



CITY OF OCEANSIDE AGENDA

Joint Meetings of the Oceanside City Council, Oceanside Small Craft Harbor District Board of Directors, Oceanside Community Development Commission, and Oceanside Public Financing Authority

Information for the December 20, 2023 City Council Meeting

Members of the public have the option to watch the meeting on KOCT Cox Channel 19 (live streaming service available at www.koct.org/channel-19) or watch via Zoom or attend in person.

Zoom Information:

To watch the meeting via Zoom please use the URL below. Please note that this is for viewing only; if you wish to make comments on any of the items in the agenda you must attend in person.

<https://us02web.zoom.us/j/89601148809?pwd=S1I3MytlaTQ5VDRReUx4bEh5UTY4QT09>

Zoom Meeting ID: **896 0114 8809**

Passcode: **249647**

Phone Information:

To join the meeting by phone, dial **669-900-9128**.

Zoom Meeting ID: **896 0114 8809**

Passcode: **249647**

If you wish to provide a comment to the City Council, but are not interested in speaking during the meeting, you may email your comments to the City Clerk (CityClerk@OceansideCA.org). All comments must be sent via email by 4 PM on the day of the meeting. All timely received comments will be provided to the City Council prior to the meeting and made a part of the record of the meeting. ***Please note that these comments will not be read aloud during the meeting.***

MEETING AGENDA

December 20, 2023

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
Eric Joyce
Rick Robinson
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), Oceanside Marine Safety Employees’ Association (OMSEA), Western Council of Engineers (WCE), and Unrepresented

2. **LITIGATION OR OTHER ADVERSARY PROCEEDING (E.G., ADMINISTRATIVE HEARING, ARBITRATION) (SECTION 54956.9(d))**
 - (A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Section 54956.9(d)(1))
 1. San Diego Regional Water Quality Control Board Complaint No. R9-2023-0015
 2. Rawson/Dougi v. City of Oceanside et. al., San Diego Superior Court Case No. 37-2023-00032978-CU-PO-NC

5:00 P.M. – ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

Employee Service Awards
 Proclamation in Honor of OPD Assistant Chief Sean Marchand, on His Retirement
 Proclamation in Honor of OFD Deputy Chief Pete Lawrence, on His Retirement
 Proclamation in Honor of OFD Medical Services Officer Lynne Seabloom, on Her Retirement
 Proclamation in Honor of OFD Ron Owens, Fire Safety Specialist, on His Retirement

CLOSED SESSION REPORT

3. 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.

4. [City Council/Harbor/CDC/OPFA](#): Approval to waive reading of the text of all ordinances and resolutions considered at this meeting and provide that ordinances shall be introduced after a reading only of the title(s)
5. [City Council/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 December 6, 2023 Regular Meeting
6. [City Council](#): Approval of Change Order 6 to the Public Works Agreement with Granite Construction Company, in the amount of \$717,388 for a total contract amount of \$18,854,475, for the Lower Recycled Water Package 1 Project; and authorization for the City Engineer to execute the change order
7. [City Council](#): Approval of a change order to increase an existing purchase order with Hawthorne Machinery for Caterpillar equipment repairs, in the amount of \$50,000, for a revised total of \$99,750; approval of a sole source for the vendor; and authorization for the Financial Services Director, or designee, to execute the change order upon receipt of all supporting documents

8. [City Council](#): Approval of Amendment 1 to the Professional Services Agreement, with Caracal Enterprises LLC (dba VenTek International) "VenTek" in an on-going annual amount of \$16,200, for pay station network online services; and authorization for the City Manager to execute the amendment
9. [HDB](#): Approval of Amendment 2 to the Percentage Property Lease Agreement with Oceanside Adventures, Inc., for the premises located at 256-1 and 256-1/2 Harbor Drive South, extending the term of the agreement for a period of ten years to expire June 23, 2035; and authorization for the Administrative Officer to execute the amendment upon receipt of all supporting documents
10. [City Council](#): Approval of Amendment 2 to the Professional Service Agreement with Gatekeepers Security Services Inc., in an amount not to exceed \$126,384, extending the term for a period of one year to January 31, 2025, for security services at the Oceanside Transit Center Parking Structure; appropriation of \$126,384 from the General Fund Unassigned account to the OTC Parking Lot Maintenance account; and authorization for the City Manager to execute the amendment upon receipt of all supporting documents
11. [City Council](#): Approval of Amendment 3 to the Professional Services Agreement with LPA, Inc., in the amount of \$7,500 for a revised Phase II study not-to-exceed amount of \$157,250, for a revised total contract amount of \$178,825, to change the Scope of Services for the Phase II portion of the study; authorization for a sole source agreement with LPA Design Studios for the completion of construction documents; and authorization for the City Manager to execute the amendment upon receipt of all documents
12. [City Council](#): Approval of a two-year Professional Services Agreement with Oceanside Marine Centre, Inc., in an amount not to exceed \$25,000 annually, for the maintenance of the Police Safeboat, and authorize the City Manager or designee to execute the agreement
13. [City Council](#): Approval of two Property Use Agreements between the City and SiFi Networks Oceanside LLC, for use of a portion of City-owned land located at 110 Jones Road and a portion of El Corazon located adjacent to the southwest entrance on Oceanside Boulevard each for a 30-year term, with a combined revenue for both locations of \$2,283,620; and authorization for the City Manager to execute the agreements upon receipt of all supporting documents
14. [City Council](#): Award of a Public Works Agreement (PWA) to California Constructors, in the amount of \$449,560, for the proposed Library Courtyard Improvement Project; authorization for the City Engineer to execute Contract Change Orders, in the amount of \$200,000, with California Constructors for a total not to exceed contract amount of \$649,560; and authorization for the City Manager to execute the PWA upon receipt of all supporting documents
15. [City Council](#): Adoption of a resolution authorizing the City to accept a U.S. Fish and Wildlife Service Coastal Program grant, in the amount of \$56,876, to support the installation and monitoring of the Oceanside Coastal Dune Restoration Project; appropriation of the funds to the grant account; approval of Amendment 1 to the Professional Services Agreement with Rincon Consultants, Inc., in the amount of \$62,711 plus 10% contingency, for a total agreement amount not to exceed \$84,501; and authorization for the City Manager to execute all necessary documents
16. [City Council](#): Acceptance and appropriation of \$100,000 in additional grant funds from the Highway Safety Improvement Program (HSIP); approval of a purchase order to NexTech Systems, Inc., in the amount of \$217,400, for City-furnished traffic signal controller switches for the proposed HSIP Traffic Signal Upgrades Project; approval of the procurement as a sole source purchase; and authorization for the Financial Services Director, or designee, to execute the purchase order

17. [City Council](#): Adoption of a Resolution of Intention to renew the Oceanside Tourism Marketing District beginning on April 1, 2025 and ending nine years and three months from its start date
18. [City Council](#): Acceptance of the City Treasurer’s Report for the quarter ended September 30, 2023
19. [City Council](#): Acceptance of the first quarter Financial Status Report and approval of the budget adjustments
20. [City Council](#): Declaration of as surplus property one City-owned vacant parcel of land consisting of 3.02 acres located on Morro Heights Road identified as Assessor Parcel Number 122-170-42, and no longer needed for public use; and issuance of a notice of availability pursuant to the Surplus Land Act
21. [City Council](#): Approval of the attached amended Economic Development Commission by-laws to change the composition of the Commission by reducing members from the manufacturing and distribution category from three to one, increase members from the community at large from three to four and add a nonprofit category with one representative

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](#): Introduction of an ordinance amending Chapter 24 of the Municipal Code to preclude additional short-term rentals in all zoning districts outside of the City’s Coastal Zone
 - A) Report by Sergio Madera, City Planner
 - B) Discussion
 - C) Recommendation – introduce ordinance

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.

23. [City Council](#): Adoption of a resolution certifying an Environmental Impact Report and adopting a Mitigation Monitoring and Reporting Program; Adoption of a resolution approving General Plan Amendment (GPA22-00001) to change the land use designation of APNs 122-190-19, 122-190-22, and 157-070-42 from Civic Institutional to Medium Density B Residential (MDB-R); Introduction of an ordinance for a Zone Amendment (ZA22-00003) to change the zoning designation of APNs 122-190-19, 122-190-22, and 157-070-42 from Public/Semipublic to Planned Development; and adoption of a resolution approving a Tentative Map (T22-00005) and Development Plan (D22-00013) to allow for the construction of a 164-unit residential development located 4991 Macario Drive – Applicant: MLC Holdings, Inc.
 - A) Mayor opens public hearing
 - B) Mayor requests disclosure of Councilmember and constituent contacts and correspondence

- C) Clerk presents correspondence and/or petitions
- D) Testimony beginning with Shannon Vitale, Senior Planner
- E) Recommendation – adopt resolutions and introduce ordinance

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.

- 24. Advance written request to reserve time to speak: None
- 25. Communications from the public regarding items not on this agenda

MAYOR AND/OR COUNCILMEMBER ITEMS

- 26. [Request by Mayor Sanchez](#) for annual review and appointments of Councilmembers to Boards, Commissions, and Committees
- 27. [Request by Deputy Mayor Keim and Councilmember Weiss](#) to make nominations to regional boards and commissions pursuant to Oceanside City Code 2.1.64(g)

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.

- 28. [City Council](#): Adoption of an ordinance to amend Chapter 14C of the Oceanside City Code to: 1. Increase the minimum project size subject to the inclusionary requirement from three units to ten units; 2. Maintain the requirement to reserve ten percent of a project’s total units for low or moderate income households except for projects located within the Smart and Sustainable Corridors Plan where the requirement will be raised to 20 percent; 3) Require that reserved units within a multifamily residential project provide for a proportionate unit mix, based on bedroom count, as market rate units, be dispersed throughout the residential project, and have access to the same amenities as market units; and, 4) Clarify the use of Accessory Dwelling Units as an alternative housing type that may be incorporated into a residential project in satisfaction of the inclusionary housing requirement
(Introduced on December 6, 2023, 5-0)

ADJOURNMENT

The next regularly scheduled meeting is at 3:30 p.m. on Wednesday, January 10, 2024.

**INFORMATION TO THE PUBLIC CONCERNING THE CITY COUNCIL/
HARBOR DISTRICT BOARD OF DIRECTORS (HDB)/
COMMUNITY DEVELOPMENT COMMISSION (CDC)/
OCEANSIDE PUBLIC FINANCING AUTHORITY (OPFA) MEETING**

1. GENERAL INSTRUCTIONS TO PERSONS WISHING TO ADDRESS THE CITY COUNCIL/HDB/CDC/OPFA

- A. Request to Speak Submittals – Individuals wishing to address the City Council/HDB/CDC/OPFA on matters on the agenda other than Public Hearing items must sign up to speak at the Speaker Kiosk (iPad) or submit a “Request to Speak” form in person to the City Clerk.

You may request to speak at any time following the start of the meeting, but the request must be submitted prior to the initiation of the portion of the agenda containing the item you wish to address (e.g., Consent Calendar, Public Communications, General Items).

When the presiding officer invites public input, the City Clerk will call the names of those who submitted requests to speak which will also appear on the screen. As your name is called and appears on the screen, please approach either of the public podiums.

- B. Addressing the City Council/HDB/CDC/OPFA – The presiding officer may request that each person addressing the City Council/HDB/CDC/OPFA state their name for the record and state if they represent an organization or other persons. All remarks shall be addressed to the governing body as a whole. Questions shall not be asked of the governing body or staff without obtaining permission from the presiding officer. Visual aids (slides and photographs, etc.) may be used as part of your presentation but must be confined within the time allowed per speaker. Hard copies of the presentation materials may be provided to the City Clerk for distribution to the Council at the meeting.

No flash drives may be utilized on City-owned devices. PowerPoint presentations and other materials to be presented electronically must be emailed to the City by 10:00 a.m. the Wednesday one week prior to the Council meeting. The file size may not exceed 5mb and should be emailed to: Presentation@oceansideca.org

- C. Time Limits for Speakers – There is a 3-minute limit for all persons addressing the City Council/HDB/CDC/OPFA, except as noted below. Speakers may not cede their time to another speaker. There is a series of three lights at each speaker’s podium. When the speaker begins, the green light is lit. When only one minute remains for speaking, the yellow light appears. This indicates that it is time for the speaker to conclude his or her comments. When the speaker time has expired, a red flashing light will appear.

- D. Written Communications Concerning Matters on the Agenda – Written comments or correspondence on agenda items received at least 4 hours prior to the beginning of the meeting will be distributed to the City Council/HDB/CDC/OPFA and made part of the record. It is their policy, however, that such correspondence shall not be read aloud at the meeting. Any correspondence should be mailed or delivered to the City Clerk, as well as the Mayor and City Council, City of Oceanside, 300 N. Coast Highway, Oceanside, CA 92054, or emailed to CityClerk@oceansideca.org

- E. Lobbyist Registration – If you are speaking before Council to try to influence a municipal decision and you are being paid to represent a client in the matter, you may need to register as a lobbyist and identify yourself as such before the City Council. See the City Clerk’s information about lobbying or review Chapter 16C of the City Code. Both can be found on the City’s Web site at www.ci.oceanside.ca.us.

2. **PUBLIC HEARING ITEMS**

Certain actions of the City Council/HDB/CDC/OPFA require public hearings. These can include land use and zoning matters, nuisance abatements, and items concerning bond financing. Public hearings typically involve a staff presentation, followed by testimony by the appellant(s) and applicant(s), where applicable. Following that, public testimony is invited.

Persons who wish to testify on a public hearing item do NOT need to fill out a "Request to Speak" form. After the hearing is opened for public testimony, the presiding officer will invite speakers to the podium. Each individual is limited to speak for no more than three minutes. If multiple speakers are present, however, the time allotted per speaker may be less than three minutes in order to accommodate everyone wishing to speak.

Where applicable, public hearing applicants and appellants will each be given 20 minutes total time to speak, including rebuttal. In cases where there are multiple applicants and/or appellants, a total of 30 minutes for all appellants and 30 minutes time for all applicants will be allowed. In such cases, the time will be divided equally, unless otherwise divided by mutual consent of the applicants or appellants.

Public Hearing items are "time-certain" and are heard beginning at 6:00 p.m., regardless of how far the City Council has progressed with its other agenda items. Due to the time-certain requirement, other items may be taken out of order on the agenda to accommodate the public hearing schedule.

3. **PUBLIC COMMUNICATIONS**

These are items on each meeting agenda for members of the public to speak regarding matters within the jurisdiction of the City Council/HDB/CDC/OPFA, but not otherwise already on the agenda. Requests to speak may be initiated either in writing in advance to the City Manager's Office or by submitting a "Request to Speak" slip as specified in Section 1A above. Each speaker will be allowed up to 3 minutes to speak. Priority will be given to speakers in the order the requests to speak were received. The presiding officer may hear non-agenda items at any time after the 5:00 p.m. meeting is called to order.

- A. Advance Written Request to Speak must be received by the City Manager's office no later than 10:00 a.m., the Wednesday prior to the meeting.
- B. Communications on Matters not on the Agenda require applicants to complete a request to speak slip pursuant to Section 1A above.

4. **CONSENT CALENDAR ITEMS**

All items listed on the Consent Calendar are considered to be routine matters or formal documents covering previous instructions from the governing body. All of the items listed on the Consent Calendar may be enacted by a single vote. There will be no separate discussion of Consent Calendar items unless members of the governing body, the City staff or the public request discussion on specific Consent Calendar items. If a member of the public wishes to speak on a Consent Calendar item, a request to speak must be submitted **prior** to the Consent Calendar being called.

5. **REGULAR MEETING SCHEDULE**

Joint City Council/HDB/CDC/OPFA meetings are typically scheduled on two Wednesdays of each month and generally follow the format listed below. Agendas for specific meetings are available to the public prior to the meeting. Please see page iv, Section 7, for more details.

3:30 p.m.	City Council/HDB/CDC/OPFA Closed Session
5:00 p.m.	City Council/HDB/CDC/OPFA Regular Business
6:00 p.m.	City Council/HDB/CDC/OPFA Public Hearings, if applicable

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.

Because all meetings are jointly convened, there may be business of the City Council, Harbor District Board of Directors, Community Development Commission, or Oceanside Public Financing Authority conducted at any of the scheduled times. All items will clearly identify which of the four governing bodies are acting on the item.

A complete listing of regular scheduled meetings is available from the City Clerk’s office at (760) 435-3000 or on the City of Oceanside Web site at www.ci.oceanside.ca.us.

6. **WORKSHOPS**

From time to time the City Council may schedule a specially noticed Workshop or meeting to discuss a particular topic in greater depth than would be possible at a regular meeting. All such meetings are open to the public.

At a Workshop Meeting, the City Council may vote on any properly agendized matter, and public input is provided for on the agenda.

7. **AGENDA POSTING AND AVAILABILITY**

This agenda has been posted at least 72 hours prior to the meeting at the Civic Center Plaza, 300 North Coast Highway in the kiosk near the Library. The agenda, including backup reports, will be posted on the City’s Web site at www.ci.oceanside.ca.us and will be available for public review during business hours by no later than the Monday preceding the meeting at the City Clerk’s Office, Second Floor City Hall North, 300 North Coast Highway

Written materials relating to an item on this agenda that are distributed to the City Council/HDB/CDC/OPFA within 72 hours before it is to consider the item at its regularly scheduled meeting will be made available for public inspection at the City Clerk’s Office (location above), during normal business hours. Such written materials will also be made available on the City of Oceanside’s Web site, subject to staff’s ability to post the documents before the regularly scheduled meeting.

8. **AGENDA BROADCASTS ON CHANNEL 19**

The regular City Council/HDB/CDC/OPFA meetings will be broadcast live on the Government Access Channel 19 by Oceanside Community Television (KOCT) and re-broadcast during the week following the meeting. Please refer to KOCT’s program schedule for dates and times of re-broadcasts. Videotape of this meeting is available for public reference in the Oceanside Main Library, 330 North Coast Highway.

9. **ASSISTANCE TO PERSONS WITH DISABILITIES**

If you have special needs because of a disability which make it difficult for you to participate in the meetings, please contact the City Clerk at 300 North Coast Highway, Oceanside, CA, telephone (760) 435-3000 by noon the Monday preceding the meeting. The City of Oceanside will attempt to make arrangements to accommodate your disability.