



## **MEETING AGENDA**

**April 6, 2011**

**OCEANSIDE CITY COUNCIL,  
HARBOR DISTRICT BOARD OF DIRECTORS (HDB),  
and COMMUNITY DEVELOPMENT COMMISSION (CDC)  
REGULAR BUSINESS**

**Mayor  
HDB President  
CDC Chair**

Jim Wood

**Deputy Mayor  
HDB Vice President  
CDC Vice Chair**

Esther Sanchez

**Councilmembers  
HDB Directors  
CDC Commissioners**

Gary Felien  
Jack Feller  
Jerome M. Kern

**City Clerk  
HDB Secretary  
CDC Secretary**

Barbara Riegel Wayne

**Treasurer**

Gary Ernst

**CITY CLERK'S ACTION MINUTES**

**4:00 P.M. – ROLL CALL – All present (Deputy Mayor arrived at 4:06 PM)**

**CITY COUNCIL, HDB, and CDC CLOSED SESSION ITEMS**

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

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

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

**Discussed OCEA, WCE & MECO; no reportable action**

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

A) Property: A portion of City right-of-way at the terminus of Rancho del Oro Drive and State Highway 78 in the City of Oceanside; Negotiating Parties: City of Oceanside and William Alkire, doing business as Sunrey Media; Negotiator for the City: Douglas Eddow, Real Estate Manager; Under Negotiations: terms and conditions for the use of City right-of-way

**Discussed; no reportable action**

B) Property: Property bounded by Pacific Street, Myers Street, Seagaze Drive, and Civic Center Drive (APN 147-261-01 through 12; 147-076-1,2,3,10,11,12); Negotiating Parties: City of Oceanside and SD Malkin Properties; Negotiator for the City: Jane McVey, Economic and Community Development Director; Under Negotiations: Terms of Disposition Agreement and Lease

**Discussed; no reportable action**

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

A) CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION  
Initiation of litigation by City pursuant to Subdivision (c) of Section 54956.9: One case

**Did not meet on this matter**

B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: One case

**Discussed; no reportable action**

**5:00 P.M. – ROLL CALL – All present**

**INVOCATION – John Lundblad**

**PLEDGE OF ALLEGIANCE – Color Guard – Boy Scout Troop 709**

## **PROCLAMATIONS AND PRESENTATIONS**

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

Proclamation – Fair Housing Month – April 2011

Presentation – Mayor’s Youth Sports Recognition and Appreciation Award – Oceanside Valley Little League team

**Presentations were made**

## **CLOSED SESSION REPORT**

4. Closed Session report by City Attorney  
**Report given; see above items**

## **PUBLIC COMMUNICATIONS ON OFF-AGENDA ITEMS**

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

Advance written request to reserve time to speak: **None**

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

## **CONSENT CALENDAR ITEMS [Items 6 – 15, & 17]**

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

6. City Council/Harbor/CDC: Acceptance of Joint Minutes of the Small Craft Harbor District Board of Directors, Community Development Commission and City Council of the following meetings:
  - May 5, 2004, 2:00 p.m. Special Meeting
  - May 12, 2004, 10:00 a.m. Adjourned Meeting
  - December 1, 2004, 4:00 p.m. Regular Meeting
  - December 8, 2010, 3:00 p.m. Regular Meeting
  - December 21, 2010, 2:00 p.m. Adjourned Meeting
  - December 22, 2010, 3:00 p.m. Regular Meeting
  - January 5, 2011, 3:00 p.m. Adjourned Meeting
  - January 5, 2011, 4:00 p.m. Regular Meeting

**Approved 5-0**

7. City Council/Harbor/CDC: Approval to waive reading of the text of all ordinances and resolutions considered at this meeting and provide that ordinances shall be introduced after a reading only of the title(s)  
**Approved 5-0**
8. Harbor: Approval of Amendment 1 to the Percentage Property Lease Agreement with Nautical Bean Coffee Company, Inc., for the premises located at 240 Harbor Drive South, two adjacent concrete slabs, and storage area, extending the term of the agreement from July 1, 2010, to May 31, 2015, for a minimum total revenue of \$73,287; and authorization for the City Manager to execute the amendment  
**Document No. 11-D0216-2**  
**Approved 5-0**
9. City Council: Approval of a professional services agreement with Tory R. Walker Engineering, Inc., of Vista, in the amount of \$509,790 for an update to the Master Plan of Drainage, and authorization for the City Manager to execute the agreement; and approval of budget appropriations in amounts totaling \$250,000 from the Unassigned Fund Balances of Drainage Funds 510, 512, 514, 522, 530, 531, and 550 to complete the funding for the project  
**Document No. 11-D0217-1**  
**Approved 5-0**
10. City Council: Approval of a professional services agreement with Sylvania Lighting Services of Poway in the amount of \$428,652.64 to replace existing lamps, ballasts, incandescent lamps, high bay fixtures, and other various lighting fixtures with more energy efficient, cost effective lamps, ballast, and fixtures in various City buildings, to be funded with grant monies received from the U.S. Department of Energy; and authorization for the City Manager to execute the agreement  
**Document No. 11-D0218-1**  
**Approved 5-0**
11. City Council: Approval of a professional services agreement with RBF Consulting of Carlsbad in the amount of \$18,700 for engineering services for the College Boulevard Median project, and authorization for the City Manager to execute the agreement; and approval of a budget appropriation in the amount of \$240,000 from the Thoroughfare Fee Fund to fund the cost of design, construction, and contingencies for the project  
**Document No. 11-D0219-1**  
**Approved 5-0**
12. City Council: Approval to remove the two rubberized speed lumps on Northerly Street between Darwin Drive and Panorama Ridge Road  
**Approved 5-0**
13. City Council: Adoption of a resolution establishing stop controls on Apache Street at Arroyo Avenue  
**Resolution No. 11-R0220-1**  
**Approved 5-0**

14. City Council: Adoption of a resolution establishing a stop control on Navajo Avenue at Blackhawk Avenue, creating an all-way stop at the intersection  
**Resolution No. 11-R0221-1**  
**Approved 5-0**
15. City Council: Acceptance of a one-year Supportive Housing Program renewal grant in the amount of \$146,702 from the U.S. Department of Housing and Urban Development (HUD); approval to appropriate these funds to the Neighborhood Services Department–Housing and Code Enforcement Division; approval of an agreement with the Women’s Resource Center for use of the HUD Supportive Housing Program funds for operation of a 21-unit Transitional Housing Program; and authorization for the City Manager to execute the agreement  
**Document No. 11-D0222-1**  
**Document No. 11-D0223-1**  
**Approved 5-0**
16. **Removed from Consent Calendar for discussion – public request**  
CDC: Authorization to terminate the Mobile Home Rental Assistance Program (MRAP) effective June 30, 2011, and adoption of a resolution approving a revision to the Section 8 Housing Choice Voucher Administrative Plan to adopt a preference for MRAP participants, and associated actions  
**Resolution No. 11-R0224-3**  
**Document No. 11-D0225-3**  
**Approved 4-1, Sanchez - no**
17. City Council: Authorization to award a contract in the amount of \$43,550 to Charles Doherty Concrete of Oceanside, for the ADA Bus Stop Improvement project located along Oceanside Boulevard between Interstate 5 and El Camino Real, and authorization for the City Manager to execute the agreement upon receipt of all supporting documents  
**Document No. 11-D0226-1**  
**Approved 5-0**

## **6:00 P.M. – PUBLIC HEARING ITEMS**

*Public hearing items are "time-certain" and are heard beginning at 6:00 p.m. Due to the time-certain requirement, other items may be taken out of order on the agenda to accommodate the 6:00 p.m. public hearing schedule.*

18. [City Council: Consideration of an appeal of the Planning Commission’s action to revoke Development Plan (D-19-03) and Conditional Use Permit (C-29-03), and associated PC Resolutions (2004-P22 and 2007-P46) based upon the applicants’ failure to perform as required by the subject permits and resolutions of approval for property located at 1660 Oceanside Boulevard; and adoption of a resolution denying the appeal – The Oceansider – Appellant: Edwin D. Housmann, Attorney for First Credit Bank ]  
**This public hearing, continued from March 2, 2011, is being further continued to July 6, 2011, at 6:00 p.m.**

19. CDC: Adoption of a resolution approving the 2011-2012 Annual Public Housing Agency Plan and authorization for the Community Development Commission Chairperson to submit the plans to the U.S. Department of Housing and Urban Development with the inclusion of changes made to the PHA Plan as a result of public comments and execute all related documents
- A) Chairperson opens public hearing
  - B) Chairperson requests disclosure of Commissioner and constituent contacts and correspondence
  - C) Secretary presents correspondence and/or petitions
  - D) Testimony, beginning with Angie Hanifin, Housing Program Manager
  - E) Recommendation – adopt the resolution, authorize submission of the plan to HUD, and authorize the CDC chairperson to execute all related documents

**Resolution No. 11-R0227-3**

**Document No. 11-D0228-3**

**Approved 4-1, Sanchez - no**

20. City Council: Consideration of a resolution approving Development Plan (D10-00009) for a text amendment to the Planned Block Development (PBD) Plan established for the 103,000-square-foot commercial retail center located on the southeast corner of College and Oceanside Boulevards and the 36,902-square-foot center immediately east within the Ivey Ranch/Rancho Del Oro Neighborhood – Rancho Del Oro Gateway Shopping Center – Applicant: VRDO Plaza Partnership – Charles Yablon
- A) Mayor opens public hearing
  - B) Mayor requests disclosure of Commissioner and constituent contacts and correspondence
  - C) City Clerk presents correspondence and/or petitions
  - D) Testimony, beginning with Richard Greenbauer, Senior Planner
  - E) Recommendation – adopt the resolution approving the applications

**Resolution No. 11-R0229-1**

**Approved 5-0**

21. City Council: Approval of a Reimbursement Agreement with National Community Renaissance (National CORE) in the amount of \$1,527,170 for predevelopment expenses related to the Mission Cove affordable housing project located in the 3200 block of Mission Avenue; and approval of a budget appropriation in the amount of \$1,527,170 from the HOME Program unallocated reserve funds to the Mission Cove Project account for reimbursement to National CORE for the predevelopment expenses
- A) Mayor opens public hearing
  - B) Mayor requests disclosure of Commissioner and constituent contacts and correspondence
  - C) City Clerk presents correspondence and/or petitions
  - D) Testimony, beginning with ~~Margery Pierce, Neighborhood Services Director~~ Dave Manley
  - E) Recommendation – approve the agreement, approve the budget appropriation, and authorize the City Manager to execute the agreement

**Document No. 11-D0230-1**

**Approved 5-0**

## **GENERAL ITEMS**

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

22. City Council: Consideration of the closure of Vista Way at the Interstate 5/State Route 78 interchange, and direction to staff

- A) Report by David DiPierro, City Traffic Engineer
- B) Discussion
- C) Recommendation – provide direction to staff

**With no intent to cul-de-sac Vista Way, staff to continue traffic calming effort**

## **MAYOR AND/OR COUNCILMEMBER ITEMS**

23. Request by Councilmember Feller to direct staff to install the previously approved traffic signal on Rancho del Oro Drive at Cameo Drive

**Motion to direct staff to install the previously approved signal at RDO and Cameo but put the funding in the CIP for next year's budget**

**Approved 3-2, Wood and Sanchez - no**

24. Request by Councilmember Felien to require that all contractors under agreement with the City utilize the Department of Homeland Security's E-Verify system to verify the legal residency status of their employees, and provide direction to staff

**Pending the decision of the Supreme Court, request the City Attorney to draft a resolution with the sole intent that for all contracts with the City, contractors will utilize Homeland Security's E-Verify system regarding their employees**

**Approved 3-1, Sanchez – no, Wood - absent**

## **CITY MANAGER ITEM**

25. City Council: Discussion regarding City Council/CDC/Harbor Board meeting times

- A) Report by Peter Weiss, City Manager
- B) Discussion
- C) Recommendation – provide direction to staff

**Continued to April 20 for Mayor's input**

**Approved 4-0, Wood – absent**

## **CITY ATTORNEY ITEM**

26. City Council: Introduction of an Ordinance of the City Council of the City of Oceanside repealing Ordinance 10-OR0369-1 relating to the establishment of fees for the recovery of certain costs for emergency related services, per City Council action of March 16, 2011

### **Introduction of Ordinance**

**Approved 3-2, Wood and Sanchez – no**

## **CITY COUNCIL REPORTS**

27. Mayor Jim Wood  
Housing Commission; Parks and Recreation Commission; League of California Cities Legislative Delegates (voting); North County Dispatch–JPA/Fire; Washington, DC, Appropriation Visit–Legislative Delegate; North County Transit District Board; and SANDAG Board  
**Absent**
28. Deputy Mayor Esther Sanchez  
Harbor and Beaches Advisory Committee; Integrated Waste Commission; Manufactured Home Fair Practices Commission; Utilities Commission; Buena Vista Lagoon JPA; City/OUSD/VUSD Committee; League of California Cities Executive Committee; League of California Cities–Legislative Delegates (voting)–1st Alternate; SANDAG Shoreline Preservation Committee; Washington, DC, Appropriation Visit–Legislative Delegate–Alternate  
**No comment**
29. Councilmember Gary Felien  
Arts Commission; Economic Development Commission; Library Board of Trustees; Senior Citizens’ Commission; Buena Vista Lagoon JPA–Alternate; City/OUSD/VUSD Committee–Alternate; League of California Cities Legislative Delegates (voting)–2nd Alternate; North County Dispatch – JPA/Fire–Alternate; SANDAG Board–2nd Alternate; North County Transit District Board–Alternate  
**Commented on items**
30. Councilmember Jack Feller  
Community Relations Commission; Oceanside Historical Preservation Advisory Commission; Transportation Commission; League of California Cities Executive Committee–Alternate; SANDAG Board–1st Alternate  
**Commented on items**
31. Councilmember Jerome M. Kern  
Police and Fire Commission; Redevelopment Advisory Committee; Telecommunications Committee; and SANDAG Shoreline Preservation Committee–Alternate  
**Commented on items**



## **INTRODUCTION AND ADOPTION OF ORDINANCES**

*None*

## **ADJOURNMENT**

The next regularly scheduled meeting is at 4:00 p.m. on Wednesday, April 20, 2011

**Adjourned at 9:25 p.m.**