

# **MEETING AGENDA**

**November 17, 2021**

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

**Mayor**  
**HDB President**  
**CDC Chair**  
**OPFA Chair**  
Esther Sanchez

**Deputy Mayor**  
**HDB Vice President**  
**CDC Vice Chair**  
**OPFA Vice Chair**  
Ryan Keim

**Councilmembers**  
**HDB Directors**  
**CDC Commissioners**  
**OPFA Directors**  
Kori Jensen  
Christopher Rodriguez  
Peter Weiss

**City Clerk**  
**HDB Secretary**  
**CDC Secretary**  
**OPFA Secretary**  
Zeb Navarro

**City Treasurer**  
**HDB/CDC/OPFA Treasurer**  
Victor Roy

### **3:30 P.M. – ROLL CALL**

#### **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 Police Officers' Association – Non-Sworn (OPOA-NS), 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

2. **CONFERENCE WITH REAL ESTATE NEGOTIATOR (SECTION 54956.8)**
  - (A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: 333 Garrison Street (APN 162-020-24 & 162-030-14); Negotiating Parties: City of Oceanside and Oceanside Unified School District; Negotiator for the City: Vicki Gutierrez, Real Estate Manager; Under Negotiations: Price and terms for the acquisition of real property
  - (B) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: 2188 Willowbrook Drive & 2218 Willowbrook Drive (APN 159-112-29 & 159-112-53); Negotiating Parties: City of Oceanside and Travis & Cora Mellem; Negotiator for the City: Vicki Gutierrez, Real Estate Manager; Under Negotiations: Price and terms for the acquisition of real property
  - (C) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: NEC of Willowbrook Drive and Melrose Drive (APN 159-112-42); Negotiating Parties: City of Oceanside and the County of San Diego; Negotiator for the City: Vicki Gutierrez, Real Estate Manager; Under Negotiations: Price and terms for the acquisition of real property
  
3. **LITIGATION OR OTHER ADVERSARY PROCEEDING (E.G., ADMINISTRATIVE HEARING, ARBITRATION) (SECTION 54956.9a(c))**
  - (A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Section 54956.9(a))
    1. Daigle v. City of Oceanside  
United States District Court Case No.: 19CV1180 BAS WVG

**5:00 P.M. – ROLL CALL**

**INVOCATION** – Pastor Christopher Felix, Genesis The Kings Church

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS AND PRESENTATIONS**

Presentation by David Singh, West Coast Tomato Growers, Oceanside POLE

Presentation by Erica Alfaro, "Cosechando Sueños," Harvesting Dreams

Proclamation in Honor of 16th Annual Oside Turkey Trot

**CLOSED SESSION REPORT**

4. Closed Session report by City Attorney

**CONSENT CALENDAR ITEMS**

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

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/CDC/OPFA: Acceptance of City Clerk's Action Minutes of the Small Craft Harbor District Board of Directors, Community Development Commission, City Council, and Oceanside Public Financing Authority of the November 3, 2021 Regular Meeting
7. City Council: Approval of a purchase order in the amount of \$2,486,365 to South Coast Fire Equipment of Ontario, California for the purchase of three Pierce Type 1 fire engines; authorization for an additional \$240,000 for the purchase of radios and equipment to be installed in the units; and authorization for the Financial Services Director, or designee, to execute the purchase order
8. City Council: Approval of Amendment 4 in the amount of \$75,000 to the Public Works Agreement with Doherty Concrete of Oceanside, for a total contract price of \$811,949 for concrete work at the Pier and Beach area Parks; approval of Amendment 1 in the amount of \$135,000 to the Public Works Agreement with Rancho Del Oro Landscaping of Oceanside, for a total contract price of \$459,308 for landscape work within the Parks and Beach area; and authorization for the City Manager to execute the amendments
9. City Council: Approval of Amendment 2 to the Property Use Agreement with Oceanside Theatre Company for continued operation of Sunshine Brooks Theater and Studio 219, located at 217-219 N. Coast Highway, extending the term of the agreement for a twenty year term retroactively from November 1, 2021, through October 31, 2041, and abating the rent during the twenty-year extended term in exchange for providing capital improvements to the premises; and authorization for the City Manager to execute the amendment upon receipt of all supporting documentation
10. HDB: Approval of Amendment 1 to the Property Lease Agreement with Mare Amicus, Inc., dba Mare Amicus Art Gallery, expanding the leased premises at 1850 Harbor Drive North to include the adjacent Suite "C", for a two-year minimum total revenue of \$33,024; and authorization for the Administrative Officer to execute the amendment
11. City Council/HDB: Approval of a Public Works Agreement with Eagle Paving of Poway in the amount of \$96,087 for asphalt repair and replacement at Oceanside Harbor; and authorization for the Administrative Officer to execute the agreement upon receipt of all supporting documents
12. City Council: Approval of a Professional Services Agreement with Trussell Technologies of Pasadena in the amount of \$26,000 for laboratory services; approval of Amendment 3 to the Professional Services Agreement with Weck Laboratories Inc. of City of Industry in an amount of \$13,000 for a total contract amount not-to exceed \$53,000 for analytical laboratory services; approval of Amendment 1 with Clinical Labs of San Bernardino in an amount of \$212,000 for a total contract amount of \$244,000 for title 11 regulatory analyses; appropriation of \$200,000 from the Water Operating fund unrestricted fund balance; approval of these procurements as sole source purchases; and authorization for the City Manager to approve the agreement and amendments upon receipt of all documents
13. City Council: Approval of a Professional Services Agreement in the amount of \$76,750 with Interfaith Community Services, Inc. for service as fiscal agent for the Alliance for Regional Solutions for the 2021-22 Bridge Housing Shelter Network; and authorization for the City Manager to execute the agreement
14. City Council: Approval of the addition of one Senior Chemist position within the Water Utilities Department; and approval of an appropriation from the Water Operating fund unrestricted fund balance

15. City Council: Approval of the creation of two additional full-time firefighter/paramedic positions within the Fire Department to be funded by moving overtime funds to cover the salary and benefit costs
16. HDB: Approval of a request by Mr. Blair Sullenger to add four additional terms to the sublease of his Harbor slip from October 4, 2021 to October 3, 2022, as the slip permittee is out of the country
17. City Council: Adoption of the attached Excavation and Right-of-Way Encroachment Policies; and authorization for the City Engineer to update the Policies by February 1 on each odd numbered year or as necessary or as required by Statute, Resolution, or Ordinance to comply with changes in industry standards and City needs and requirements
18. City Council: Adoption of a resolution declaring a temporary shelter crisis in the City of Oceanside from November 1, 2021, through April 15, 2022, and suspending the zoning ordinance requirement to allow churches to shelter homeless persons without obtaining a conditional use permit
19. City Council: Adoption of a resolution authorizing the City to apply for and receive grant funds in an amount up to \$2,000,000 for the United States Bureau of Reclamation's WaterSMART Grant: Water and Energy Efficiency Projects for Fiscal Year 2022 for the Renewable Energy from Food Waste Diversion Project; appropriation of the funds to the Water Utilities Department; and authorization for the City Manager, or designee, to act on behalf of the City as signatory to accept grant funds
20. City Council/HDB: Adoption of a resolution authorizing the City to apply for and obtain grant funds in an amount up to \$282,000 for a California Wildlife Conservation Board grant to design, engineer, and permit for the replacement, enlargement, and improvement of the Harbor Fishing Pier; appropriation \$94,000 from Harbor Reserves to a City Match account; and authorization for the Administrative Officer to submit grant application and execute the agreement
21. City Council: Acceptance of a one-year Supportive Housing Program renewal grant in the amount of \$145,091 from the U.S. Department of Housing and Urban Development; approval of the appropriation of these funds to the Neighborhood Services Department – Housing Division; approval of a Professional Services Agreement with the Women's Resource Center to use the funds for operation of the 23-unit Transition House; and authorization for the City Manager to execute the grant documents and the agreement

## **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. Ordinances may be introduced at this time. 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 the ordinances in a single vote.*

22. City Council: Authorization to award a contract to EC Constructors, Inc. of Lakeside in the amount of \$10,472,120 for the construction of the San Luis Rey Water Reclamation Facility; approval of a Professional Services Agreement with Butier Engineering, Inc. of Tustin in the amount of \$909,250 for construction management and inspection services; authorization for the City Engineer to approve Change Orders up to \$1,047,212 on the construction agreement; and authorization for the City Manager to execute the agreements upon receipt of all supporting documents
- A) Report by Lindsay Leahy, Principal Water Engineer
  - B) Discussion
  - C) Recommendation – approve the agreements
23. City Council: Approval of a Property Use Agreement with the San Diego Rescue Mission for a three-year term for the purpose of the development, construction and operation of a 50 bed Housing Navigation Center for the unsheltered to be located at 3131 Oceanside Boulevard; and authorization for the City Manager to execute the agreement
- A) Report by Leilani Hines, Housing and Neighborhood Services Director
  - B) Discussion
  - C) Recommendation – approve the agreement

## **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.*

24. City Council: Adoption of a resolution establishing the adopted text changes to Articles 4 and 30 of the Zoning Ordinance relating to emergency shelters as part of the implementing document of the Local Coastal Program (LCPA21-00003)
- A) Mayor opens Public Hearing
  - B) Mayor requests disclosure of Councilmembers and constituent contacts and correspondence
  - C) Clerk presents correspondence and/or petitions
  - D) Testimony beginning with Shannon Vitale, Associate Planner
  - E) Recommendation – adopt the resolution
25. City Council: Adoption of a resolution adjusting fees for water meter equipment, installation, utility services, and equipment provided by the City in order to fully recover the costs associated with providing the services
- A) Mayor opens Public Hearing
  - B) Mayor requests disclosure of Councilmembers and constituent contacts and correspondence
  - C) Clerk presents correspondence and/or petitions
  - D) Testimony beginning with Michael Newton, Administrative Analyst II
  - E) Recommendation – adopt the resolution

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

*No action will be taken by the City Council/HDB/CDC/OPFA 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. The presiding officer may hear non-agenda items at any time after the 5:00 p.m. meeting is called to order.*

26. Advance written request to reserve time to speak:
  - a. Ms. Cathy Nykiel – December Events in Downtown, Lighting of the Menorah, Tree Lighting
  - b. Ms. Samantha Holt – Armed Services YMCA’s programs and services offered throughout the year and during the holidays for our servicemembers and their families stationed at Camp Pendleton
27. Communications from the public regarding items not on this agenda

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

28. Request by Mayor Sanchez to make appointments to or motions for removal from some or all of the City’s advisory groups
29. Request by Deputy Mayor Keim and Councilmember Weiss for a Resolution from the City Council of Oceanside expressing support for actions to further strengthen local democracy, authority and control as related to local zoning and housing issues (California Cities for Local Control)

## **GENERAL COUNCILMEMBER COMMENTS**

### **ADOPTION OF ORDINANCES**

*The following items are ordinances for 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 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.*

30. City Council: Adoption of an ordinance amending Chapter 14 of the Oceanside City Code relating to control of well construction  
*(Introduced November 3, 2021, 5-0)*
31. City Council/CDC: Adoption of an ordinance to amend Article 12 of the Downtown Zoning Ordinance (ZA19-00006) to modify downtown residential density provisions and adoption of a resolution to establish the amended text and Transit Overlay District, as modified by the California Coastal Commission as part of the implementation plan of the Local Coastal Program  
*(Introduced November 3, 2021, 4-1)*

32. City Council: Adoption of an ordinance to amend Articles 10C and 31 (ZA21-00004) of the City's Zoning Ordinance and Chapter 14C of the Oceanside City Code and adoption of a resolution (LCPA20-00007) establishing the amended text of Articles 10C and 31 and Chapter 14C pertaining to inclusionary housing as part of the implementing document of the Local Coastal Program to incorporate modifications as suggested by the California Coastal Commission  
*(Introduced November 3, 2021, 5-0)*
33. City Council: Adoption of an ordinance amending Chapter 37 of the City Code establishing water user rates and external water provider charge increases  
*(Introduced November 3, 2021, 4-1)*

## **ADJOURNMENT**

The next regularly scheduled meeting is at 3:30 p.m. on Wednesday, December 1, 2021.