp Fire Girls building, is that probably better discussed during the CIP part or now?

**CITY MANAGER WEISS** responded there is an RFP (Request for Proposals) out right now to find a service provider for that building. We have received proposals, are evaluating them and will be bringing an action before Council in the near future.

**COUNCILMEMBER SANCHEZ** asked if we anticipated subsidizing any of those programs or are they going to be stand-alone projects?

**MARGERY PIERCE**, Neighborhood Services Director, responded the City has used CDBG (Community Development Block Grant) funds to subsidize 4 programs that serve at-risk youth in Eastside, Crown Heights, the Back Gate area, the Senior Citizen's Nutrition Program and Angel's Depot. Right now, we don't know what's happening in Washington and what funds will be available, if any, to continue subsidizing those programs. There are certainly going to be cut-backs.

**COUNCILMEMBER SANCHEZ** stated when she was asking for an update on the Google Mapping for Oceanside, she got a chance to ask IT about some other possibilities of IT around the City. That's where she learned that at Joe Balderrama the REACH program is going to be doing wi-fi. It's \$600 per year. That has the potential of keeping kids off the streets. They're going to want to be in the building so they can get on line. She asked about the El Corazon Senior Center and was told it was also \$600. She asked someone from the library how this got covered in the budget, and there is an E-grant that they apply for every year. Perhaps there are some ways of getting additional funding for this. She hears from parents that their kids have to go on line more and more to get materials, and a lot of the parents are not able to afford internet service for the family.

How much would it cost?

**YUKARI BROWN**, Information Technologies Division Manager, responded it's approximately \$600 annually to have the wi-fi service. There is a one-time start-up fee, which varies by location, of roughly \$5,500 - \$7,000 to put the equipment in. The services after that on an annual basis would be \$650 to \$800. As far as the E-Rate, that was through the Library Department so they would have to answer that.

**COUNCILMEMBER SANCHEZ** asked if that would pay for the \$600 per year or could it be used for equipment.

**MS. BROWN** does not know the answer to that.

In response to Councilmember Kern asking how many locations we're considering, **COUNCILMEMBER SANCHEZ** understands that Joe Balderrama is going forward.

**MS. BROWN** stated Joe Balderrama and the REACH program have approached us wanting to do that, but we have not moved forward.

**COUNCILMEMBER SANCHEZ** stated Joe Balderrama wants to do it, and she understands that Parks & Recreation would want to include Melba Bishop Park and possibly Crown Heights to provide kids with a place to do their online homework.

**SHERRI COSBY**, Library Director, stated it is her understanding that in order for the different recreation centers and the senior citizen center to get benefits from E-Rate, they would have to be deemed as part of the library. That could be us taking over whatever small lending library you had there or other possibilities. We haven't explored it beyond knowing that there would have to be some kind of library facility within each one of those facilities to benefit from the E-Rate.

**COUNCILMEMBER SANCHEZ** asked if there is something like that already at El Corazon Senior Center.

**MS. COSBY** responded they have their own small lending library, as do some of the other facilities, but the library is not formally involved at this point with any of them.

**COUNCILMEMBER SANCHEZ** stated that's something staff could look into. It would only happen if the library could get the increased funding, right?

**MS. COSBY** responded that is her understanding.

**COUNCILMEMBER SANCHEZ** would like us to consider that for the recreation centers. The biggest cost is the initial cost, which is \$5,000 to \$7,000. She'd like to see this at El Corazon.

**COUNCILMEMBER KERN** stated if we're going to negotiate here, he'd like to take that \$35,000 that we're going to use for a Public Information Officer (PIO) and give it to that program. He sent a notice to the library saying that wi-fi was needed in the communities where people are economic disadvantaged. Most people have internet at home, but people who can't afford internet at home go to public places like libraries. Putting them in the resource centers and other locations would help the education of these children because more and more is done on the internet. Schools are augmenting their studies online. He'd rather use the money slotted for the PIO for the wi-fi program.

**COUNCILMEMBER SANCHEZ** sees the PIO as a luxury at this time.

More than one person brought up our problems with Crown Heights. It is one of the hardest places to organize because we don't have consistent leadership. There has to be a partnership with the residents, staff and police. If one of those is missing, it makes it that much more difficult. It can't be somebody from the outside coming and saying how we should fix the problem. It has to be the community saying what kind of help they need.

Community Housing Works did a study on Crown Heights, and there were some things that they recommended that we could still look at. She's encouraged that the Camp Fire building is finally going to get used, and programs are going to come back in. Having wi-fi at the Americanization Center, Joe Balderrama, Melba Bishop Park and El Corazon Senior Center opens up avenues for our children and our seniors.

If we're talking about priorities, she would like to see restoring library hours as a priority and getting the wi-fi. She'd like to see restoring the traffic calming program. She doesn't think that outsourcing it completely is the answer. Perhaps we could get a part-time person doing it. She'd rather see some cost-sharing, but not outsourcing it that way. Traffic calming belongs at City Hall, with an Engineer saying what the realm of possibilities are. She has been asked how much speed humps are and if we can do some all-out community fund-raising to pay for them.

Regarding the step ladders at the Harbor at a cost of about \$7,000, she was in Redondo Beach recently and the big thing there is stand-up paddling. The City decided to embrace that and get more activity and money coming in, but that meant rules. She sees safety issues coming up if we're going to increase the activity in the Harbor. She heard about the step ladders in the Harbor and thought it was a good safety measure. She asked about the step ladders and what kind of safety they provide.

**LIZ RHEA**, Beaches & Harbor Advisory Board, stated we have formed an ad hoc committee to look at the safety ladders. She showed a video of a mock incident where someone fell off the dock. The ad hoc committee found out that the company that makes our docks also makes a ladder that is engineered for these docks. There would

be about 46 ladders needed in the Harbor, and the cost is almost \$7,000.

The Harbor & Beaches Coordinator, Frank Quan, was against this and would not come to our meetings. The Maintenance Department also did not come to the meetings.

Our proposal is to have 6 ladders put in for a 6-month to 1-year study to see how the ladders work. They are above the water, and you have to reach up and pull them down.

**COUNCILMEMBER SANCHEZ** understands this ladder is available through the same people that manufacture the docks.

**MS. RHEA** stated yes. It is engineered for those docks. Each one costs about \$167. If you buy more, you get a discount. It is installed with 2 bolts and can be installed by City staff. CalOSHA states that within 400 feet a ladder must be provided for egress from the water. We have no ladders. The 46 ladders, without the discount or the installation, comes to \$7,515. It is our understanding that Mr. Quan has \$15,000 to allocate projects in the Harbor. We asked him to look at this, and he is dead-set against it.

**COUNCILMEMBER SANCHEZ** asked how much weight the ladders can handle.

**MS. RHEA** responded 1,000 pounds.

**JIM JENKINS**, Harbor & Beaches Advisory Board, stated we had a physician come to our Harbor Advisory Committee, and he informed us that usually within 2-3 minutes, depending on the temperature of the water, hypothermia will set in. That will take away the person's opportunity to get out of the water. It doesn't take long to lose a life.

**MS. RHEA** stated her proposal and request is, since Council does direct Harbor & Beaches, to direct Mr. Quan to work with us and look at this. We'd at least like to install the 6 ladders, but our ultimate goal is to install 46 ladders so we can have safety for the Harbor and be one of the first in Southern California to do this.

**COUNCILMEMBER SANCHEZ** asked that this be another item that we consider doing now, allocating the \$7,500, or maybe \$10,000 to round it up, for the 46 ladders. She hopes the Harbor & Beaches Advisory Committee starts looking at some of the other harbors who have some up with safety rules for stand-up paddling so we can embrace it and have more people come here to do it.

She would put the \$35,000 for a citizen's survey as a low priority. Also, low would be eliminating the red light cameras at \$48,000, and fill the gap for local news and information. The highest priorities are restoring library hours, wi-fi, step ladders and traffic calming. The other items on her list have to do with the CIP budget.

**COUNCILMEMBER KERN** stated his understanding from Ms. Rhea is that they're looking for 6 ladders on a study. He's all for that. He's not for putting all of the ladders in now. His concern is that if we put ladders that make it easy to get out then we're encouraging recreational swimming in the Harbor. He's for the study and then deciding whether we want to go forward. He's also concerned about security, such as people swimming across and climbing up the ladders to get access to people's boats. That may not be an issue, but that's why he'd like to do the 6 first.

**MS. RHEA** stated on Y Dock there is a consistent problem with people launching their kayaks from the rocks. If people are going to do recreational swimming, they'll do it whether there are ladders or not. They swim across from the bait dock, even though they aren't supposed to. You'll have recreational swimming no matter what.

**COUNCILMEMBER KERN** would like to do the 6 first through summer and then take a look at it. He likes the idea and is almost all the way there, but not quite. We can talk to Mr. Quan about installing those.

**CITY MANAGER WEISS** clarified we are not going to install them. We have a quote from Bellingham Docks to purchase, deliver and install the ladders on our behalf at locations to be determined by the committee, whether it's 6 or 46.

**COUNCILMEMBER KERN** noted that everybody seems to be in agreement about the library hours, with the understanding that if things go back we'll have to cut them next year.

Regarding the pier maintenance, will this replace all of the top decking? Is this finished out to the end?

**CITY MANAGER WEISS** responded the end and the base of the pier are done. This will finish the gap in the middle.

**COUNCILMEMBER KERN** asked how about the bracing?

**CITY MANAGER WEISS** responded we allocate \$100,000 per year for the pier maintenance. That will continue. The bracing is about 80% complete right now.

**COUNCILMEMBER KERN** would like to leave the citizens' survey in as a placeholder. He would not like to conduct that until probably next January, so we have the citizens' survey before we go into that budget cycle. We're going off of things that we hear until we go out to a real survey of a large group of people throughout the City and ask them what they really want and expect from the City. We're listening to people who make a lot of noise and not necessarily to the majority of people. A full survey would bring things into light as far as citizens' priorities.

Regarding traffic calming, he is opposed to speed bumps. He doesn't like them, and they slow up emergency equipment. He's not opposed to some type of traffic calming, just speed bumps. Our police department has been very responsive to complaints of speeding in neighborhoods. Unfortunately, most of the people who get the tickets live in the neighborhoods. They get accustomed to speeding in certain spots. Talking to your neighbors and asking them to slow down would probably be more helpful than us putting a speed bump in. We can continue letting the Police Department respond to complaints by sending an officer out there, unless the traffic engineers say that a specific area has to have traffic calming or something like that. The traffic calming isn't a high priority for him.

We should let the red light cameras run their course and see what happens at the end of that. There are some statistics he'd like to get, like the number of accidents and tickets written in those intersections. The number one thing we wanted with red light cameras was to make those intersections safer. He asked how those intersections were selected.

**FRED ARMIJO**, Police Captain, stated it's his understanding that at the time we first looked into the red light camera system, a study was done to identify the intersections with the highest number of traffic collisions. Those are the ones we attacked first. The first 2 were Mission Avenue and Canyon and College and Oceanside Boulevards. We have seen a significant decrease in the number of collisions in those areas.

**COUNCILMEMBER KERN** reminded everyone that the number one priority for those was safety. They're expensive and a lot of people don't like them, but we've made those intersections much safer. When the contract has run its course, the Council will have to decide the trade-off between cost and safety.

The enhanced Code Enforcement issue is probably the most important thing on the list right now as far as what the City looks like and big Code violations. He'd like to keep the enhanced Code Enforcement. We need to make sure we have a safe, clean City.

Regarding the wi-fi, he'd like to take out the PIO position and put in the wi-fi and identify the locations where it should go. Where would we put it in Crown Heights? Are we going to put it in the Americanization School, Camp Fire Girls or the Boys & Girls Club?

**MARGERY PIERCE**, Neighborhood Services Director, stated it's possible that some of the programs at the Americanization School would move over to Camp Fire Girls, so she asked Council to leave that for now until we see what the best location for it is.

**COUNCILMEMBER KERN** stated the only one he thinks is missing is Libby Lake.

**MS. PIERCE** responded Libby Lake has a computer center where people can come in. We have a volunteer operating it. They don't have wi-fi there either, so that would be great.

**COUNCILMEMBER KERN** stated if they have computers and are on some type of cable system, all you would need is a router and that wouldn't be very expensive.

**MS. BROWN** stated Libby Lake is already connected to our network, so you wouldn't necessarily need wi-fi at that center right now because the computers are already there. If you wanted to people to come in with their own devices, then you'd need wi-fi.

**COUNCILMEMBER FELIEN** stated the one thing we need to keep in mind is since the future years involve future projected deficits, roughly 1½% to 1¾% of our budget, anything we're spending now isn't available to cover some of those costs. As a body, we should be leery of spending money now that we're going to have to cut back next year and maybe even more in future years. We need to keep that in mind as we make these decisions. He's sympathetic to restoring the library hours, but if we're going to end up cutting them again next year and have to make up the difference, he doesn't know if we're accomplishing anything. He's open to persuasion and public opinion.

Regarding the enhanced pier maintenance, is that something where we're just bringing a cost forward, so if we spend it this year we're actually saving it the following year or 2 years, so there's no net difference?

**CITY MANAGER WEISS** responded yes, it would just finish off earlier than had been expected.

**COUNCILMEMBER FELIEN** would support having that project completed.

Regarding the updating of the Development Impact Fees, isn't that something that has to take place by law on a regular basis?

**CITY MANAGER WEISS** responded the City already has a Park Impact Fee with the development of El Corazon. We did a separate fee study to look at charging new development it's fair share of costs for the complete El Corazon, because in the current park fee system it only includes a small portion of El Corazon. That study was done in 2008. This would allow you the ability to look at an overlay fee on new development to pay for their fair share of El Corazon. Also, in that study, it does allocate a significant amount of money that cannot be charged to new development; it has to come from existing development. That's what staff will be bringing forward to

Council in March, looking at those 2 options.

**COUNCILMEMBER FELIEN** doesn't understand why this is an exceptional item and not just part of normal business.

**CITY MANAGER WEISS** responded because it came up during Council's workshop in January. Normally, it would have been part of normal business, but because it came up as one of the budget priorities during that workshop, we've added it to this as well, so it doesn't just drop off.

**COUNCILMEMBER FELIEN** thinks the citizen's survey is important because we have people coming here claiming they speak for the majority, and we have people on both sides of every issue claiming they represent the majority. A well-done citizens' survey could help shed some light for this body, as well as the public, on a lot of controversial issues related to Rancho del Oro, Melrose, red light cameras, traffic calming, fireworks, etc. We're trying to get an idea of what the citizens want their government to accomplish for them, and what they think is the correct direction for the City to go in our challenging financial times. It is something that will be of value. He supports keeping that on the list of expenditures.

When Councilmember Sanchez brought up traffic calming, he supported having that on the list because it was an issue he's received feedback on as a Councilmember. He doesn't consider giving neighborhoods the authority to pay for their own traffic-calming. He's not comfortable with that as a solution. If the Council, as a body, decides that traffic calming is a low priority then giving the people the authority to pay for their own is an option. There is the issue of economic equity: high-income neighborhoods would have an option that's not available to lower-income neighborhoods. We need to think about that carefully.

He doesn't support eliminating the red light cameras early. We should let the contract run its course and then evaluate the issue of safety versus cost, as well as what the citizens feel about the cameras making their streets safer or not. We don't want to act on that now and incur the cost.

Regarding the Public Information Officer, he agrees with earlier comments that it's a lower priority.

Regarding the enhanced Code Enforcement, what would we be getting for that? What areas of enforcement are a low enough priority now that they aren't being acted on, and that an extra \$40,000 would make a difference?

**CITY MANAGER WEISS** responded we would not be proposing a full-time person, but 2 part-time people. The backlog of cases and the overall caseload in Code Enforcement has gone up significantly over the last few years. Although things are getting done, they are not getting done in any type of timeframe. The high priority ones are, but the backlog is such that there needs to be some additional resources put in Code Enforcement. Doing it on a part-time basis does give you the flexibility, if there are challenges in the future, to not go through a reduction process simply by eliminating the funding.

**COUNCILMEMBER FELIEN** stated that is something he would be sympathetic to because we need to maintain the quality of life issues. The Code, if it's going to mean something, needs to be enforceable.

The other issue that should be part of the citizen's survey, and that he has gotten a lot of feedback on, is the fireworks. That should be something that's in the budget showing what the trade-off is, so Council has an option. We need to get citizen input on it.

He believes an appropriate use of one-time funds would be to create an overtime reserve fund because we were placed in an uncomfortable position when we had an issue with overtime in the Fire Department budget. One option was to brown-out an ambulance as a solution. We need to have a buffer so the issue of the Fire Department budget and overtime for any department can be addressed in a thoughtful long-term manner, rather than making short-term decisions based on instantaneous news we just got. The budget can be based on a 5-year rolling average of actual overtime usage so we're dealing with actual numbers. We'd have the fund that could be used for any difference. If it's used then the budget can accommodate filling it back up. If costs keep going up and that's determined to be uncontrollable, then we're making the necessary cuts in other areas during this process rather than in some type of ad hoc Council meeting.

The same thing should be done in dealing with the anticipated receivables for overtime from the State when our public safety personnel are sent outside the City to do other activities that we expect to be reimbursed for, even though we have put the money in up front.

Regarding wi-fi, that's a creative solution and he's inclined to go for that. This falls into a category of a lot of budget items where it sounds nice and feels good and you want to help, but in the end we have to pick things that we have a good reason to believe are effective. Are there studies done, or do you have experience in the field of other cities having done this showing this kind of wi-fi project would be effective in helping turn around opportunities or provide a different direction for youth in that area to look at it in a different way?

**MS. PIERCE** has no experience and hasn't talked to any cities, but it's a great idea. It will definitely attract kids to do homework. She did have the opportunity to talk to Leach Tag Foundation today who would like to install a skype office in our resource centers so people in the neighborhoods could do direct services, like have their taxes done one on one and they don't have to travel to Escondido to get it done. That's a barrier, so a lot could be accomplished if wi-fi was available. The seniors at El Corazon have been interested since we opened the place.

**COUNCILMEMBER FELIEN** asked if we've kept counts at the different facilities to find out how many people are using these programs so if we install the wi-fi we'll be able to track the increase in usage or have a way to determine the effectiveness of it.

**MS. PIERCE** responded yes. We do counts on the number of people and what type of services they are requesting there.

**COUNCILMEMBER FELIEN** thinks it sounds like an experiment that's worth pursuing, so he would support that.

Since we've had Crown Heights in the news, and we're all trying to grasp anything we can do that's practical, do you feel there are any programs, based on your experience, that have proven effective that we can restore as a City, where money is the issue holding it back. It's a different environment in that neighborhood than in the rest of the City, and we have an extra obligation to try and reach out as a City to provide a different life for the kids in these neighborhoods.

**MS. PIERCE** recognized the Police Department and neighborhood policing team. Their partnership with Neighborhood Services has been excellent. There is a lot of good work being done in that neighborhood, and there would probably be a lot more problems if we weren't there. One thing that is a very difficult piece to solve is that there is no room there. We are bursting at the seams at the Americanization School. That's why we were hoping that we'll be able to move some of those services over to Camp Fire. We have 60-80 kids coming to the after-school program. That's where they feel safe, so that's where they go, but we're at a point where you can't manage all of the kids that are coming. We need to be able to increase some of the youth

programming because the demand for services in that neighborhood is extremely high. We don't have park space there for the kids to play; they rely on the Americanization School to do everything: homework, soccer, etc. We have the small pocket park there, but that's it. There's nowhere else to go.

**COUNCILMEMBER FELIEN** stated in terms of a park, if you go around the street there is a bridge that goes over to the park and fields just on the other side of the freeway. Is that not a practical option to develop for that neighborhood?

**MS. PIERCE** stated those kids tend to stay in their neighborhood for the most part. Oceanside Little League has exclusive use of the fields at Ron Ortega Park right now.

**DEPUTY MAYOR FELLER** asked if the City Manager needs to comment on the housing at this point.

**CITY MANAGER WEISS** responded no. That deal has not closed yet. The monies, whether we get them or not, are not included as any part of the budget discussions.

**DEPUTY MAYOR FELLER** heard someone say that the Mission Avenue improvements are not ready to go. He hasn't heard that before.

**CITY MANAGER WEISS** responded we've received the grant for Mission Avenue. The final designs are nearing completion. The only thing pending is a finding from the Department of Finance, called a Finding of Completion, so we can use the bond money. We hope to have that at the end of May or beginning of June. Currently, construction is scheduled to start in September.

**DEPUTY MAYOR FELLER** asked where sand replenishment falls. Is that under Capital Improvement?

**CITY MANAGER WEISS** responded yes.

In response to the speaker who wanted more things done in South Oceanside, **DEPUTY MAYOR FELLER** stated we tried. We had a great hotel planned for that area, but the community rejected it, so it still sits vacant.

Regarding restoring library hours, the report states that this Council's prior actions drastically reduced the City's expenditures and the amount of these future deficits. Drastically is a pretty big word. We have ended up, because of several sets of circumstances, with the extra money. What you have totaled here is about \$400,000. That means that there is still \$400,000, is that correct?

**CITY MANAGER WEISS** responded yes.

**DEPUTY MAYOR FELLER** wishes we could save the extra money. He doesn't know what to think about restoring the library hours. He can't force himself to automatically spend money on that. He's not sure what's more valuable: library hours or Code Enforcement. Code Enforcement is one of the most valuable tools that our police and City can use. Fixing the pier is also okay with him. He asked who does the study on the impact fees for El Corazon.

**CITY MANAGER WEISS** responded we use an outside firm to do that.

**DEPUTY MAYOR FELLER** stated everyone seems to agree on using an outside firm for that study. Sometimes we get beat up because we use an outside firm for looking at things.

He'd like to see a citizen's survey in the fall, around October.

Regarding the traffic calming, is the \$20,000 for when we need someone here to help the neighborhoods through the issues?

**CITY MANAGER WEISS** responded the \$20,000 is us bringing someone in on a part-time basis to put the program together and do the RFP (Request for Proposals) for the consultants. Then we would give the consultants information. There is an engineering study that needs to be done. If we do all of the studies, that would be a full-time person. If we just put the program together, the outline of what needs to be in the study, and solicit proposals from outside consultants, the neighborhood would hire private engineers to do those studies and come back to the Transportation Commission with the results of that study.

**DEPUTY MAYOR FELLER** is not in favor of restoring the traffic calming program. We're best served there with our enforcement. If you're in a neighborhood that needs traffic calming, you're talking about your neighbors that are speeding through. It happens on a lot of people's streets.

He was the one who pushed the City Manager into looking at the red light cameras. Now that it's going to cost us money to get out of that contract, he's willing to let that run out to the end of the contract. He's not interested in the PIO.

He asked what wi-fi does that a computer doesn't do. We have computers in the senior center and several other locations.

**CITY MANAGER WEISS** responded it allows people to access via their tablet, laptop, phone, etc., rather than having to have a hard connection to the internet.

**DEPUTY MAYOR FELLER** asked who has all of those devices in the neighborhoods we're talking about.

**COUNCILMEMBER SANCHEZ** responded people do.

**DEPUTY MAYOR FELLER** asked what relationship OSHA has with what we're talking about regarding harbor dock ladders.

**CITY ATTORNEY MULLEN** responded the OSHA regulation that is being cited is for places of employment.

**DEPUTY MAYOR FELLER** stated then that has nothing to do with it. If we're going to do the ladders on the docks, we need that to be very carefully calculated as far as who will be responsible and who will get sued if something happens.

**CITY ATTORNEY MULLEN** responded we need to make sure that once they go in they are properly maintained. There is a possibility that barnacles could get on them. It is his understanding that these ladders actually stand out of the water so there is less of a chance of corrosion and barnacle build-up. They still need to be installed properly and maintained.

**DEPUTY MAYOR FELLER** asked if we allow stand-up paddling in the harbor now.

**COUNCILMEMBER SANCHEZ** responded yes. It's not illegal.

**DEPUTY MAYOR FELLER** would like to see double of what we have up there for Code Enforcement. If we're going to eliminate something else, such as the red light cameras for the time being, he'd rather see Code Enforcement get that money and use it to get more than 2 part-time people.

He is also interested in the fireworks. Because we have money burning a hole in our pockets and this is the 125<sup>th</sup> year of Oceanside being incorporated, this would be a perfect year to have a fireworks celebration. We have no beach anymore, so nobody will be at the beach. It seems like the least expensive thing we can do in the middle of the City to culminate our 125<sup>th</sup> year celebration.

**COUNCILMEMBER SANCHEZ** thinks there are 3 Councilmembers supporting traffic calming. When we say we're for or against traffic calming, we have already said we want to have it on Coast Highway and Mission Avenue. When we talk about Coast Highway, we're talking about beautification/slowing down traffic. The people in the residential neighborhoods are asking for slowing down traffic. She doesn't think people are against traffic calming because it is a public safety issue. People are asking for it because we've had cars crashing into houses and kids at risk of being hit. We need to be concerned about that. She will vote against the idea to have someone come up with a list of 3 people who will do engineering. Nobody is interested in that. Nobody in the community wants to hire an engineer because nobody trusts that.

**COUNCILMEMBER FELIEN** stated on the issue of the \$500,000 revolving loan fund, this came to his attention while he was Treasurer and Mr. Knott had done some research on other urban areas that have had revolving loan funds. In terms of following up on that and talking with some of the City personnel from those cities who had effective programs, they all seem to originate from community block grants from a program that went back to the 1980's that was discontinued as a use for community block grants sometime thereafter. The only programs still in existence were the ones that had continued from that timeframe. That source of funding is not available for starting any new programs. As Treasurer he did not support using any of our City investments to do a loan funding program. Prior to the beginning of this recession, it's something he would have been opposed to as an improper role for government. All of us know people who've had business lines of credit cut off for no reason with perfect payment records. Many small businesses have been crippled by that experience. He's open to the idea of the City experimenting with filling that gap. He would want to make sure we are comfortable with what the approval process is and that we have a firewall that the public could have confidence in that there is no political influence determining the outcome of the recipients.

In terms of developing this program, have we talked with the Chamber of Commerce, MainStreet Oceanside, or any other business organizations to determine if the small business community in the City would feel this kind of program would be helpful?

**CITY MANAGER WEISS** stated this item is on the Council agenda for next week. We can have that discussion then to see if Council is interested in staff pursuing the program. We don't want to delve too far into it if Council doesn't see it as a positive.

**COUNCILMEMBER FELIEN** stated, regarding traffic calming, he sees that as dealing with neighborhoods off the main streets who have problems in their neighborhoods with speeding or other issues they are trying to address. When he looks at the backlog, they all appear to be neighborhood street issues. In terms of that, have we had any neighborhoods that have had traffic calming projects done and come back saying it didn't work the way they thought it would and would like to have it taken out?

**CITY MANAGER WEISS** responded we've had one that has requested the removal of speed bumps after they were put in.

**COUNCILMEMBER FELIEN** asked for the 30-second version of how a neighborhood would get traffic calming under the old method.

**CITY MANAGER WEISS** responded we get contacted either directly from the residents of a neighborhood or through the Council. We put them on our list. We do an

initial assessment on whether or not there is a valid speeding issue. If there is, it goes into a Phase II, which is a progressive evaluation where we go out and do speed surveys, meet with the neighborhoods on multiple occasions to determine if it's just a matter of putting signs up or education, or if enforcement activities need to be done. It gets progressively more involved from there. That evaluation process can take a lot of time depending on the neighborhood. We had a full-time person dedicated to it and they still couldn't keep up with all of them. We can handle about 20-22 per year, depending on the severity. Something like Vista Way, which was much more significant, took a much longer period of time.

**COUNCILMEMBER FELIEN** recalls that as part of that process, an actual poll is taken in the neighborhood to make sure there is majority support for any project that moves forward.

**CITY MANAGER WEISS** responded if there were any structural improvements, whether that's speed bumps or curb pop-outs, it requires a majority of the residents. He believes 70% of the neighborhood has to support the installation of those devices.

**COUNCILMEMBER FELIEN** feels that of this list there could be some prioritization in terms of which of the 5 or 6 critical projects we can move forward on. He's uncomfortable, because of the budget situation that you've projected for us, hiring someone full-time just to tell them they're going to be laid off next year. Is there a way to use existing staff to work on the more critical issues? He doesn't want it to drop off the radar screen, but at the same time he doesn't want long-term commitments where we're going to be laying off somebody we just recently hired.

**COUNCILMEMBER KERN** stated if you're going to try to bring fireworks forward, you're going to have to do that right away. We have to get it on the agenda, get the authorization, figure out where and how we're going to do it, and it's 4 months away. It wouldn't be at the pier because we don't have time to get the permits to shoot them out over the water, so it will have to be El Corazon or the airport or something along those lines. Our biggest cost wasn't the fireworks, it was public safety. He agrees that the 125<sup>th</sup> year should be celebrated. Our incorporation was right after the 4<sup>th</sup> of July.

**DEPUTY MAYOR FELLER** looked into the costs of fireworks at El Corazon and it's \$40,000, including safety.

Regarding Code Enforcement, **COUNCILMEMBER KERN** thinks right now we can go with 2 part-time people to help decrease the backlog. If we decrease it to a certain point, then next year we won't have to have that kind of help. If it continues to maintain an increased backlog, we may want to hire one permanent person to address that. Right now 2 people part-time would probably be the appropriate way to handle it. If we get to the point where it's not working, then we can go back and re-evaluate it.

As far as the \$500,000, we'll do that next week. He is philosophically reluctant for revolving loans; we're a government and not a bank. He'd like to have some background on what other cities have done and what their success and default rates are. What happens if someone does default and where do we stand in position of first or second loans, etc.? At first blush it sounds like somewhat of a good idea, but when you start thinking about it, there are more questions.

**MAYOR WOOD** stated restoring library hours is a priority. People out in the streets in this economy use the library every day for books and computer usage. They can look for jobs on the computers. Underneath that is pier maintenance. It moved forward because we had the money. That's needed because it's a safety issue.

Regarding enhanced street maintenance, most of the complaints he gets everyday are about bumps and potholes. It is important, but it's not a priority right now.

Regarding impact fees for El Corazon, we want El Corazon to move forward so those things can be addressed, but are not necessarily a priority.

The citizen's survey is not his priority either. It would be nice to have, but we don't really need to have it.

The second most popular thing he gets calls on is traffic calming. It's usually neighborhoods, not necessarily the main roads, wanting to see things change. Speeders are using neighborhoods as a cut-through.

Regarding the red light cameras, if we just let the contract end in 2015, it won't cost us anything, and that's a good idea.

We're the biggest City in North County and we do need a Public Information Officer, but it costs money. We have somebody on staff doing it. Most cities hire someone who is into public relations and press, and they do a good job of making their city look good. We get beat up by our local press, so it would be nice to have a professional who does it for us. It's something that would be nice to have but is not necessary right now.

We need to have more Code Enforcement. We keep cutting them and there are a lot of things that need to be addressed in the neighborhoods. We can try 2 part-time people, and later on we can look at whether or not we need more.

He supports the ladders in the harbor for the public safety. He had previously fallen in the water in the harbor and found it was very hard to get out. For the amount of money for these ladders, it well worth it.

He has no idea what wi-fi does and probably never will. For the amount of money, it would make a difference for the seniors and students.

This is a short list, taken from a big list, and they're all needed and necessary, but we're not going to get them all. The City Manager should be the person making the decision on any and every one of these things, in his opinion, along with help from the City Attorney. However, the policymakers say what we'd like to see and what we believe the public wants to see.

Capital improvements are usually what people are interested in hearing about. He heard about it at the OCNA meeting last night. People want to see the image of Oceanside move forward. It's about money and the economy. We hear about Carlsbad every day, and that works if you have a 2-block downtown area like they do. We have a 3-mile downtown. That's hard to keep up. We want to change our image and make Oceanside more tuned in to the changes in the community and tourism.

These things come down to money. When you take a pot of money and move it somewhere else, then that person or item gets cut back.

He feels that things are moving in a positive direction. The City Manager has presented us with a balanced budget, and we should approve it. A year or two down the road the City Manager may have to adjust it again, but what he's got here is a little spending money and ideas on the best way to spend that.

[Recess was held from 4:01 PM to 4:07 PM]

2. **FY 2013-14 Capital Improvement Project (CIP) Budget Workshop**

**SCOTT SMITH**, City Engineer, stated this CIP workshop and presentation focuses on new projects, projects requiring additional monies and other special interest projects.

Under the TransNet program, the new projects are the Oceanside Boulevard Transit Access and Beautification Project, which is from Interstate 5 (I-5) to Crouch Street. That project was requested by one of the earlier speakers to be looked at. There is also the Mission Avenue Fiber Optic Cable Design, which is for the TMC and will allow for improved data communication to the TMC. We have the Coast Highway Corridor Study, which is earmarked for \$500,000, and the Coast Highway Single Lane Restriping Trial. The intent of that is to allow staff to get an early read on the actual impact, as well as serve as a catalyst to encourage community participation.

There are no new projects identified within Thoroughfare; those projects are being carried from previous years. However, the new projects in Bicycle are the North Coast Transit Station Bike Station and the Active Transportation Grant Education, Encouragement and Awareness Program.

In the drainage program, we have a Master Plan of Drainage Fee Schedule revision to update the impact fees as a result of the Master Plan of Drainage study that we're in the process of completing now.

Regarding municipal buildings we have the Fire Station 8 Lease, Fire Training Center Maintenance and Improvements, and the Civic Center Computer Room heating and air conditioning replacement.

In the harbor we have pier braces, and Downtown we have the Mission Avenue Improvements for both Phase I and Phase II, and the Lot 23 Parking Structure Feasibility Analysis.

Under the Housing Program, we have 3 new items, which are the Americanization School Yard Play Set and Drainage, Crown Heights Alley Lighting and Division Street Sidewalk Study.

**JASON DAFFORN**, Water Utilities Division Manager, stated the Water Department's new projects for this budget year consist of four projects. Three out of the four are projects that relate to recycled water, which is a goal we're striving for, to be able to produce and get recycled water out to our customers.

One of the projects is the SCADA (Supervisory Control and Data Acquisition) upgrades, which is remote monitoring control and data collection throughout our facilities.

On the sewer side, we also have a SCADA upgrade, pipeline rehabilitation, plant electrical upgrades and a study for the ocean outfall analysis.

**JOHN AMBERSON**, Transportation Planner, stated back in September staff received Council direction to initiate a Coast Highway Corridor Study to determine what it would take to apply a road diet on our section of Coast Highway.

We've been working on the RFP (Request for Proposals), and it became apparent that the land-use component of the study could be pretty deep. Therefore, we've developed two Scope-of-Work scenarios that we seek Council direction on. The first has 6 primary general proponents that the study would take: community involvement, "assume" existing zoning, transportation analysis, preliminary design/guidelines, implementation/financing strategy and program-level EIR (Environmental Impact Report) or MND (Mitigated Negative Declaration). We'd like to see if we can get away with the MND, but it's not clear at this time.

The second scenario is essentially everything in the first scenario with the exception of review/enhance existing zoning. That would involve a detailed review that would enable the consultant a flexible approach in terms of developing a model alternatives. It also addresses and recognizes the relationship of the land-use and

street elements in terms of blending those elements as opposed to having those elements competing against each other. This effort recognized the importance of that.

The study would be funded by TransNet. The costs range from \$500,000 to \$900,000. Scenario one, assuming existing zoning, would be about \$500,000. The second scenario, with review of existing zoning, would be about \$900,000. These are very conservative estimates.

We have \$50,000 allocated for a trial test of the road diet on a certain segment of Coast Highway.

**DEPUTY MAYOR FELLER** asked where that trial will be.

**CITY MANAGER WEISS** responded we've talked with staff, and at this point we have not identified a specific location. In looking at what was identified in the Vision Plan and the type of narrowing, he would recommend somewhere in South Oceanside.

#### Public input

**HOWARD LA GRANGE**, 2575 Jason Court, is Co-Chairman of the Oceanside Bike and Pedestrian Committee, Commissioner for the Economic Development Commission, and on the Boards of MainStreet Oceanside and Visit Oceanside. He asked for Council's continued support on the Coast Highway Vision Plan. Every other community along the coast has some type of Vision Plan. The idea behind the Coast Highway Vision Plan, although important from a pedestrian and bicycle standpoint, is from the economic development standpoint. People gravitate toward areas that are aesthetically pleasing and avoid areas that are not. He goes to San Diego and walks through Little Italy, and it's very pleasant, as is La Jolla. When he walks down Coast Highway, he doesn't have that same feeling at all. It's about time we get our act together and start moving on this. It doesn't just benefit the community, but also tourism and economic development.

He supports the idea of a trial restriping as mentioned by the City Manager. Encinitas is doing this now. They have a Coast Highway Vision Plan, but they don't have the money to implement it yet. They did take Coast Highway down from 2 lanes to 1 lane from Leucadia Boulevard to La Costa. They put a bike lane in and one traffic lane, and it's been very favorable so far.

Many items on this project list do not have a rate of return, except for a better place to live. We need to look at rate of return in some respects. What will give us our biggest bang for the buck?

Bathrooms on the beach are not on here, and that concerns him. This issue has been raised many times. The main bathroom down by the Amphitheater is really substandard. It's old and smells bad. We're bringing a lot of new tourism downtown and to the beach area with various events. Whether it's the event participants or just tourists going into those bathrooms, when they see those bathrooms it doesn't provide a good feeling about us. We're not talking a lot of money for those bathrooms.

**TONI CORTES**, 1726 Soto Street, feels that they have been overlooked and short-changed in South Oceanside. We would like some of the monies to be used to improve our South Oceanside neighborhood. It's time for that. She asked Council to make them a priority when thinking about where to spend the monies. We know we need to take it a few blocks at a time and start it in segments. She proposed that Council take the money and use it in segments in South Oceanside where you'll get your greatest return. We've been meeting in South Oceanside and talking about this. We want to give the local residents, visitors and tourists a place to come, walk around or bicycle and enjoy themselves. We're seeing a lot of big numbers on studies. Why does it cost so much to do the studies and less to actually make the change? She asked Council to put things into perspective and think about making a change in South

Oceanside.

**JIMMY KNOTT**, 127 Sherri Lane, was promised years ago a crosswalk to Buccaneer Beach, at mid-Coast Highway at Loma Alta Creek. The tourists need to be able to access the trail there.

He was also promised a fire hydrant for many years. Last month we had a car fire in La Salina Mobile Home Park, and the Fire Department nearly emptied their truck's reserve water trying to put it out. They need an accessible fire hydrant. We need to re-evaluate our fire hydrants throughout the City.

Crown Heights needs public safety camera systems. These can help prevent crime and help the Police Department track down those who commit crimes.

We need to have some consistency in speed along Coast Highway. It should be 25 miles per hour.

**LESLEE GAUL**, Visit Oceanside, hopes the Council will prioritize those things in visitor-serving areas. This is going to be the biggest return on investment. People want to be in areas that are aesthetically pleasing. They want to live, work and play in those areas. Specifically, the beach bathrooms are key. We have over 5,000,000 people that come to our beaches every year, and they need to have a pleasant experience while they're down there. Bathrooms are important to that.

People who come to Oceanside want to have a positive, clean and safe experience. For the costs it will take to make those improvements, the return on investment is huge. She has received complaints from visitors who will not be returning to Oceanside because of their experience with the beach areas.

Over time she would like to see a percentage of hotel tax dedicated to infrastructure. A lot of cities do that because they want to maintain the hand that feeds them.

**PAUL NEVINS**, 2014 Mountain Vista Way, is a Fire Mountain resident who also has property in South Oceanside. The Council has a fiduciary duty to invest money wisely where we get a decent rate of return on our investment.

We could tell from the results of the most recent City elections what the residents want and don't want. We also know from groups or neighborhood organizations that have grown exponentially since controversial issues have come up over the last 3 or 4 years, what the City residents support and don't support. Council tends to vote 180 degrees from what we see the City residents supporting.

Earlier Councilmember Felien was concerned about extending library hours because we might have to cut them again. The library gives us a tremendous impact socially for the future for our children and the benefit of our community.

Regarding South Oceanside and the Vision Plan, the investment we put into enhancing the coastal area, that 3-mile downtown strip we have that some investors have described as looking down a sewer pipe, will encourage a lot more businesses to come in like the private one that just came in with 15 employees who are all Oceanside residents. That's a long-term job. That money is recycled and boosts our economy. That's the type of thing we want. We don't need to throw \$5,000,000 away on studies for sewer lines and overpasses that will never happen. It's just money blown. We need to invest money where it's going to bring back to the community real, long-term, permanent jobs and where we're all going to benefit.

**DOUG FENCL**, 307 South Horne Street, stated the work on the pier is very important and so are the restrooms. Those are the image of the City and should be a number one priority. We should get them done as fast as possible.

The new parking lot going south from the station with the bicycle lane looks a little fancy, and nobody uses the bicycle part of it. He's not sure that's a priority.

He spoke with the Mayor recently about the vision for the downtown area. He likes the neighborhood things, but the City has to start in the middle and grow out. Whatever needs to be done to get the nice beach hotel started should be done. Follow that with the radiating areas. If you start from the middle, that will get your tax base going and start appreciating the values of everything downtown. It will pay for Coast Highway and the airport, which may become more important with Carlsbad getting bigger and some of the private airplanes coming down here.

There are always going to be other things that need to get done, but downtown has to be the beating heart of the City.

**ERIN MORIN**, 1241 Chambord Court, walks in South Oceanside, and it does need attention. It needs redevelopment and something that will help attract businesses. If we're scaring away tourism, then we've done something wrong. We need to work to bring in new business, not pawn shops or loan businesses. There are too many used car dealerships. We need to bring in some corporations and small businesses. We need to get green buildings and businesses here. Business is booming in that industry. She'd like to see Oceanside work for a better future for our businesses.

**JENNIFER SUCHMAN**, 2043 South Horne Street, doesn't think Council needs to spend money on a study. It seems like you're hearing the same thing over and over again. It doesn't really matter where you start, just do something. We need to start, and then it will spread. The concerns are safety and beautification. Once we make downtown, Coast Highway and South Oceanside nicer, Crown Heights is going to be affected. How can it not be affected? There was an area in Leucadia that had high gang violence at one time, but now there's a golf course there. Change is possible, but you have to start somewhere. Looking at studies is a waste of money. The citizens are telling you. Oceanside is a depressing-looking place, and we deserve better.

Public input concluded

**COUNCILMEMBER SANCHEZ** started with the new projects under TransNet. She's glad to see that we're looking at a beautification project on Oceanside Boulevard. In speaking with staff, she found out it's only going to go from I-5 to just before Crouch Street. She likes that we're finally going to do something, but she's hoping that we keep going down Oceanside Boulevard.

Regarding the Coast Highway Vision Plan, we've realized all along that it's a Vision Plan, and no studies have been done. All of that has to be done to see what can be done. It's a huge engineering project. We talked about how the EIR would probably cost about \$1,000,000, and that's only one piece. There is a group of merchants and residents down there who are ready to do something. They're willing to work with staff to make something happen. She asked staff if it would be possible to start with South Oceanside, and they said the traffic is less there so it would make sense. They want a beautification project and a traffic calming project.

She wants a separated bike path. Long Beach wants to bring forward the first separated bike path in a coastal city. We need to do that here in Oceanside. They may have been the first, but it's not too late to do this. Separated bike paths are a safety thing, and it gets more people riding their bikes. We have a chance to put it into South Oceanside so that we've got more bicycle traffic. South Oceanside is an older neighborhood where people stay and raise their kids. There are several generations of people who are committed to keeping the character of South Oceanside while making it better.

She would like to put South Oceanside as the priority. We've got the partnerships downtown like MainStreet and the 2 farmers markets. We need to do something like that in South Oceanside. We need to bring the road down to one lane each way, do the improvements on the sidewalks and add outdoor café type seating. We need to make our City bicycle-friendly, walkable, attractive to people to come here and spend the day and a destination place. We have a chance to put all of our communities on the map, but South Oceanside is primed because we've got the Merchant's Association and OCNA (Oceanside Coastal Neighborhood Association), who have been working with the neighborhoods to have these improvements actually happen and not just studied. We need to have this happen faster. There are several generations of families in South Oceanside who need a place for kids to go for entertainment. People spend even more money in our businesses when we cater to these other markets. That's what she's hoping to do in terms of TransNet dollars.

She will be voting against the Melrose Avenue Extension. These are wasted funds because she doesn't believe, contrary to what she's read in the paper, it's ever going to happen.

She really wants us to be the bicycle friendly City. We have the chance to make that happen.

Regarding Housing and CDBG (Community Development Block Grants), those are all coming from CDBG funds she assumes. We've been talking about improvements on alleyways and sidewalks.

The beach bathrooms need to be a priority.

**CITY MANAGER WEISS** stated the only funding that Council has for restrooms is the harbor. The beach restrooms were all to be funded from what would have been future Redevelopment dollars. With that funding source gone, the only ability you have is either one-time monies that come in or General Fund monies.

**COUNCILMEMBER SANCHEZ** stated this is our CIP, so this would be one-time money. She would like to put the beach bathrooms as a priority.

The bottom line priorities for her are Coast Highway, Housing, Crown Heights improvements, beach bathrooms and Oceanside Boulevard.

**DEPUTY MAYOR FELLER** would love to just do these things, but everything on these scenarios tells you why we can't just do it: environmental, government regulations, community involvement, etc. If we just did something without involving the community it would not go over well. How long does this \$500,000 study take?

**CITY MANAGER WEISS** responded that study is a preparation of the EIR. It would include all of the various traffic studies, zoning and modeling that would occur. We would expect this would take at least a year to a year and a half to do the EIR and get it in front of the Council for certification.

**DEPUTY MAYOR FELLER** asked why they cost so much.

**CITY MANAGER WEISS** responded because of all of the environmental studies that we are obligated to do under CEQA to address the environmental impacts within the project.

**DEPUTY MAYOR FELLER** asked if there is a possibility we can do things without all of that.

**CITY MANAGER WEISS** responded one of the projects that Mr. Smith has mentioned was to do a trial restriping of a portion of Coast Highway, and we would be able to do that minimal overall environmental because it's on a trial basis. Part of it is to

put traffic counters on the side streets. There would be some limited environmental review, but that is something that we think we could do in a much shorter timeframe than the full EIR.

**DEPUTY MAYOR FELLER** thinks it would be a great opportunity in South Oceanside if you took it from Oceanside Boulevard south, to the border. It funnels down there anyway when everybody gets off the freeway here to avoid the traffic on I-5. If we did that, they would probably stop doing that and we'd have slower traffic down there, which is what they're looking for. He doesn't know how you factor in bike lanes, but the Coast Highway Vision Plan is an important thing and money well spent to get a feel for it.

The detention basin at Loma Alta Creek/Industry Street biological report gets us what?

**CITY MANAGER WEISS** responded it gets us an evaluation of what type and amount of vegetation could be removed and what impact that would have on the flooding. The ultimate removal of that vegetation would still be an issue because a majority of that portion of the creek is privately owned. We can't just remove the vegetation without providing some significant replacement habitat.

**DEPUTY MAYOR FELLER** thinks the beach restrooms are critical. He's been saying that since he's been on Council and long before as well. Mr. Fencel was correct that we need to start with our core.

Regarding sand replenishment, he's not buying the idea that the sand is just sitting out there waiting to wash back on the shore. The only sand we have is between the river north to the jetty in the harbor. Probably 75-100 feet of the sand is gone south of Oceanside Boulevard. We have to think of something, and we need to start planning long-term for that. We need to not necessarily rely on SANDAG for it. We could do a pilot study or something that will give us the sand on the beach. We won't need to use the restrooms if we don't have sand down there. He doesn't see us getting enough sand out of the mouth of the harbor to completely replenish that sand for this summer.

He's satisfied with the report and what you're asking for. Regarding French Field, when is that going to be ready to be occupied by Little League?

**DAVID DIPIERRO**, City Traffic Engineer, responded right now we're in the second phase of the project. We received the approvals on the site where we can now work toward moving VALL (Vista American Little League) onto the fields. We're working with VALL as far as accommodating their closing schedule, which is June. The complication is that we're coordinating with them and their volunteer sources and funds to be able to provide the most bang for our buck. We're providing them with all of the utility coordinations and the final design for the project. That will allow them to permit the work and as they go over the years, they can raise funds to come in under the existing permit. The best bang for the buck is to spend the remaining funds of \$420,000 and establish one single field that they could showcase as to what the future might provide. We're trying to accommodate that by the June closing date for their season. However, one of the issues is the architectural design of their restroom/concession stand. They're very interested in the concession stand, which is a major revenue source for them. Once we get a design established, we would be able to move forward. We are looking at probably fall. We don't think we're going to meet their closing date, but we're coordinating with them as far as establishing a complete set of plans they can build on.

**DEPUTY MAYOR FELLER** stated that is probably good so they'll be better prepared for next year.

**MR. DiPIERRO** stated we have them attend our bi-weekly progress meetings and provide input. We looked into tilt-up pre-fab facilities that they can come on and slip sheet to the plan set. Unfortunately, that didn't really work out for us, so we're looking to them to employ an architect. They've solicited for architects, and they're going to provide some architectural drawings that we can put into our plans.

**COUNCILMEMBER FELIEN** wanted to emphasize the importance of beach bathroom and how important that is to the future of our City in tracking and retaining our tourism.

**COUNCILMEMBER KERN** is concerned about water recycling. We have a lot of potential to do water recycling here. We have Fallbrook and Camp Pendleton's outfalls.

Talking about the Vision Plan and CEQA, he believes the State has finally realized that CEQA needs to be reformed. The Governor and Legislators are talking about it. By the time we get through the study, maybe CEQA will not be as daunting as it is now. Hopefully the process will be speeded up somehow. He understands why the California Environmental Quality Act is important, but some of the processes are getting bogged down, and more people use it as a weapon than a tool.

**MAYOR WOOD** asked the status on the \$1,700,000 from the Waste Management contract and the sale of the Laguna Vista Mobile Home Park sale.

**CITY MANAGER WEISS** stated there is no Laguna Vista money. Council authorized the sale, but the sale has not closed. You did not make a decision in regards to how that money was allocated. The last time you considered it, there were 2 options. One was to put it back into Housing, and the other was to use it to build restrooms because there are no developer fees allocated to building restrooms on the beach.

The franchise fees, whether Waste Management, Cox Cable or SDG&E, are included in the City's General Fund revenues. They're not subject to the CIP monies.

**MAYOR WOOD** would like to see some, if not all, of that money going to Mission Cove. That would benefit the City and change that blighted feel in the Valley. The downtown Mission plan has been going for a while, and some people would like to see it go forward. It's been lingering for a while. It seems to incorporate the downtown area, the pier and some of the bandstands down there. It's all been put on hold for financial reasons. However, that is a priority for our downtown area.

For the last 25 years, downtown has been our priority, including redevelopment. It was just starting to boom, and then the State decided we'd have no more redevelopment. The downtown is our draw, along with the beaches, pier and harbor. It's a priority for him. He would like to see a walkable community like you see in other cities.

He agrees that on the Coast Highway Plan, it may be better to start off in the slower end of town, from Carlsbad north. Downtown would be a separate issue. We could do it in blocks down the highway. It might be best to start where the traffic isn't that heavy so it could get done faster and we could see a change in Oceanside and South Oceanside.

Mission Cove is a priority. We could use the money to move it forward.

As a way of competing with the larger chain stores, small businesses wanted us to look into mixed-use, where upstairs housing could supplement their income. He'd like to see more of that come up.

Mr. Knott asked why we can't do police cameras out of the CIP budget. We had problems with this. He'd love to see pole cameras all over town to monitor crime, but

they're expensive, and somebody has to monitor them. On the other hand, the Police Department could be nudged by us to go out and get grants.

Regarding sand replenishment, he's gone back every year to the federal government because the harbor is mixed-use by civilians and the federal government. The jetty that runs out has taken all of our sand off the beach. They know and admit that it's the problem, so every year they dredge it and put sand on our beach. That lasts maybe until the first storm, and then it's gone. SANDAG has been helping with sand replenishment, but he's not sure that's the best plan. He'd like to look at it in the future.

The other number one priority he has is water and sewer. Water is the number one commodity in Southern California. It's gone up over 100% since 2006. We want to move forward in doing more underground water/desalination like we do now at 15-20%. We all talked about wanting to move it up to 50%. Somewhere in these future budgets he'd like to see more thought into getting more water from underground and the San Luis Rey River. That would help us with water price increases for senior citizens on fixed incomes.

Every year the federal government has had on their list a shoreline study for sand that they never can fund, so it never gets done. They've been waiting years. The federal government built the jetty that took our sand away from our beaches. It doesn't seem to be one of their priorities.

He's against the \$2,000,000 study for the Melrose Extension. It can never go forward unless they get a 4/5 vote on Council. He'd rather see that \$2,000,000 used somewhere else for a lot of the things we've talked about.

Nothing on this list will cost more money than if we have a sewer leak because we didn't look at our infrastructure when it gets old. We can get a \$7,000,000 fine in one day by having one of the sewer pipes break. His priority is making water and sewer the priority for our community.

He likes this budget, and the City Manager and staff have done an excellent job.

**COUNCILMEMBER SANCHEZ** understands from staff that the sale of Laguna Vista is going to bring in about \$4,000,000. She wants to put that into funding Mission Cove. Mr. Seymour had stated we can consider it a loan to get that project done and then use it over and over again to get other projects done. That is critical for us.

**DEPUTY MAYOR FELLER** asked if we can use some of that money from Laguna Vista for restrooms on the beach. We're talking about \$4,000,000. Maybe there is a happy medium in there.

**CITY MANAGER WEISS** stated any potential proceeds are not included in what you're dealing with today. If the sale closes and at such time as we get the money and pay off the outstanding bonds, there would be a separate item that comes back to Council.

**CITY ATTORNEY MULLEN** stated escrow has finally opened. There were a lot of issues that we had to get through in order to get there, and not everything is going completely according to plan yet. We can update Council at the next Council meeting about where we are at with that property. Hopefully, we'll be closing escrow in the next couple of months.

**CITY MANAGER WEISS** asked if, with the exception of Melrose, there is general approval of all of the other projects. He believes there were 3 Councilmember who would leave Melrose on the list.

We also heard the bathrooms as a priority. Unless you use General Fund money, or one-time money from something like the sale of Laguna Vista, there is no money for restrooms outside of Redevelopment, and that money is gone. We will look at what potential options are there to do that and see if there is availability. We do not collect developer impact fees for the restrooms on the beach.

**MR. SMITH** clarified that Mr. Amberson brought up two scenarios related to the Coast Highway Corridor Study. He wants to make sure we're clear in regards to the dollar figures because of the RFP that's going out. Staff's recommendation is that we do the review of the existing zoning as part of this.

**COUNCILMEMBER SANCHEZ** would also like to focus on starting with South Oceanside.

**MR. SMITH** responded yes.

**DEPUTY MAYOR FELLER** doesn't know what is meant by starting in South Oceanside and coming north.

**CITY MANAGER WEISS** responded it wouldn't be coming north. The focus of the study would be South Oceanside. More than likely that would be Morse Street to Vista Way. Instead of doing an entire City and corridor and all of the zoning, we would start with the South Oceanside portion first.

**DEPUTY MAYOR FELLER** asked if you're talking about just the pilot program.

**CITY MANAGER WEISS** responded both.

**DEPUTY MAYOR FELLER** asked what we do about the mess up here.

**CITY MANAGER WEISS** responded that would be a separate study in the future.

**MR. SMITH** stated we could study both at the same time, but phase it such that we do the southerly portion first.

3. **Public Communication on City Council Matters (off-agenda items)**

**JIM JENKINS**, 1429 Calle Marbella, regarding the safety issues of the ladders, he appreciates and understands the thought about future recreational activities in the harbor because that's what helps us go and grow. What we missed on these ladders is it's not about the future potential risks, but the current risks that exist. With 967 slips down there, times possibly 2 members of each family, we're looking at a couple of thousand people who are at risk every day of falling off the docks from their own boats. He's been in that harbor for a long time and helped fish people out. This really needs to be looked at. It only takes one death and a possible lawsuit to go after this.

Regarding the citizen's survey, he doesn't think that would do any good. One of the biggest public surveys has already been conducted, and that was the election. 54% of the people who participated in that survey, voted for the Mayor. His expertise and knowledge is what they voted for. That survey has been blatantly overlooked by the Council majority, and they're going in a different direction.

Regarding outsourcing in the harbor, he has talked to a number of harbor employees there and they're talking about retiring. They know that with this potential outsourcing they have no chance. We're going to lose a lot of great talent and trained skills because they don't know what will happen if this outsources.

Looking into the RFP, there is a lot of vagueness. We've been hit up at \$3 per foot in the harbor and were told that money would be utilized for capital improvements,

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Mayor and Council  
Workshop

other potential expenses and operating costs for the next 20 years. In that RFP there are some areas that state very clearly that, after a short period of time, the new management group has the right to raise rates at their discretion. That's a concern because the people have already been told that the \$3 per foot increase would cover the next 20 years.

**FRANCES KAZERSKI**, 276 North El Camino Real #8, stated last night there was wind and rain in Oceanside. At the January 16<sup>th</sup> Council meeting, he had requested a permanent home for the Bread of Life Rescue Mission of Oceanside. Are you aware that there are an estimated 40,000 homeless American veterans living in the State? Perhaps we can come up with a permanent solution for change to help homeless people through the Bread of Life Rescue Mission of Oceanside. This faith-based mission needs a permanent home to give the homeless faith, hope and a hand up out of desperate circumstances. The homeless shelter is only open from November through March for sleepovers. People are forced to live along the San Luis Rey riverbed, in public parks or on the streets. He asked Council to consider a permanent home for Bread of Life.

**ADJOURNMENT**

**MAYOR WOOD** adjourned this meeting to Wednesday, February 27, 2013, at 2:00 PM. This adjourned meeting of the Oceanside City Council was adjourned at 5:19 PM, on Wednesday, February 20, 2013.

**ACCEPTED BY COUNCIL:**

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Zack Beck  
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 OCEANSIDE PUBLIC FINANCE AUTHORITY

FEBRUARY 27, 2013

REGULAR MEETING                      2:00 PM                      COUNCIL CHAMBERS

2:00 PM - OCEANSIDE CITY COUNCIL (COUNCIL),  
HARBOR DISTRICT BOARD OF DIRECTORS (HDB)  
COMMUNITY DEVELOPMENT COMMISSION (CDC), AND  
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**  
Vacant

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

**City Clerk**  
**HDB Secretary**  
**CDC Secretary**  
**OPFA Secretary**  
Zack Beck

**Treasurer**  
Gary Ernst

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**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 2:02 PM, February 27, 2013.

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

**2:00 PM - ROLL CALL**

Present were Mayor Wood, Councilmembers Feller, Kern and Felien. Councilmember Sanchez arrived at 2:06 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, 2(A), 2(B), 2(C), 3(A), and 3(B). [Item 1 was not heard]

Regarding Item 2B, **DIANE NYGAARD**, 5020 Nighthawk, provided an update on the Planning Commission hearing on Quarry Creek. The developer minimized the traffic impacts with that project. It was said that reducing the number of units from 656 to 500 would result in less than a two second improvement in traffic, as long as it takes to sneeze. This didn't go over well with the audience that thinks traffic in that area is already a problem. Having 656 additional units there with over 5,500 average daily trips (ADT) per day will be a lot more than something to sneeze at. They are doing less than \$2,000,000 in mitigation measures, which doesn't make up for the \$15,000,000 they saved by not having to build the Marron Road extension.

City Attorney Mullen has said before that if she's not happy with the mitigation measures Oceanside is looking at, she's welcome to submit what she proposes. Reducing the number of units is the key to reducing the traffic, as well as providing support for public transit and a public trail, which could be on the existing sewer easement roads connecting to El Camino Real from Haymar. Fish and Game could give easements on that. She would like to see better road mitigation, although she is not a traffic engineer and not able to come up with reasonable road mitigations for the huge impacts of this project. We have hired a Traffic Engineer that will be doing this, and we will be happy to share those results as soon as we have them.

We are concerned that the response to the letter that the City submitted did not address the issues that our City raised. That stays on the record, and it seems important to rebut that and make our concerns known. It's clear to us that Carlsbad would never allow traffic impacts on roads in their city from a project like this, so why would they allow it on our roads? She provided a handout to Council that summarizes the E and F service levels that will occur from this project, as well as what they passed out at the meeting showing the mitigation measures.

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

**CITY COUNCIL, HDB, CDC, OPFA 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]

**No closed session was held**

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

A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

1. The Villages of Rancho Del Oro Association, Inc. v. City of Oceanside  
Superior Court Case No. 37-2011-00055586-CU-MC-NC

**Information only; no reportable action**

- B) CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION (SECTION 54956.9)  
Initiation of litigation by City pursuant to Subdivision (c) of Section 54956.9: One Case
- C) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (SECTION 54956.9)  
Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: One Case

**Items discussed; no reportable action**

3. **CONFERENCE WITH REAL ESTATE NEGOTIATOR**

- A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: Oceanside Municipal Pier; Negotiating Parties: City of Oceanside and Ruby's Diner; Negotiators for the City: Doug Eddow, Real Estate Manager; Under Negotiations: Price and terms for a lease of real property
- B) CONFERENCE WITH REAL ESTATE NEGOTIATOR – Property: Approximately 8.0 acres in the Hi Hope Ranch development (portion of APN 122-100-54) located at the northwest corner of State Route 76 and Melrose Drive; Negotiating Parties: City of Oceanside and Meritage Homes of California, Inc.; Negotiator for the City: Douglas Eddow, Real Estate Manager; Under Negotiations: Terms for the acquisition of real property

**Items discussed; no reportable action**

**4:00 PM – ROLL CALL**

**MAYOR WOOD** reconvened the meeting at 4:00 PM. Present were Mayor Wood, Councilmembers Sanchez, Feller, Kern and Felien. Also present were City Clerk Beck, City Manager Weiss and City Attorney Mullen.

**CONSENT CALENDAR ITEMS** [Items 4-7, 9-17]

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.

**COUNCILMEMBER SANCHEZ** asked to pull Item 8 from the Consent Calendar.

The following Consent Calendar items were submitted for approval:

4. 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:  
January 25, 2012, 9:00 a.m. Adjourned Meeting of the City Council  
March 14, 2012, 4:00 p.m. Regular Meeting  
March 20, 2012, 2:00 p.m. Adjourned Meeting of the City Council
5. 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)

6. City Council/Harbor: Approval of the five-year Memorandum of Understanding (MOU) **[Document No. 13-D0106-1]** between the City of Oceanside, City of San Diego, San Diego Unified Port District and County of Orange establishing the shared program responsibilities with respect to mandatory participation in the Regional Harbor Monitoring Program (RHMP); authorization for the Mayor to execute the MOU; approval of a purchase order in an amount not to exceed \$186,235 to fund the City's share of the MOU; and authorization for the Financial Services Director, or designee, to execute the purchase order
7. City Council/Harbor: Approval of a ten-year property use agreement **[Document No. 13-D0107-2]** with Boat Rentals of America, Inc., on Oceanside Small Craft Harbor District-owned property, for a ten year minimum revenue of \$165,528; and authorization for the City Manager to execute the agreement (continued from January 30, 2013)
8. **Removed from the Consent Calendar for discussion – Council**
9. City Council: Approval of a professional services agreement **[Document No. 13-D0110-1]** in the amount of \$79,891 with General Pump Company of San Dimas for the Well 2 Rehabilitation project; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents
10. City Council: Approval of Amendment 1 **[Document No. 13-D0111-1]** in an amount not to exceed \$100,000 to the professional services agreement with Rancho Del Oro Landscape and Maintenance, Inc. of Oceanside for additional landscape services; and authorization for the City Manager to execute the amendment
11. City Council: Approval of a purchase order in the amount of \$129,800 to Sloan Electromechanical of San Diego for repairs to equipment within the Water Utilities Department; and authorization for the Financial Services Director, or designee, to execute the purchase order
12. City Council: Ratification of Closing Change Order 3 **[Document No. 13-D0112-1]** in the amount of \$24,328 and acceptance of the improvements constructed by SD&B Construction, Inc., of Escondido for the San Luis Rey Wastewater Treatment Facility Old Maintenance Building Upgrades project
13. City Council: Approval to grant an easement **[Document No. 13-D0113-1]** to San Diego Gas and Electric Company for utility purposes to serve the relocated Agriservice, Inc., operation located at El Corazon; and authorization for the Mayor to execute the easement
14. City Council: Approval of a budget appropriation from the General Fund Unassigned Fund Balance to Fund 963, the Street Lighting District Debt Service Fund, in the amount of \$482,500 for the prepayment of the 2004 Street Lighting Lease
15. City Council: Approval of the Bylaws **[Document No. 13-D0114-1]**; and of the Biannual 2013-15 Workplan for the Library Board of Trustees
16. City Council: Adoption of **Resolution No. 13-R0115-1**, "...adopting Personnel Rules and Regulations **[Document No. 13-D0116-1]** Pursuant to Chapter 23 of the Oceanside Municipal Code"
17. City Council: Acceptance of the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2012

**COUNCILMEMBER KERN** moved approval of the balance of the Consent Calendar [Items 4-7, 9-17].

**MAYOR WOOD** seconded the motion.

**Motion was approved 5-0.**

**Item removed from Consent Calendar for discussion**

8. **City Council: Approval of a property use agreement with New Cingular Wireless PCS, LLC, to use a portion of City-owned real property at 3471 Cannon Road for telecommunications purposes, for a minimum total revenue of \$360,183 for a ten-year period plus a one-time payment of \$30,000; approval of a budget appropriation of the \$30,000 to the Information Systems operating account; and authorization for the City Manager to execute the agreement**

**COUNCILMEMBER KERN** moved approval [of a property use agreement with New Cingular Wireless PCS, LLC, to use a portion of City-owned real property at 3471 Cannon Road for telecommunications purposes, for a minimum total revenue of \$360,183 for a ten-year period plus a one-time payment of \$30,000; approval of a budget appropriation of the \$30,000 to the Information Systems operating account; and authorization for the City Manager to execute the agreement].

**COUNCILMEMBER FELLER** seconded the motion.

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

**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.

18. **City Council: Approval of the Library Strategic Plan for 2013-2015**

**SHERRI COSBY**, Library Director, asked for approval of the Library Strategic Plan. This plan is a result of many months of hard work by a variety of people. We did a literature review, surveyed our entire library staff and did a SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis with the entire library staff and Community Planning Committee. We had input from four key groups throughout the entire process: the Library Board of Trustees, the Library Management Team, that gave significant input and did a lot of editing and revisions; the Library staff, 6 of whom were responsible for drafting the goals and objectives based on the input they had from the SWOTS and Community Planning Committee; and the Community Planning Committee, a diverse group of Oceanside residents that were selected based on their involvement in the City and what they knew about the City, not just the library. They gave us a vision for the City for the next ten years and determined what the library could do to help with that.

The key elements that came out of this planning that drove our new mission, vision and goals were to promote literacy and a love of reading, support intellectual freedom, welcome the community, have information access for all, celebrate diversity, build strong partnerships, foster a healthy democracy and adapt and innovate. This led us to a new vision that the Oceanside Public Library will be the cultural heart of Oceanside, empowering the community by promoting literacy, information access, civic engagement, cultural inclusiveness, and openness to new ideas. Our new mission is to engage, inform, connect and inspire.

The six goals/objectives that we plan to work on over the next three years are to cultivate a more literate Oceanside, empower Oceanside to access information, be

Oceanside's safe and welcoming destination, celebrate a diverse Oceanside community and awaken a sense of cultural belonging, deliver high-demand materials to spark Oceanside's imagination and foster exploration of new ideas, and promote civic participation in Oceanside.

We also knew that in order to do this we needed to look at ourselves internally as an organization. The managers spent several sessions going through different worksheets and exercises to determine if we were ready to embark on this new Strategic Plan. Part of the exercises was to answer some questions. If the answer was "no" or "it wasn't clear," then we needed to look at some organizational competencies to bring us up to where we want to be.

In these areas we have one, two or three different objectives or competencies that we need to work on. We have external partners, and we need to formalize and continue to grow that. With our finances, we know that we have the budget that the City provides for us, and we have to live within those means. We need to look at ways to reallocate our resources within our department to do the things we want to do. We could do more to help formalize fundraising efforts through our friends and Foundation, and we want to do some of that.

In the area of governance, we want to make sure that our Library Board of Trustees is always onboard and supportive of us. We also want to keep their work plan and bylaws up to date. We have marketing, public relations, measurement, evaluation and operational efficiencies. We want to look at our organizational structure and make sure that we are organizationally set the way we need to be. As for our policies, do they need to change or be revised to match our new goals? We need to do some training and staff development to meet these new goals. We want to continue to strengthen and build our volunteer program.

Our next step is to start implementing this plan. We want to make sure we reallocate resources if needed to meet our goals. We need to work on the organizational competencies that need to be accomplished in 2013.

She recommended that the Council approve this Strategic Plan for the library for 2013-2015.

**COUNCILMEMBER SANCHEZ moved** approval [of "the Library Strategic Plan for 2013-2015."] The community is extremely supportive of the library. The library is there for everyone and has been in heavy use for quite some time. We should start looking at planning for the El Corazon Library.

**COUNCILMEMBER KERN seconded** the motion.

**MAYOR WOOD seconded** the motion. As the liaison to the Library Board of Trustees, he thanked them for their work.

**Motion was approved 5-0.**

19. **City Council: Approval of a conceptual economic incentive plan to develop a revolving loan program that would assist current and recruit new businesses to the City**

**TRACEY BOHLEN**, Economic Development Manager, stated the purpose of the program is to offer a financial incentive for businesses to locate in Oceanside; to market Oceanside as a business-friendly community; to bring jobs to Oceanside, which would increase the jobs-to-housing ratio; and to attract biotech and high-tech industries to the City.

The program goals are to retain existing businesses, assist startup businesses,

and help businesses that want to move into the City. The funding criteria to be considered for a loan includes: the business must create new jobs or save existing jobs; it must be visitor serving, such as restaurants or manufacturing (which includes biotech and high-tech); it must be physically located in Oceanside; it must be compatible with City zoning, regulations and economic development goals; and must be a for-profit entity. It must also meet intangible factors such as personal character, business practices, and experience in years in the business they want to open.

She is asking for the use of \$500,000 in one-time General Fund money. The programs offered will include a micro-loan, meaning smaller loans from \$10,000 to \$30,000, which banks do not issue currently due to the cost for such a small loan. Gap financing will be used to leverage additional capital to make loans at a more competitive rate and easier to fund. It will include targeted tenant improvements, construction loans, equipment loans, and permanent financing for buildings.

Oceanside does not have the expertise in-house to approve financials and administer the loan program, so she contacted the San Diego CDC (Certified Development Company) Small Business Finance Group, which has conceptually agreed to do the loan intake and loan processing, issue funds and service the loan. The fee for this service will come from the applicant with a 1% loan origination fee and a ½% monthly service fee. No new City staff will be hired to run this program. The \$500,000 would remain the City's money, held in a pool account at the EDC with a 5% anticipated rate of return.

She is recommending that the program run for a ten-year term and then be reevaluated. However, it could be looked at in five years, at which time the funds could come back to the City as loans are paid off. The Council would approve the \$500,000 initial investment of cash for the program, but would not approve each and every loan issued. An internal staff committee will review the application and business plan to determine that they meet the program goals, loan and funding criteria, and would approve each loan based on the credit memorandum issued by the San Diego CDC Small Business Finance Group.

Staff is asking for the approval of the conceptual revolving loan program. If the concept is approved, staff will work with the CDC, Small Business Development Center, Economic Development Commission, and City staff to finalize the program and bring it back to Council in April for final consideration and approval.

**DAVID NYDEGGER**, President/CEO Chamber of Commerce, 928 North Coast Highway, stated that when staff first called to tell him about this program, he was excited about it. There is a real need for small businesses to find a source of relatively inexpensive money to do small jobs. As mentioned, most banks won't touch a loan less than \$100,000. Many times it's that \$20,000 or \$30,000 that makes the difference between a business being successful or going under. He asked that the program take a long look at the ability of the applicant to pay so the loans aren't defaulted on. Also if the economy changes and there is no need so that the money were to languish, he asked that this be looked at over a certain period of time and that it be brought back into the City. The business community thinks this is an outstanding opportunity for the City to show that we are a business-friendly community.

**KEN LEIGHTON**, 1109 South Nevada Street, stated that about a year ago Councilmember Kern said that the City was not going to be in the TV business anymore and that KOCT was not going to keep getting handouts from the General Fund. Now he is told that the City is considering handing out money to people wanting to start their own business. How do you decide which business and which person gets this handout? Who is the business Czar who decides whether we have a gift shop or a restaurant? Who is this CDC Small Business Finance Group that will decide that the person is solvent? If the person defaults on the loan, this CDC Small Business Finance Group is not even part of the City.

For five years he has been paying the City money he raised through sales tax, and now you're telling him that you want to hand out some of this money to others who can't get their business off the ground. Instead, how about fixing the potholes on Industry Street, or the lights near 415 Grant so that the landlord can't complain about the City being negligent? How about getting kids off the street by reopening Marshall Street pool? We had to close down libraries, but now all of a sudden there is free money. One constructive idea for those starting a business in Oceanside would be for the City to waive the huge fees that we had to pay when we started a business and let them pay it off as the business evolves. This would be a wonderful compromise.

The Council majority wants to use eminent domain to take over people's homes; they wasted \$40,000 on a special election last year just to have it a few months earlier; and now you want to hand out cash to businesses.

**COUNCILMEMBER SANCHEZ** wants to put this in the perspective of our budget discussions and the fact that this year we were able to roll over our budget from last year. Next year we're anticipating a \$1,700,000 deficit, so we have to be mindful in ensuring that we are going to be able to provide the level of service that our residents expect. One of the funding issues brought up was the bathrooms at the beach. We're struggling to provide funds for this. If we were in a better financial situation and had money to put into it, she would consider partnering with a bank to fill this gap and allow bankers that know the business to do this. We're not in the banking business, and she's not comfortable doing this. However, if we are in a position to spend \$500,000, we should consider spending it in a way that will impact more people, such as the bathrooms. She would prefer to invest the \$500,000 in fixing the bathrooms.

**CITY MANAGER WEISS** clarified that the money identified is one-time money. If you want to spend it on the beach restrooms, which was a priority for Council last week, you could give us that direction. We are already looking to find a way to fund it in next year's CIP. If you allocated this money to it, that takes the pressure off. We would move forward with the design of the amphitheater restrooms, get them entitled and come back to Council with construction plans.

**COUNCILMEMBER SANCHEZ** stated we want tourists to come and spend their money. If we continue to put the bathrooms off, we won't look as good as other beaches. Another thing we are going forward on are the Coast Highway improvements, which will go a long way towards sprucing up that area and helping businesses and the community as a whole. The highest priority at this point is the bathrooms. We have to be in a better position financially and then come up with a program that won't have us doing the banking, the background checks, etc. Half of businesses don't survive the first or second year. She would really like to help them. The question is, how can we do that at a staff level without this project?

**COUNCILMEMBER FELIEN** has said before, prior to the recession he would have been against the idea of the City being involved in this program. Since the recession began, he's heard so much about small businesses that have had their lines of credit cut off with financial institutions, even though they've had perfect payment records. The banks were giving lectures on credit worthiness to businesses that had perfect payment records while they themselves were feeding out of the public troughs. He supports the idea of this moving forward. Part of the reason is that when he was City Treasurer, he had researched community block grants that had been used for programs very similar to this. Cities needed economic activity to create jobs, which is the fundamental issue that all of us are facing how to create the jobs that we need to support our families. Everything depends on that.

The speakers have a lot of valid issues in terms of who is making the decisions about credit worthiness. Let's make sure there is an absolute firewall against political meddling with who's eligible for a loan and who isn't. He envisions the loans working by

having businesses prove that they have excellent payment records, yet have been arbitrarily cut off by financial institutions. Then the work is already done. In the end, we may not go forward with this, but he thinks it's worth putting the details in writing and having it considered along with other options.

We have to make choices, and maybe the consensus in the community is that funding the beach bathrooms is a better job generator than this program. We want the public input on decisions like this. There is no guarantee of success, but it's worth considering. He encourages anyone to provide feedback directly or come down to the Council Chambers to the budget workshops and let us know if you think this is something worth pursuing. What would the average loan size be under this type of program?

**MS. BOHLEN** responded that it would probably be \$30,000 to \$50,000, with \$30,000 being the average.

**COUNCILMEMBER FELIEN** asked if we were looking at maybe ten to fifteen loans getting made.

**MS. BOHLEN** responded yes.

**COUNCILMEMBER FELIEN** asked how many jobs you estimate would be saved or created by this type of loan program?

**MS. BOHLEN** responded that it would be about one for every \$30,000 or \$35,000 loaned, so about fifteen jobs.

**COUNCILMEMBER FELIEN** was hoping for more of an impact, but he would support having a program written up and vetted at the Economic Development Commission. He would also like public feedback on whether or not this is a direction that they feel is worth going forward with. Who's doing the underwriting is a really sensitive issue that we would want to be comfortable with.

**MS. BOHLEN** responded that the San Diego CDC Small Business Finance Group isn't a bank, but they have the name of a bank. They get monies from different banks to lend to small businesses as directed by the federal government. The CDC would do the underwriting for the loan. We would be the funding source, but the loan would be between the CDC and the applicant. We would not be the bank.

**COUNCILMEMBER FELIEN** did research and followed up with several cities that had programs like this going back to the 1980's. They funded new loans with proceeds from the old loans, and they seemed to come up with a successful model to address the underwriting issues and default risks. So it can be done. It is worth looking at and getting community feedback on.

**COUNCILMEMBER FELLER** stated that what we're looking for is a recommendation to move forward on the concept. It stated in the backup information that the Council would have no input whatsoever on the loan, processing or who gets the loan. Is that correct?

**MS. BOHLEN** responded that is right, not on the individual loans. However, if Council wanted to, you could look at the concept based on the outline provided in the pass-through memo. Things such as the total amount of \$500,000, the years you would look at it, and whether you want it to be a ten-year or five-year period or less. As repayments came in, the money would come back to the City. Any terms or suggestions that you have today would be helpful in bringing the real program forward.

**COUNCILMEMBER FELLER** stated this is an opportunity for people who have that creative thinking and want to be their own boss and provide jobs. The concept is

intriguing to him, and he **moved** to go forward with the concept for this economic incentive plan. There is other money we could consider for restrooms and those types of things. At this point, we're approving the concept, not spending the money.

**COUNCILMEMBER KERN** has been struggling with this for about a week. He questioned if government should become a banking business. He understands that we want to create jobs, and it has been a tough few years. Is this the best way to do it? The Mission Avenue and Coast Highway improvement projects have been mentioned. We're going to improve those thoroughfares and still have empty storefronts. How do we help get those storefronts opened? This might be the program to do it. Maybe we should reform the fee structure so that it's easier for people to open a business.

Right now you're just asking us to conceptually look at this, and you'll come back to us with the details. He still has a lot of questions, such as the underwriting criteria, who gets it, etc. He doesn't mind the concept but is still philosophically opposed to government getting into the banking business. He will look at the research that Councilmember Felien had for the successful programs. He wants to see how the one in San Diego works. There's a default rate of 5%, from what he saw. At the end of the day, with what you charge for interest versus your default, you're not making any money; the \$500,000 will just stay.

He would want a five-year review to see if the program is working. If it's not, then pull the plug. If it is working, maybe we can extend it. He doesn't mind exploring the program but may not approve it at the end.

Before he makes his final decision, he would like to have all of the information to make an informed decision. He **seconded** Councilmember Felien's motion to look at the concept of this, but he still has a lot of questions. Streamlining our fee structure might be a more beneficial program than a revolving loan program, because you'll get those businesses open sooner.

**CITY MANAGER WEISS** clarified that what we're presenting to Council today is the concept. What we bring back to you is going to be the formal and complete loan program. The reason we're doing it that way is that we did not want to spend the time and effort to develop the formal loan program and not have you approve it. If there's a question about or there won't be significant Council support, we need to know that now. When we come back, we're going to allocate the money, approve the loan program and start issuing loans shortly thereafter. If you're not interested in the program or think there's a higher priority for the money, we won't proceed further. It will be the end of March that we bring it back to you.

If the issue is whether the restrooms are a higher priority, then today would be the day to do that so we don't spend a lot of staff time and effort to develop the formal loan program that won't be approved and won't get funded. If there's a concern, we can certainly put the loan program together, but it'll be staff time coming back to you. If you're looking for a funding source for the amphitheater restrooms, it'll compete with this money or other one-time funds that we hope to receive in the next sixty days.

**MAYOR WOOD** believes there is truly a need for this. He and the City Manager have been approached about the initial starting fees for some companies coming to town. He would like to help support it. \$500,000 is a lot of money, but in the scheme of a City, it's not. When hearing about this program, he thought we should help businesses that are here or that want to be here in the future. This has been a really active issue in North County with all of the cities and Mayors trying to bring businesses to town and make it easier for businesses.

The problem he has is the beach bathrooms. He has a two- or three-page list of things that he'd like to see the money used for, so he has to consider which ones everyone would support. After talking to quite a few people, he's leaning in favor of this

conceptual aspect too. He understands why the City Manager wants a yes or no now and doesn't want to waste time. There are businesses that want to come to town and need assistance. This may not be much, but it would help businesses come to the North County. He will lean in favor of this, but the money could also help the beach projects, bathrooms and two or three dozen other items.

Mr. Leighton brought up some good facts about the roads and other things needing to be fixed. We have a Council majority that didn't want to be in the mobile home park business; that's why we sold it. Now we're going to be in the other business of banking. He could have put the money in two dozen different things. Getting feedback from staff might be helpful.

**COUNCILMEMBER KERN withdrew his second.** He doesn't think government should be in the banking business. We're here to supply services to people, whether its beach restrooms or potholes, and we can work forward with those things. Conceptually, he can't see us being a funder of this item. He understands that small businesses are struggling. He was past president of the Chamber of Commerce. However, we also have to look at what the City has been going through. We finally have money we can do something with, and we might not have this opportunity in two years. The economy may turn around or it may not; it may just be stagnant. With pensions and healthcare issues coming up, projected budget deficits in the out-years are high and getting higher, and we have no real way to mitigate them. The concept is good, but he can't bring himself to support it at this time.

**COUNCILMEMBER FELIEN seconded** the motion. He didn't think Council was making the final decision tonight. If the City Manager is concerned about the staff time before the project is committed, he would urge meetings with all of the Councilmembers to specifically address the underwriting and how the approval process would work. We could also learn from the experience of the San Diego CDC in order to feel more confident about it. Councilmember Kern brings up valid points.

There was a time when he wouldn't have looked at something like this, but we're in an economic environment where we need to experiment, yet be careful not to do something that will come back to burn us. If the meetings can be done, we can move forward at a future meeting if people are comfortable with it. If they're not, based on public feedback, we can pull it without much loss of staff time. He thinks it's worth exploring to see if we can make it work.

**Motion failed 2-3;** Wood, Sanchez and Kern – no.

#### **CITY COUNCIL REPORTS**

20. **Mayor Jim Wood**

**MAYOR WOOD** stated Council is moving forward for the City. He sees an upturn and hopes this will be the trend for the City. He will close the Council meeting in memory of Randy Mitchell, who passed away on February 5<sup>th</sup>.

21. **Councilmember Jack Feller**

**COUNCILMEMBER FELLER** announced that the El Camino Wildcats are playing tonight in the CIF playoffs. He also announced that Jack Barreiro passed away last week. The service will be this Friday at the First Presbyterian Church.

22. **Councilmember Gary Felien**

**COUNCILMEMBER FELIEN** attended the Marine Corps Association West Coast dinner, the SANDAG retreat, and the Manufacturing in the Golden State Workshop held by Senator Wyland. He attended the funeral for Randy Mitchell, who made tremendous

contributions to the City with the Art Museum and Tri-City Hospital.

He spoke of the struggle with attracting businesses to Oceanside. We have one manufacturer that makes highly efficient natural gas turbines, but they're running into trouble with the Air Resources Board over the carbon emissions from the testing of the natural gas motor. This business may be relocating due to the extreme environmental regulations that chase away green jobs from the State.

He attended the Dr. Martin Luther King Jr. birthday celebration in which the Citizen of the Year, Max Disposti, was selected. He also attended an open house at Gilead Sciences. This is the type of high-tech company that every city wants to have come into their community.

23. **Councilmember Jerome Kern**

**COUNCILMEMBER KERN** announced that there will be a dedication for Bob Maxwell, a former Tuskegee Airman, on March 9<sup>th</sup> at Oceanside Airport. He was a long-time Oceanside resident and former San Diego County Airport Authority board member who helped save the airport.

He attended the CSU Annual Report to the Community by the President of the University, and the Marine Corps Association West Coast dinner. He also attended the Manufacturing in the Golden State Workshop.

This morning he attended the Family Resource Center open house and also Mental Health Services. Councilmember Feller gave away the awards at the Enlisted Recognition Dinner last Friday.

24. **Councilmember Esther Sanchez**

**COUNCILMEMBER SANCHEZ** attended the annual Dr. Martin Luther King Jr. Prayer Breakfast at the Junior Seau Beach Community Center.

[Recess was held from 5:01 PM to 5:14 PM]

**5:00 – ROLL CALL**

Mayor Wood reconvened the meeting at 5:14 PM. All Councilmembers were present.

**INVOCATION** – Bishop Juan Hernandez

**PLEDGE OF ALLEGIANCE** – Members of the San Diego Humane Society

**PROCLAMATIONS AND PRESENTATIONS –**

Presentation – Update on City's 125<sup>th</sup> Anniversary presented by David Nydegger,  
Oceanside Chamber of Commerce

Presentation – Mayor's Business Member Spotlight

Presentation – Battle for Veterans Event presented by Mark Soto

**Presentations were made**

**CLOSED SESSION REPORT**

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

**CITY ATTORNEY MULLEN** reported on the items discussed in Closed Session. See Items 2(A), 2(B), 2(C), 3(A) and 3(B) above. [Item 1 was not discussed]

**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.

26. **Advance written request to reserve time to speak:** Cathy Nykiel

**CATHY NYKIEL**, MainStreet Oceanside, 701 Mission Avenue, reminded everyone that Thursday is Market Day and the Sunset Market. Tomorrow is Public Safety Night with Police, Fire and Lifeguards. Thanks to Oceanside Photo and Telescope for hosting Astronomy Night last week. The 125<sup>th</sup> City Celebration Committee has put together a photo booth, and there are also free 100-page pamphlets at the market every Thursday, next to the Information booth. The Oceanside Independence Day parade will be on June 29<sup>th</sup>. The theme is "Past, Present and Future."

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

**GEORGE BROWN**, 911 Niguel Street, represents the Oceanside Charitable Foundation. Since 2009, we contributed over \$170,000 to non-profits to support our community. This year we're working with Arts and Culture and are looking to provide about \$50,000. We are seeking projects to grant these funds to that will demonstrate community engagement through the arts, culture and diversity that will have a long-lasting effect on the City. Specifically, these projects will utilize arts and culture to increase awareness of relevant issues, encourage community involvement/participation, increase opportunities for cross-cultural dialogue and contribute to neighborhood and cultural affirmation.

We ask the Councilmembers to let us know of organizations that could offer projects to support these goals. We'll be having a grants forum on March 6<sup>th</sup> at the Oceanside Chamber of Commerce to explain the process to any non-profit organization.

**BRIAN CREWE**, 3808-55 Vista Campana South, is a past Senior Commissioner for Oceanside and a member of the Congress of California Seniors based in Sacramento. The Senior Olympics will be held in San Diego County this year. The Executive Director has asked him for help in selecting local venues for the Senior Olympics. In 2010 the City of St. George, Utah, with a population of 73,000, held the Senior Olympics and generated \$20,000,000 in revenue. This is something worth looking at, both for San Diego and Oceanside.

He looked at the City's website and noticed that the word "senior" is not mentioned anywhere on the site. It needs to be mentioned, particularly for senior tourists, since Oceanside is halfway between Disneyland and San Diego.

He read the Mission Statement from the San Diego Council on Aging.

**ERIN MORIN**, 1241 Chambord Court, stated farming is a \$5,100,000,000 industry in San Diego. Major housing development on farmland will have a major impact on this. We have to start thinking of other options. We cannot develop over farmland. We must keep food growing. She knows that Singh and Mellano want to get out, but we have to do it smartly. If we're not careful, there will be consequences. We won't be able to farm anymore, and that will hurt her family.

**ROD BRASWELL**, 276 North El Camino Real, spoke to Councilmember Kern at a rally at the Oceanside Airport during the election year. Councilmember Kern convinced him to vote for him, and he did. He has been sorry ever since. He soon found out that Councilmember Kern does not represent the voters. The Council majority wasted over \$200,000 on the vacancy de-control measure last year, against the wishes of the voters. Multitudes of speakers came to this podium asking the Council not to proceed with that

initiative, but they did anyway. They placed it on the ballot for a 2:1 defeat. Why do these three Councilmembers continuously ignore the wishes of the public they are supposed to represent?

Now they are pushing for the Melrose extension. Common sense will tell you that 90% of those benefiting from this expensive roadway are from the County to the north of us, not San Diego residents, but Temecula, Murrieta and others. This will penalize Oceanside residents by taking their homes by eminent domain, by denying us a portion of our existing park and by directing non-resident traffic through our residential neighborhoods. Why have these three Councilmembers continued to ignore the wishes of the people they are supposed to represent? We voted for Jim Wood to be our Mayor by 54%, and we expect him to represent us in the different agencies. The Council majority has replaced him at SANDAG and is now about to remove him as our representative in Transportation and others. They continue to vote against the people.

**JIMMY KNOTT** spoke for **FRANCIS KAZERSKI**, 276 North El Camino Real, Space 8, who had an appointment and couldn't attend the meeting. Mr. Kazerski, in his letter, expressed his views on abortion and adoption.

**DOROTHY MCCORKLE**, 4610 Bristlecone Court, thanked the Oceanside Humane Society for bringing in the animals. World Spay Day was yesterday and is now a world-wide program. Their purpose is to educate people about the need to spay and neuter their pets. Spaying and neutering will reduce the number of births, thereby saving lives. One pet is killed every ten seconds in the United States. Simple arithmetic shows that there will not be enough pet homes unless breeding is restricted.

Shelters are continually flooded with animals. Some pet owners had to give up their pets due to the economy, which adds to the many litters already coming into the shelter because they can't find homes for the animals. The best source for information is the local San Diego Humane Society. Sterilization clinics are taking place on Tuesdays and Thursdays at the Oceanside Shelter. SNAP (Spay Neuter Action Project) has a mobile sterilization vehicle called the Neuter-Scooter, that visits Oceanside several times per month. The County of San Diego also has arrangements with local veterinarians to participate and reduce costs for spaying and neutering.

This City and Council must take a look at this problem and decide that legislation restricting excessive breeding is necessary. When cities support breeding legislation, they have fewer roaming dogs, reduce the cost of animal control and provide a safer community for their residents.

**ROBERT BOYDEN** was a professional skateboarder in the 1970's and also owned a business called Boyden Tile. He has lived in Oceanside for 49 years and wants to speak about homelessness. He is currently homeless and has observed what is going on in the streets since the last Council meeting. At 3:30 AM he was taken at gunpoint by two officers. Although Officer Bernard is a respectful man, and he appreciates the job the police do, he doesn't think the homeless people are being treated fairly in the City. He would like to meet with the City Attorney, City Manager and the Mayor to discuss having an advocate for the homeless. He would volunteer for this, having gone through being homeless himself.

**DIANE STRADER** is from the Eastside and attended a Neighborhood Watch meeting recently. When she told the group how much she appreciates the Oceanside Police Department, they asked her what she is doing about it. This stopped her short. She decided that her first step would be to come before the Council and say that the City has the best police officers in the County. She appreciates the professionalism of the officers helping the neighborhoods. They have meetings to inform people of the different jobs they do and how they can help. She attended one such meeting this month, and a detective will be at tomorrow's meeting to give a presentation to the Eastside neighborhood.

We should honor and respect our officers. These officers can lose their lives. There is a dedication in March to honor one such fallen officer. She does not think their pension funds should be taken away.

**MAYOR AND/OR COUNCILMEMBER ITEMS**

**32. Request by Councilmember Feller for presentation of the California HERO Property Assessed Clean Energy Program and direction to staff to initiate actions to participate in the program**

**COUNCILMEMBER FELLER** thinks it's appropriate to review this program, as well as other programs that could be coming forward.

**DUSTIN REILICH**, with the HERO Financing Program, stated this is one of the options for PACE financing, which stands for Property Assessed Clean Energy financing under AB 811. This is a robust program that has received many awards. They actually implored the bond market to securitize bonds, as well as creating a contractor network to do clean energy upgrades in the communities they work in. They have an automated software program that makes it easy for the consumer and contractors to utilize the program.

This program is simple and easy to implement for the City. There are other programs competing out there, and we want Council to look at the many options and select the best option for the homeowners of Oceanside. The good thing about this program is that we have a simple resolution to act on. There is no cost or administration to the City. HERO creates job opportunities locally and will lower energy bills, increase property values and reduce emissions. It is a locally controlled program, so the City can help them do the marketing with no administration or cost to the City.

The average homeowners taking advantage of this program are below the median price homes. The upgrades include solar PV, HVAC, roofing, windows and all kinds of energy upgrades for residents of the cities that we do business with. We have many local contractors wanting to put people to work here in the community. A computer graphic was used to show the measurable economic impact of their program so far. They've been operational in western Riverside, putting together over \$123,000,000 in approved projects. Over 25,000 jobs have been created, and we're saving carbon emissions.

We employ different contractors in the area, totaling 680. Many of the contractors are here in San Diego County and Oceanside, yet they've been sending jobs out to Riverside daily because our program helps with low-interest financing over 20-year terms. This allows the consumer to do a property assessed clean energy upgrade for their home.

Other areas that have done PACE programs include Sonoma County, which has become the gold standard. They've done 69 projects that were 2½ times the size in western Riverside. We've done more than 1,500 projects over a short period of 15 months. A computer graphic showed what the economic impact would be in Oceanside. We can create 1,546 clean energy projects over the next year to year and a half in Oceanside, which will have an impact in creating jobs and opportunities, with funding over \$27,000,000.

He asked Council for direction to staff to move forward with a resolution for this program. We've put the resolution and the amendment to our JPA (Joint Powers Authority) and would like Council to review and act upon it. We are not an exclusive program. We have no fees to the consumers for an application or fees to the contractors. We co-exist with other programs and want Council to look at all options for the City. The main thing about the HERO Program is that we are here; we are active

and we have contractors ready to put people to work today. The program is already operational.

Public input

**TARA KELLY**, San Diego, Community Developer for Sullivan Solar Power, stated her company has been closely involved with advising and working with local governments on PACE Programs throughout Southern California since 2009. Sullivan Solar Power is one of the top ten solar contractors in California. They have installed over 1,400 projects throughout Southern California, with many clients here in Oceanside. If Oceanside made HERO financing available to its residents, it would assist the City's constituents in declaring energy independence by saving money on electricity each month while reducing their carbon footprint. It would also help grow the local economy by putting local residents back to work.

Solar power also assists the Country with reducing its dependence on foreign fossil fuels. Sullivan Solar Power has financed several projects in Riverside County utilizing the HERO financing tool. This was administered successfully, both for our company and our customers. The HERO financing tool makes solar available. With HERO's no-credit score requirement, many of our clients with failed credit scores weren't able to go with leases, but were able to go solar with the HERO Program.

It's a simple, pain-free process. Our project developers are big fans of it because it's such a simple process that allows homeowners that previously couldn't go solar declare energy independence. Our company has run over 20 cash-back community solar programs throughout Southern California, the most successful one being in Temecula last year. Many of these clients were able to utilize the HERO financing tool. We believe that if this program is adopted in Oceanside, your residents will be able to declare energy independence with solar and save money each month. Her company supports the HERO financing tool and anything Council can do to support the growth of solar and renewable energies in Oceanside.

**ROY HASLUP**, Herca Solar, 580 Airport Road, stated they are a local solar company in Oceanside. They are in full support of the HERO Program. They opened an office in the Riverside area because the HERO Program has been hugely successful there and is an easy program to work with. It allows homeowners to finance systems they wouldn't be able to otherwise. If it existed in Oceanside, they could increase sales by 30-40%. They're hiring in Riverside currently because that's where the program is, but they'd love to hire in Oceanside.

**DAVE WATT**, Solar Watt Solutions, 1372 Cynthia Lane, Carlsbad, spoke on behalf of the HERO Program. Our company is focusing on Riverside County even though we live here. They've been able to double their workforce, due to this program.

This is a win-win-win program. It's a win for their company and the HERO Program, as well as for the consumer, who is able to finance solar systems to get electricity costs down. They can lock in at a rate that is less than what they're currently paying. Because of this program, they've put most of their marketing budget into South Riverside County, even though we live here. He would like to bring most of that marketing budget back and double the workforce here, bringing new jobs. We support this program and hope Council will approve it.

**EMILY TARPLEY**, Solar Energy Consultant for McWire Electric, 6383 Inman Street, San Diego, supports the HERO Program. Not only has the HERO Program brought more jobs and work for their company, but it has allowed average home owners the ability to choose clean, renewable solar energy over the inflating cost of the utility companies. It has made a huge impact on the consumers, small businesses such as McWire Electric and the communities that support it. It provides jobs and an economic standpoint from which to start with renewable energy. It is a win-win, because the

consumer, small business, community and nation all benefit. We are in support of the HERO Program.

**GLEN RUSCHE**, for **THOMAS SHALLENBERGER**, Synergy Companies, works out of Riverside, with offices in Perris and San Diego. Last year Synergy Companies was in about 50,000 homes in California alone. A lot of the focus this year has been towards the HERO Program, with the budgeting going to Riverside County. Tom Shallenberger had to attend a meeting and couldn't be here, but he runs the San Diego office and also wants the HERO Program in San Diego. Then he wouldn't have to send his people to Riverside to work. They're hiring a lot of people because of the HERO Financing Program being available to people.

Synergy Companies provides energy efficiency methods to people's homes. They help educate people about insulation values, windows, duct-tested seals, radiant barriers and all of the things that can reduce the load on someone's home. People start out with no clue about these things and no ability to finance it. With a two minute phone call, this program becomes available to most responsible homeowners. He has helped many people, including one lady that couldn't bring her dying husband home from the hospital because their home was too hot. They didn't have money for air conditioning or new windows, but with this program they were able to insulate the home and put in a HVAC system that allowed her husband to come home and be comfortable. This program provides a lot of jobs and allows people to afford that comfort and energy savings.

**SHERI WINTER**, TC Energy, LLC, 41690 Ivy Street, stated her company does energy efficiency improvements such as solar, HVAC, pool pumps, etc. She is 100% in support of this program. It opens the doors for businesses, jobs and economic growth. She sits with homeowners that can't get normal financing due to their credit score, yet they desperately need improvements to their homes. The HERO Program allows them to get these improvements. She spoke to a man this afternoon that said his energy bills are extremely high but it wasn't worth applying because of his credit score. She suggested taking 30 seconds to see if he would be approved through HERO, and he was approved. Another customer had an energy bill of \$295 per month. Through the HERO Program, they were able to get it down to \$195 per month. The money saved will go back into the community.

She is a single mom with three kids and feels that she owes the HERO Program for the success of her business. She has almost \$400,000 in business written just this month with the HERO Program. Customers also love the fact that the interest is tax deductible. She has an office in Riverside because the HERO Program is there. Her marketing dollars don't come to San Diego because she markets where HERO is. She plans to open two or three more offices and will locate them where the HERO Program is.

**COUNCILMEMBER FELLER** asked Mr. Reilich what they are asking from Council. Do he and his contractors have business and contractor licenses? He knows they are already up and running, but wants to make sure that the HERO projects go forward with the job creation they are talking about.

**MR. REILICH** responded that their business, Renovate America, that runs the HERO financing program is located in Rancho Bernardo. All of their contractors go through an approval process where they're licensed, bonded and insured. If any permits are required in Oceanside they will get those permits. If permits are a requirement for Oceanside, then they make sure it's part of the funding process.

As far as what they are asking of Council, they have a simple process from an approval standpoint for each City. They already have the California HERO JPA that is established through WRCOG (Western Riverside Council of Governments). They would do a small amendment to that in which the City would become an associate member. Then they can issue assessment bonds on behalf of the City's homeowners when they

do a clean energy upgrade. They also have a resolution that Council would sign to make the HERO Program available to homeowners.

**CITY ATTORNEY MULLEN** interjected that the resolutions and amendment are not in front of Council today. If Council gives direction to initiate the process, then staff would bring these back at a future meeting.

**COUNCILMEMBER SANCHEZ** clarified that the HERO Program presented is one program out of several PACE Programs. PACE stands for Property Assessed Clean Energy Program. It's a way of financing solar panels for homes as well as businesses, is that correct?

**MR. REILICH** responded yes, businesses as well as homes.

**COUNCILMEMBER SANCHEZ** asked if it normally takes about 10-15 years to get back the cost of the solar panels.

**MR. REILICH** thinks it's far less than 10-15 years.

**COUNCILMEMBER SANCHEZ** mentioned that the State had a goal of a million homes with solar. Some funds were made available to offset some of those costs. What was that called?

**MR. REILICH** responded it was the Clean Energy Upgrade Program. It was a grant program.

**COUNCILMEMBER SANCHEZ** stated yes it was about four years ago. They set a goal of a million homes, but she thinks they came up short. The County has also adopted some legislation that allows homeowners to put this on their tax bill to make it easier for the financing. The reason a City would consider this is to make it easier for residents and businesses to put solar paneling on their homes and businesses. As she understands it, Council had already been talking with our City Managers and the Mayors Committee about establishing their own JPA to have some control over it. They had given direction to their City Manager to meet with the City Managers of all of the North County cities.

She asked City Manager Weiss if he's had a chance to participate in those discussions and could give Council a report on the status. Council has been trying to put this together through the County, hoping that the County would give them the legislation so they could join in. This is not something we would do as a City in terms of getting involved in the financing, but there would be this financing mechanism that would allow residents to purchase solar if they wanted to.

**CITY MANAGER WEISS** thinks Councilmember Sanchez is referring to a presentation by the Why Green Program. The direction was to work with the five North County cities. San Marcos took the lead in getting us together, and we're having a discussion tomorrow afternoon about Why Green and other programs. It is his understanding that the HERO Program already has a JPA in place that Oceanside could enter into. The difference is that with Why Green, the five cities would need to form that JPA. They're going to have that discussion tomorrow to look at that.

He also believes that these programs are not exclusive even though they may be competitors. We have the ability to adopt a JPA for both the Why Green Program and the HERO Program, as well as two others that are available: the Cal Communities and the California First Program, which is primarily non-residential. The opportunity is there to do multiples, so we would need Councils direction if they want to be exclusive to one or open it to many financing entities.

We would create the equivalent of an assessment district over the City, where

individual property owners can assess themselves to pay for solar and other energy efficiency upgrades. They would then pay that back on their tax bill. We'll be meeting tomorrow to look at what it will take to set up a JPA for just the five cities. It is his understanding that several of the other cities have already been approached by the HERO Program. He won't know until tomorrow if they are pursuing them independently or with the other programs.

**MAYOR WOOD** commented that he met with the North County Mayors on this. It's a hot issue because everybody would love to go solar, but some of the issue is cost. The Mayors want to get together with the City Managers tomorrow, but he knows that they don't want to make it exclusive. They think everybody should be able to get financing. He would like to hear about tomorrow's meeting before they do anything about this.

**COUNCILMEMBER SANCHEZ** stated based on what she just heard from the City Manager, the City would not have a resident get financing from a single entity, but to set up the ability to get financing and then put it on their tax bill over several years. Is that correct?

**CITY MANAGER WEISS** gave an example of having four programs in place to choose from. It would be like choosing Bank of America over Wells Fargo or the credit union to finance your mortgage. There would be multiple opportunities and different interest rates that the customer would select based on what's in their best interest.

**COUNCILMEMBER SANCHEZ** stated one thing she hoped the City Manager would report on was the benefit to the residents, such as the best possible terms and conditions. We haven't gotten to that point yet, and she doesn't want to give her blessing to one business when there are several out there. We're talking about creating our own JPA versus being an associate with someone else. She wonders if there is a difference in benefits for either option. Since they've already heard from one, she wants to hear from Ms. Crawford.

**COUNCILMEMBER FELLER** stated we can hear from all of them.

**COUNCILMEMBER SANCHEZ** asked Ms. Crawford to come forward. She clarified that Ms. Crawford has been presenting this to Council over the past year, trying to get the County to move on it. We finally gave up on the County, and now we're working on it as a North County project. She asked if Ms. Crawford has an opinion as to what the benefits are, if any, to having our own JPA versus going with an existing JPA.

**MS. CRAWFORD** stated that yesterday a Board letter was presented by Supervisors Jacob and Dave Roberts to the Board of Supervisors, asking for a side-by-side comparison of all of the existing programs operating in the region and other parts of the State. The Chief Administrative Officer and his staff have been directed to report back in no more than 120 days. It is yet to be seen what will come out of that, but Supervisors Jacobs and Roberts were very clear that they support the County moving forward with evaluating the various programs and hopefully coming back with additional options. The County has the California First Program, which Oceanside also has, but that is just a commercial program that has some fairly restrictive requirements. The minimum project size is \$50,000, which doesn't work for every business.

She thinks this is a very positive development, and the Supervisors are hoping that staff will report back sooner than 120 days. As for Councilmember Sanchez' question about the JPA, that has been a recurring question from local government, including the County and cities, because of concerns about administration, liability, indemnity for the Cities, staffing time, etc. There are definitely advantages to creating a JPA. This is why she's been talking with Oceanside and other cities about joining together to form a clean energy district JPA and a SB 555 district. Mr. Reilich's HERO Program is based on the WRCOG Program and the first generation PACE legislation, AB

811. SB 555 has an expanded scope. The Legislature added private buildings to the scope of the clean energy district and also the ability to refinance existing projects. If a homeowner put solar on their roof and are paying a high interest rate, they could refinance it at a lower rate under the SB 555 Program when it becomes available.

The Legislature also added an option for new construction under SB 555. If you have owner-occupied new construction, you may also access the PACE financing under that umbrella. This is another tool to add energy efficiency, renewable energy or water conservation measures to your new construction. These are some additional benefits to the later legislation.

**COUNCILMEMBER SANCHEZ** asked what the benefits to being part of the JPA are, as a member versus an associate.

**MS. CRAWFORD** is not an expert on the WRCOG, but she knows that it is a council of governments like SANDAG. She has read the documents where they've created this program. She was just at a meeting in Coachella Valley with their executive committee, and they were discussing whether they should join the WRCOG Program or create their own CVAG (Coachella Valley Association of Governments) program. They did not wish to be an associate member. Her understanding is that associate members don't get to vote, so Oceanside would not be a voting member of WRCOG. The elected officials at Coachella Valley were concerned that they wouldn't have any control over program administration or design.

There is also revenue generated from the program for WRCOG, and there was a concern that the benefits of that revenue would not be received in the Coachella Valley. They directed staff to look at working on a CVAG HERO Program, not a WRCOG Program. She will defer to Mr. Reilich on the details of what that means.

**COUNCILMEMBER SANCHEZ** doesn't think they have enough information. She is interested in the County's report in 120 days. Then they will have more information. This will cut down on Council having to do the same thing with the comparisons. She thinks Council should wait to get that information to see what will best benefit this City. She likes the idea of having control over the program rather than being just an associate. If there are some revenues produced, she would prefer to have them remain in the region.

The presentations were nice, but talked mainly about the benefits of having a PACE Program. Which one is best as created by this legislation or by newer legislation should be looked at by County staff to decide which is best for our needs. She knows that San Diego is the solar capital of the Country, so hopefully the costs will be lower because the companies are already here.

**MR. REILICH** commented that the HERO, Why Green and California First programs co-exist, much like the example of having Wells Fargo, US Bank, Chase Bank, etc. available to people. Their program is up and running and readily available, with 68 contractors in San Diego County that are currently spending marketing dollars outside of Oceanside to create clean energy jobs. We want to co-exist with Why Green and other programs and move forward.

**COUNCILMEMBER SANCHEZ** commented that if there will be more than one program, residents need to have the information when they call so that they can decide which program to go with based on those facts.

**MR. REILICH** responded yes, that's what the County Supervisors voted to do, to look at the different programs. What happened with WRCOG that made them so successful is that they decided to move forward with the program, rather than wait. Every day you wait is wasting the opportunity of having jobs here locally. He wants Council to look at the program/resolution and see how easy it is to implement, while at

the same time be running a program with Why Green to establish that. If Council wants its own JPA, it's not a problem under SB 555. There are many contractors in this room and elsewhere that can be put to work. Their sole purpose is to use HERO financing as a mechanism to put solar and clean energy projects to work in their neighborhoods.

**MAYOR WOOD** doesn't think Council is saying no to anybody. He just wanted Mr. Reilich to know that the City Manager was going to meet with all of the North County Mayors. The problem was that the County, as a whole, wasn't going to do anything, so North County decided to do something. They just want to see comparisons. This is the future, but it will come down to the costs for homeowners to finance it.

A while back Council got very confused by SDG&E telling them things that didn't seem accurate, which caused problems. The public was also confused. Now the County is spending time and money to compare programs, and it will probably be half a dozen groups, not just one.

**COUNCILMEMBER FELIEN** stated as the City Manager has explained it, Council doesn't have to pick among the people putting together these programs. Council has to decide if it will have its own structure as a City versus piggybacking on the County. Is that correct?

**CITY MANAGER WEISS** clarified that the HERO Program is operated out of Riverside County, not San Diego. The JPA is not in San Diego County. Council will have to decide whether it wants to provide the program to residents or form its own JPA. The way the action is written, Council would still have to bring a separate resolution back. Council would be joining a program that's already in place. The other program would have to be formed. He was not aware until now that the County is looking at a side-by-side comparison.

**COUNCILMEMBER FELIEN** asked if San Diego County puts together its own program, will this conflict with the program based in Riverside County?

**CITY MANAGER WEISS** responded the direction they received was the five North County cities. The focus tomorrow will be looking at the pros and cons of forming a JPA among those five cities. If the County does one that benefits the entire County, it saves us having to forming our own JPA. Under this program it's available to residents for financing energy efficiency. He doesn't know if it would be a significant money maker; they haven't looked into it.

**COUNCILMEMBER FELIEN** stated it seems like a good program. It depends on the wording of Councilmember Feller's motion, but we should certainly create the structure in the most efficient way so we can benefit from any of these programs.

**COUNCILMEMBER KERN** stated this all seems like paralysis by analysis. We're 120 days away from a report and, the way the County moves, another 180 days from action. He would be amazed if there was a program in place by January of next year. He likes this program. It's not about making money, but about people taking advantage of a program to put solar on their house and create jobs in Oceanside. The solar industry now is probably where the auto industry was 100 years ago. There is a lot of competing interest, and there will be a shakeout over the next three to ten years, as well as a lot of niche marketing. It may be that HERO is the residential program, Why Green the commercial program, and maybe another that does public buildings. We're very early with this new industry, and we may make some mistakes.

Right now if someone wants to use solar and take advantage of a PACE Program, there is nothing in place. He wants to get the ball rolling, but guesses that with the County's action yesterday, tomorrow they will sit on their hands and see what the County comes up with before taking action. The County will be the driver of this.

He wants to get it started before the summer starts and utility costs skyrocket. He supports this program.

**MAYOR WOOD** emphasized that he needs more information. He doesn't want to make a decision today when the Mayors are having their City Managers meet tomorrow. He wants to wait for the information from the other City Managers before deciding without all the facts.

**COUNCILMEMBER FELLER** doesn't think we should be a clearing house for what people do with their houses, unless this is the only way to give them the opportunity. He doesn't think the City should make any money on the backs of people that are trying to do better for themselves. He asked the City Manager if other programs like HERO and PACE are up and running.

**CITY MANAGER WEISS** responded no, at this point they are not.

**COUNCILMEMBER FELLER** thinks we just need to initiate the action to participate in the program. He **moved** to initiate action.

**COUNCILMEMBER KERN** seconded the motion.

**COUNCILMEMBER SANCHEZ** will be voting against this because she doesn't have enough information. She doesn't want to have our residents buy into something, only to realize there could have been a better deal.

**COUNCILMEMBER FELLER** stated this doesn't preclude any one of these companies from jumping in and becoming part of this.

**MAYOR WOOD** stated that in the future, the public will go with whoever they want for the best price. He too would like more information. The Governor's office is pushing it, but it's confusing. He's also going to oppose it. He would not go back to the other North County mayors and tell them we voted against their opinions.

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

31. **Request by Mayor Wood to make appointments to or motions for removal from some or all of the City's Advisory Groups**

**MAYOR WOOD** stated these are the advisory boards from the City, not the regional boards. Council had the list one week in advance to review. There are a lot more openings but we don't have any applicants. He **moved** approval of the list.

**ECONOMIC DEVELOPMENT COMMISSION**

**Term Expires**

Appoint Leslee Gaul as Reg: Tourism Rep. (Replacing Man Lai Tam)	9/26/15
Reappoint Hugh LaBounty as Reg: Community at Large	9/26/15
Appoint Jerry Salyer as Reg: Manufacturer (Replacing Terry Bryan)	9/26/13
Appoint Josh McFadyen as Reg: Manufacturer (Replacing Tom Nunan)	9/26/15
Reappoint Albert Taccone as Reg: MiraCosta College Rep.	9/26/15

**HARBOR & BEACHES ADVISORY COMMITTEE**

Reappoint Kevin Byrne as Reg: Non-Boat/Beach Front	2/28/16
Reappoint Les George as Reg: Non-Liveaboard Boat Owner	2/28/16
Reappoint James Jenkins as Reg: Yacht Club Rep.	2/28/16
Reappoint Elizabeth Rhea as Reg: Community at Large	2/28/16
Reappoint Scott Townsend as Reg: Liveaboard Permit Holder	2/28/16

**HOUSING COMMISSION**

Move Allison James to Regular (Replacing Sandy Saiz)	7/1/13
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**INTEGRATED WASTE COMMISSION**

Move Ken Beckstead to Regular (Replacing Jenna Roripaugh)	7/1/15
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**LIBRARY BOARD OF TRUSTEES**

Appoint Worlie Benjamin Cox as Regular (Replacing Kathleen Christy)	12/31/15
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**UTILITIES COMMISSION**

Move Ira Landis to Regular (Replacing Alfred Theal)	7/1/13
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**COUNCILMEMBER SANCHEZ** seconded the motion.

**COUNCILMEMBER KERN** stated he will support this. He talked to Jerry Salyer earlier about this, but the EDC (Economic Development Commission) is quite unique in that the positions are slotted. Two people got placed in a manufacturing slot, yet neither is a manufacturer. We need to recruit more people in manufacturing. Mr. Salyer deals with manufacturers as a commercial insurance broker; he understands their problems. Mr. McFadyen deals with manufacturers but is really a commercial real estate person and is good at finding office space. We really need to find manufacturers.

**MAYOR WOOD** agrees with Councilmember Kern, but with designations, we wouldn't have a quorum because nobody applies.

**COUNCILMEMBER KERN** suggested doing better outreach.

**MAYOR WOOD** stated he ran this by Assistant City Clerk Trobaugh and staff from the EDC, and it seemed to be acceptable to them. He asks people to apply but they don't, especially in the special categories.

**COUNCILMEMBER KERN** has no problems with the current appointed people, but thinks they need to reach out more for manufacturing.

**COUNCILMEMBER FELIEN** asked Councilmember Kern if his motion was to approve the list while still looking for manufacturers.

**COUNCILMEMBER KERN** responded he meant it as a direction to all of Council to go out and talk to manufacturers about being on the EDC.

**MAYOR WOOD** stated there are openings in the other categories, and he constantly asks people to apply. However, there's nobody applying for certain categories. He invited the people in the audience to go to the Clerks' office to apply. Certain committees such as Harbors and Beaches require the person be in a category to apply, and no one is applying. EDC doesn't have a quorum and commissioners have asked that the positions be filled. He thinks Mr. McFadyen would be a good representative of the City and Chamber of Commerce. His motion is for the list as is. If Council can bring more names in, he would appreciate it.

**Motion was approved 5-0.**

30. **Request by Mayor Wood for annual review and appointment of Councilmembers to Boards, Commissions and Committees, and appointment of Deputy Mayor (items continued from January 30, 2013: SANDAG Board; North County Transit District Board)**

and

35. **Request by Councilmember Felien to remove alternates and appoint Oceanside primary board member and alternates to SANDAG; remove Oceanside primary board member and alternate to NCTD and appoint replacements; and remove Oceanside board member to San Diego County Water Authority and appoint replacement**

**COUNCILMEMBER FELIEN** stated the reason he put this item on the agenda is that there is legal ambiguity on whether the Mayor would have the option to pull the item. He wants to discuss it.

**MAYOR WOOD** understands there were questions from the last meeting, so go ahead.

**COUNCILMEMBER FELIEN** wants to formalize some of the decisions that were made now that his ordinance has gone into effect. The reason he put forward his ordinance was to broaden the participation in the regional Boards and Commissions in which Oceanside has appointments. Looking at every City in North County other than Oceanside, each one has different Councilmembers on these regional Boards and Commissions. Not one City has the same Councilmember as the SANDAG representative and North County Transit District representative. Carlsbad, which also has an appointment to the San Diego County Water Authority (SDCWA), has three different Councilmembers on the North County Transit District, SDCWA and SANDAG. He believes this is why those Councils are more cooperative than what we have here.

Mayor Wood had the privilege of being on SANDAG and the North County Transit District for the past two years, as well as having his choice on the SDCWA. We need to broaden the participation of the Council on these regional Boards and Commissions.

He **moved** to appoint Councilmember Feller as the primary representative for SANDAG, with himself as the first alternate and Councilmember Kern as the second alternate; appoint himself as the representative to the North County Transit District, with Councilmember Feller as the alternate; and to remove Brian Boyle from the Water Board, replacing him with Councilmember Kern. Mayor Wood will be the representative for the League of Cities and other appointments that he and Councilmember Sanchez are serving on.

**COUNCILMEMBER FELLER** seconded the motion.

Public input

**JOAN BRUBAKER**, 1606 Hackamore Road, feels it's a misfortune that Councilmember Felien has been elected to the Oceanside City Council, because he is always citing the arrangements of other cities. It's a shame that he can't be on their Councils because they're doing business more the way he wants it. It seems that Oceanside just doesn't suit him very well.

**LINDA WALSHAW**, 151 Robby Lane, stated in 2012 Mayor Wood got 33,844 votes. That was 54%, which is more than twice those received for Councilmember Kern. Also in 2012, Councilmember Sanchez got 26,302 votes, more than any other Councilmember. This Council majority has become a cancer to the election process and to the voters of Oceanside. Councilmembers Kern, Feller and Felien should be embarrassed and ashamed of lowering themselves to the level of schoolyard bullies. Since Councilmember Kern failed to win last November's election, this Council majority has continued to override the will of Oceanside voters and steal the mayoral powers of office for themselves.

Every action this Council majority takes is contrary to the will of the voters. It is a slap in the face to every resident of Oceanside who participated in last November's election. Today again, you intend to transfer mayoral power of office to yourselves by your own three votes, apparently forgetting or ignoring the 34,844 Oceanside voters who chose Jim Wood as their Mayor.

The Council majority also plans to change the process by which this Council appoints a Deputy Mayor. At every Council meeting they continue to send the same message to the voting public: this Council majority continues to represent special interests over the choices made by the voters of Oceanside.

The voting public is also aware that these same special interests that back this Council majority are being promoted by recent articles in the *Union Tribune* and *North County Times*. We urge any voter listening to do your own research on the projects supported by this Council majority. Learn why Oceanside's own Planning Department rejected the Melrose Extension. It would cost taxpayers \$40,000,000 yet only improve traffic by seconds. That is not for Oceanside residents, but for people traveling through Oceanside from Riverside County. It is transparent that this Council majority's end goal is to push through this extension in order to develop Oceanside's only agricultural land at Morro Hills.

Add to this the Council majority's support for placing a toxic landfill directly on Oceanside's San Luis Rey River. Voters can count on higher taxes to pay for the greater need for City services in Morro Hills, including sewer lines and sewage treatment plants, as well as higher water rates for increased services and future cleanup of the water supply. Who benefits in all of this? Certainly not the voters and tax payers of Oceanside.

**MARGARET MALIK**, 1611 Hackamore Road, stated Councilmember Felien always talks about how he got so many votes. He got 17,866 votes, whereas Councilmember Sanchez received the highest number of votes ever. However, every time she does something, the other three Councilmembers smack her hand. The money that these Councilmembers threw into their election was ridiculous, but they still got beaten.

She can't go to Costco, Vons or Albertsons without being accosted by people asking her what is going on with the City Council. The three Council majority are running the show, and it's not very good. Councilmember Felien got 17,000+ votes last time, but he won't this time because people are so angry at him. The Councilmembers need to learn to work together instead of trying to mess up Mayor Wood. People are watching on television, and they are noticing.

**JACQUELINE EGAN-BARRY**, 2530 Vista Way, Suite F279, thinks that Mayor Wood and Councilmember Sanchez are delights. She likes their conservative manner and their wait-and-see attitude, taking in what the voters think first. The voters would be very upset if they knew what was going on with Mayor Wood. We voted for him, and now the Councilmembers think they can get him out somehow. He was chosen, not Councilmembers Kern or Felien.

**LINDA SILLS**, 42 Chico Lane, is opposed to the idea of stripping the Mayor of his powers. She spoke in favor of the original intent of the Constitutional Republic

**PAT MCFARLANE**, 3538 Pear Blossom Drive, is here to represent herself and the Carlsbad/Oceanside Democratic Club. The club President asked her to tell the Council that they think Mayor Wood does listen, and he tries to do what is right for the City. That's why we voted for him and why we work for him. We're concerned with what Councilmembers are doing to the Mayor's job. This will also affect the next Mayor. This shows a terrible lack of respect for the office of Mayor. We are listening and watching what's going on, and we are very concerned about it. We are supportive of the Mayor and would like to see him treated with the respect he is due.

**ROBERT MARKLEY**, 200 North El Camino Real, wants to plead with the Council majority again. Please don't dump on our beloved Mayor and the voters of Oceanside who elected him to perform his duties. For once listen to your constituents instead of your out-of-town special handlers. His sad prediction is that once again, their pleas won't work. Voters are asking how this can happen. How can three people usurp all the rights and privileges of the entire City? The sad but true answer is, that it's all made possible by a severely flawed City Charter. It's the same charter that the Council majority conspired with their out-of-town special interest handlers to concoct, the same severely flawed City Charter that the Council majority jammed onto the ballot without a single word of input from the voters or the City Attorney. It's the same flawed City Charter that the out-of-town special interests financed campaigns for. He admonishes the Council majority to be careful what you wish for; it might come back to bite you.

We here tonight are watching, as are those at home. We are all keeping track of what our employees do. You work for us, not the out-of-town special interest handlers.

**JIM JENKINS**, 1429 Calle Marbella, stated it's becoming embarrassing when he hears people talking about our City. We used to be proud of Oceanside and what it stood for. We no longer stand as one, and we are no longer a team. It's just a bunch of individuals now that have created an embarrassment to the City. We've also made news outside of town. The Council doesn't work together and doesn't listen to the people who voted them in. Mayor Wood and Councilmember Sanchez have done so much for us and proven what they're about, yet they get stripped of their rights and powers. He's also concerned about these appointments. After watching what Councilmember Felien does here, he wonders if he'll have a blowup at the next North County Transit District meeting. Is that how he's going to represent us? It will be embarrassing to have him on these Commissions because so far he hasn't done a good job at all.

This is horrible. Why can't this group work together for us like the Congress and the Senate do for their states? We've had great representation before, and it's a shame to see it breaking up. The Council needs to think about being a team.

Public input concluded

**COUNCILMEMBER SANCHEZ** stated that Councilmember Felien started by saying he is putting this item forward to give other Councilmembers a chance, but he only mentioned 3 people. She's been here 12 years and has not been on SANDAG, NCTD or the SDCWA. What's happening here is that Councilmember Felien wants to strip the Mayor of his appointment powers.

Mayor Wood was a Police Officer here for 31 years. He has the best interests of all of us at heart. He was voted to lead our City and be at SANDAG and NCTD, which are leadership positions. This is an insult to the citizens of Oceanside.

Mr. Markley is right; we have a seriously flawed Charter. For 123 years we were a general law city. For two years we've been a Charter City. Our Charter was written by the BIA (Building Industry Association), which has gotten us into trouble because we stand to lose millions of dollars. That is why the Councilmembers can put in a dozen requests for ordinances to strip the Mayor of his powers.

The Councilmembers put up three candidates and only had one win. This is because she and Mayor Wood have the best interests of the citizens at heart. Last year Councilmember Felien wanted to end the library, senior programs, youth programs, etc. Why would Councilmember Kern be on the SDCWA Board? It's because he wants money for his campaign to vote for the Gregory Canyon dump, which will contaminate the City's water supply.

**MAYOR WOOD** stated it is embarrassing to hear the comments being said about him, both pro and con. He's been very disappointed and wasn't going to run last time. He's been stripped of power on all of the regional Boards that represent the citizens. The Council majority used the Charter, which we knew was flawed, as a tool to circumvent the citizens' votes. The City of Bell was a nightmare because it is also a Charter City.

Voting him in as Mayor was a waste of time because three Councilmembers can supersede the other votes. He is angry about this and doesn't think it's right. It loses respect for the position of Mayor. He is the Senior Mayor in the entire North County, but it doesn't seem to make a difference. He's not going to roll over and die. He gets legal advice from the City Attorney and others about what they can do under this Charter. He doesn't think it's legal or right that three Councilmembers can change things that the public voted for.

Most of his job as Mayor is doing public relations work for the City and sitting on committees and commissions. He never got on these for the money, though others have wanted to be on for the per diem. What he doesn't like is the use of the Charter as a tool to get around the voters, which is what they did. Hopefully this will change in the future.

Councilmember Kern has always been a gentleman to him even though he lost. Councilmember Kern has been laying low because Councilmember Felien has been the leader of the pack. Councilmember Feller has been here a long time, and he's a nice person. However, he was lucky to win this time around. To have a Councilmember that lost, and another that almost didn't make it, come and take the power from him as Mayor is embarrassing and sad. Also, he wants to hear why he should choose a Deputy Mayor that he doesn't want representing him when he's gone.

**COUNCILMEMBER FELIEN** thinks it's interesting that we hear it's wrong that three people share the appointment, but there's nothing wrong with one person having all of the appointments before. The total election results put it at three votes versus two votes, which make a majority. The whole point of these regional Boards and Commissions is to represent the majority of the Council. It makes more sense to spread out the leadership the same way that every other City in North San Diego County does. Not one City has the same appointee for the North County Transit District as they do for SANDAG. Those Councils seem to work together much better than this one.

He thinks these appointments should go to those that have not had them before. The Mayor had the opportunity to serve, but now it's time that other people have the opportunity to serve in these positions. This is why he put forward this motion and urges a yes vote.

**CITY CLERK BECK** asked for clarity on the motion, since there are two joint items.

**COUNCILMEMBER FELIEN** clarified that the **motion** is to remove himself as second alternate and Councilmember Feller as first alternate for SANDAG, putting himself as the first alternate and Councilmember Kern as the second alternate and replacing Mayor Wood with Councilmember Feller as the primary Board member to SANDAG. Also, to remove Mayor Wood as primary for North County Transit District, removing himself as the alternate and appointing himself as the primary Board member, with Councilmember Feller as the alternate. For the SDCWA Board, remove Brian Boyle and appoint Councilmember Kern.

**MAYOR WOOD** thanked Mr. Boyle for his service on the SDCWA Board.

**COUNCILMEMBER KERN** also commented that Mr. Boyle has done an outstanding job, and this vote does not reflect negatively on him or anything he's done. He just hopes there will be more reports back on the SDCWA and the Utilities Commission than in the last year. There needs to be more communication from the Council on what happens at the SDCWA.

**Motion was approved 3-2;** Councilmembers Wood and Sanchez – no.

34. **Request by Councilmember Felien to instruct the City Attorney to draft an ordinance to create a procedure to rotate the Deputy Mayor position among all four Councilmembers in a manner that each Councilmember will serve one term in either the third or fourth year of their Council term**

**COUNCILMEMBER FELIEN** brought forth this motion because there is an issue of Mayor appointment authority with Council approval when the Mayor is not part of the majority. When the Mayor is part of the majority, it's a formality as to who brings forward the nomination. When the Mayor is not part of the majority, there seems to be a deadlock. Looking back, when Mayor Wood was part of the majority, Sheri Mackin was selected for Deputy Mayor. During the other eight times when he was part of the minority, the Council was only able to vote on the Deputy Mayor four times. The other four times were deadlocked, including this year. This makes a 50% failure rate in terms of the process being used, which isn't acceptable.

The options are to have the Mayor select the Deputy Mayor without Council approval, to have the Council select the Deputy Mayor as a majority, or to rotate the position. The question becomes if the position of Deputy Mayor is mostly ceremonial or is it making policy? If it's a policy decision, he would agree that the Mayor should select the position. However, the position appears to be about representing the Mayor at ceremonial events when he's out of town or running the Council meeting in his absence, neither of which are policy making functions. He thinks the position therefore should be rotated amongst the Councilmembers.

Looking back at the history of the Deputy Mayor position, in the year 2000 a resolution was brought forward to create a rotating system for Deputy Mayor, by numbering the seats. The Council was deadlocked and couldn't agree on how to number the seats. In 2001 there was a motion to create a policy having the Mayor appoint the Deputy Mayor. The Council approved it, but it included a reference to a resolution in which the ordinance intended to rotate among all of the Councilmembers. He thinks the spirit of the original ordinance is not being followed, so he has put forward an option for his colleagues to consider.

This would allow every Councilmember the chance to be Deputy Mayor. People like being Deputy Mayor during an election year versus a non-election year. The

numbers would rotate, so if you served two Council terms, you would have one term on a non-election year and one during an election year. He proposes that they number the seats, with Councilmember Kern as #1, Felien as #2, Sanchez as #3 and Feller as #4. The term would start with the 2012 or 2013 year, depending on the wording. The order of Deputy Mayor would be in the order of the seats. Then it would switch for the second four-year cycle to be seats 2, 1, 4 and 3. This would allow everyone the chance to be Deputy Mayor and eliminate the controversy with the Deputy Mayor appointment. It would also eliminate the personal friction that seems to be a part of this City Council, as well as Councils in the past.

Public input

**JACQUELINE EGAN-BARRY**, 2530 Vista Way, Suite F279, asked Mayor Wood how they would get rid of the Charter.

**MAYOR WOOD** responded that it would be put on the ballot and removed with a certain amount of signatures.

**MS. EGAN-BARRY** now knows why Councilmember Kern has been so interested in the SDCWA Board. She thinks that the Council majority are belittling the Mayor, and the taxpayers and voters have nothing to say about it.

**PAM CHAMBERS**, 1922 Freeman Street, supports the motion by Councilmember Felien. She thanked Mayor Wood and Councilmember Sanchez for their service. She may not agree with them but will not be rude to them. She also expects not to be treated rudely when she comes to Council meetings in support of the City, no matter what her view is. She asked that people not yell and name-call each other.

**PAT MCFARLANE**, 3538 Pear Blossom Drive, thinks we should honor and support our leaders. To her, that leader is the Mayor. She regrets the steps that the Council is taking and will be reporting it to her club.

Public input concluded

**COUNCILMEMBER SANCHEZ** stated that this again is the tyranny of the majority. She and the Mayor work well together because they share a vision: to put Oceanside residents and businesses first. They don't take money and then vote in that direction because they took the money. We can find so many issues that we can all work together on instead of bringing up issues that divide us and are against the will of the people.

**COUNCILMEMBER FELLER** stated he's not in agreement with allowing Deputy Mayor to be a title in an election year. This was originally designed to allow someone to become Deputy Mayor within the first two or three years of their term. It was Betty Harding when he came on, and then he became Deputy Mayor. This isn't like the U.S. President picking his staff; it's a ceremonial position primarily. This may not even take effect until the end of 2014.

Councilmember Sanchez has been Deputy Mayor at least four times and he has been Deputy Mayor twice in twelve years. He doesn't think he should be Deputy Mayor two years in a row and is against being Deputy Mayor when running for re-election. He thanked the Mayor for making him Deputy Mayor last year. He hopes that the City Manager can figure out the seat numbering for this and come back at a future meeting.

**CITY MANAGER WEISS** clarified that, per Councilmember Felien, the Deputy Mayor assignment would be in the third or fourth year, but Councilmember Feller is suggesting that it be in the first or second year. Is that correct?

**COUNCILMEMBER FELLER** responded that it should be the second or third

year, probably, or even the first year.

**CITY ATTORNEY MULLEN** doesn't think that was the motion. He knows he's to draft an ordinance to create a rotation, but he understands it to be a rotation in the third or fourth year.

**COUNCILMEMBER FELIEN** clarified that, based on Councilmember Feller's concern, it would require an amendment to the motion. He will wait to hear the comments and integrate them into the final motion.

**CITY CLERK BECK** stated he hasn't heard a second to the motion yet.

**COUNCILMEMBER FELLER** would like to go forward with this, but not in this format.

**COUNCILMEMBER KERN** doesn't particularly care to be Deputy Mayor. He would forgo being Deputy Mayor next year and have Councilmember Felien be seat #1. Then Councilmember Sanchez or Feller can be Deputy Mayor next year. He always thought this position should rotate. In fairness to Mayor Wood, he did try to appoint him to Deputy Mayor once, but he declined because he felt it was Councilmember Feller's turn in the rotation. That didn't happen and is why we had Councilmember Chavez as Deputy Mayor two years in a row.

We need an orderly way to do this so it's non-confrontational. If it takes him stepping out, he will do it so that it can be either Councilmember Sanchez or Feller next year. With Councilmember Felien as Deputy Mayor this year, it'll be back to a normal rotation.

**COUNCILMEMBER FELIEN moved** to instruct the City Attorney to draft an ordinance to rotate the Deputy Mayor position among all the Councilmembers in a manner that no one will be serving during their election year.

**CITY MANAGER WEISS** asked if they would be rescinding the policy as well.

**CITY ATTORNEY MULLEN** responded it would include the introduction of an ordinance at a future Council meeting. We would have to adopt it and would include in the ordinance that the rotation would be set up by resolution approved by the Council. We could have a separate resolution establishing an order to rotate and then a repeal of the current policy.

**COUNCILMEMBER FELLER seconded** the motion.

**MAYOR WOOD** clarified that the Deputy Mayor position is ceremonial. The position has a lot of control over the Council meeting, and that's about it. He actually told Councilmember Felien that he wanted him as Deputy Mayor this coming year. However, with some of the items that came up that were so personal, he didn't do it. When he leaves, he wants someone sitting here or going out representing him and the community to have some continuity about what he thinks and would like to have done. Lately it has been hard to pick from the Council majority due to what's been going on.

He doesn't want someone representing the City under their guidelines and not his. This is why he picked Councilmember Sanchez on several occasions. Councilmember Feller brought up a good point about whether being Deputy Mayor helps in an election or not. Some people probably think it does. It's hard to pick people that are totally opposite to him to represent him. This has always been the problem and nothing else.

He had gone a whole year without a Deputy Mayor because the Council wouldn't approve it. This wasn't a problem because all he did when he left to go somewhere was call and ask someone to fill in for him.

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

33. **Request by Councilmember Felien to amend City policy to require that President's Day be recognized as a City holiday**

**COUNCILMEMBER FELIEN** brought this item forward originally because as a kid, they celebrated Washington's Birthday and Lincoln's Birthday as separate holidays. In the 1980's President Reagan signed the law creating the Martin Luther King, Jr. holiday. Part of that process was to combine Washington's Birthday and Lincoln's Birthday into a single holiday so that the number of days that government employees worked was the same.

He feels that by the City being closed on Martin Luther King, Jr.'s Birthday, yet opened on Presidents Day, they were overlooking the achievements of our Founders. He's gotten negative feedback on this, which was not his intent. He just wanted more recognition for Presidents Lincoln and Washington. There are also some issues with labor contracts in terms of what days the City is closed versus what days are floating holidays.

There is no urgency to resolve this; there is plenty of time before next year. His goal wasn't to upset anyone or to lower the achievements of any of our historical figures, but he thinks these two Presidents are consistently the top two on every Historian's survey of our greatest Presidents and deserve to be recognized. He withdrew the item at this time to take a better look.

Public input

**JIMMY KNOTT**, 127 Sherri Lane, stated seniors in both senior centers brought this to his attention. He hopes we can commemorate the actions of our Presidential leaders.

**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.

36. **City Council: Adoption of an ordinance of the City Council of the City of Oceanside amending Sections 12.54 and 12.55 of Chapter 12 of the City Code to extend the letter grading system to include mobile food facilities (introduced on January 30, 2013, 5-0 vote)**

After titling of the ordinance, **COUNCILMEMBER SANCHEZ** moved adoption [of **Ordinance No. 13-OR0118-1**, "...amending Sections 12.54 and 12.55 of Chapter 12 of the City Code to extend the letter grading system to include mobile food facilities"].

**COUNCILMEMBER FELLER** seconded the motion.

**Motion was approved 5-0.**

**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.

28. **[City Council: Adoption of resolutions to adjust construction and development review fees for Building, Planning and Engineering; and institution of a "second-tier" inclusionary housing in-lieu fee for dwelling units achieved above the City's residential base density allowances]**

This item is being continued to March 13, 2013.

29. **City Council: Adoption of a resolution No. 13-R0117-1 amending the TransNet Local Street Improvement Program of the City of Oceanside to add the Coast Highway Corridor Study; add the Wisconsin Street Median Project; add matching funds for the Oceanside Boulevard Transit Access Project; and make various TransNet balance adjustments, including removal of \$297,143 in TransNet funds from the Melrose Extension project**
- A) Mayor opens public hearing – hearing was opened.
  - B) Mayor requests disclosure of Councilmember and constituent contacts and correspondence – Councilmembers Feller and Kern reported contact with staff; Councilmembers Felien and Sanchez reported contact with staff and public.
  - C) City Clerk presents correspondence and/or petitions – none.
  - D) Testimony, beginning with:

**GARY KELLISON**, Senior Civil Engineer, provided Council with a recommendation to amend the City's TransNet Program for the main purpose of reserving funds for the Coast Highway Corridor Study, which the Council identified as a priority at last week's workshop. The proposed funding for the Corridor Study is \$900,000, a correction from the originally distributed resolution. The funding comes in three ways: from reduction in the money in reserve for the Melrose Extension, from additional funds that SANDAG projects will be available from increased sales tax revenue, and from remaining funds the City has not yet fully programmed under its TransNet Program.

Other smaller projects with augmented funding would be \$100,000 for the Transit Operations Center at City Hall and \$47,500 for median improvements on Wisconsin Street. There are a few other smaller items that are accounting adjustments to account for money left over on finished projects.

The last item in the resolution is to formalize the City's acceptance of a \$400,000 grant that the City was awarded for using Smart Growth funds for a sidewalk on Oceanside Boulevard. This is money over and above our normal TransNet allocation and it was awarded on a competitive basis.

**MAYOR WOOD** recognized Mr. Kellison is at SANDAG all the time, consistently controlling the money, finding out how things are going, getting more money as needed and taking care of everything. He thanked him for all he does behind the scenes.

Public input

**PAUL NEVINS**, 2014 Mountain Vista Way, supports the move to put the Coast Highway Vision Plan into the TransNet package to make the amendment so it has legal protection for the future. He thanked Council for considering cleaning up our coastline, fixing what used to be Hill Street and making a new and improved Oceanside.

Public input concluded

**COUNCILMEMBER SANCHEZ moved** approval of the resolution to amend the

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TransNet program for the new projects, and she has a standing objection to any funds going to the Melrose Extension.

**MAYOR WOOD** seconded the motion.

**COUNCILMEMBER FELLER** asked if these funds were coming back from the Melrose Project.

**CITY MANAGER WEISS** responded yes, the Melrose money is being reprogrammed into Coast Highway.

**COUNCILMEMBER FELLER** commented that he can see why Councilmember Sanchez is objecting. Page three of the staff report states that four cities in San Diego County have borrowed against their future TransNet revenue streams to fund highway projects. When the need arises, Oceanside can do the same. He asked the names of the cities that have done this.

**MR. KELLISON** doesn't remember but can email it to the Council tomorrow.

**Motion was approved 5-0.**

#### **ADJOURNMENT**

After a moment of silence in honor of Randy Mitchell and Jack Barreiro, **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 8:19 PM on February 27, 2013. [The next regular meeting is scheduled for 2:00 PM on Wednesday, March 13, 2013].

**ATTEST:**

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Zack Beck  
City Clerk, City of Oceanside