



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 February 14, 2024 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/87415575059?pwd=dnJnYkpVZFA2aTNMb2hIQiVlaDgzZz09>

Zoom Meeting ID: **874 1557 5059**

Passcode: **496866**

Phone Information:

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

Zoom Meeting ID: **874 1557 5059**

Passcode: **496866**

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.***



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**

Wednesday, February 14, 2024

City Council Chambers
300 North Coast Highway, Oceanside, California 92054

- 3:30 p.m. Call to order and commence Closed Session**
- 5:00 p.m. City Council/Harbor District Board of Directors (HDB)/
Community Development Commission (CDC)/Oceanside
Public Financing Authority (OPFA) Regular Business**
- 6:00 p.m. Commence Public Hearings, if applicable**

Mayor
HDB President
CDC Chair
OPFA Chair
Esther Sanchez

City Clerk
HDB Secretary
CDC Secretary
OPFA Secretary
Zeb Navarro

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

City Treasurer/HDB/CDC/OPFA Treasurer
Victor Roy

Councilmembers
HDB Directors
CDC Commissioners
OPFA Directors
Eric Joyce
Rick Robinson
Peter Weiss

City Manager
HDB Administrative Officer
CDC Executive Director
OPFA Executive Director
Jonathan Borrego

City Attorney
HDB Attorney
CDC General Counsel
OPFA General Counsel
John P. Mullen

The Mayor and City Council also serve as the Small Craft Harbor District Board of Directors, the Community Development Commission, and the Oceanside Public Financing Authority

MEETING AGENDA

February 14, 2024

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(c))**
 - (A) CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION (SECTION 54956.9(d)(1))
 1. Martin v. Ybarra, City of Oceanside, 37-2022-00017415-CU-PA-NC
 - (B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (SECTION 54956.9)

Significant exposure to litigation pursuant to Subdivisions (e)(2)-(4) of Section 54956.9: One Case involving a significant exposure of litigation. The facts justifying a closed session briefing are set forth in a communication for the Allen Matkins law firm to the City of Oceanside dated January 5, 2024.

5:00 P.M. – ROLL CALL

INVOCATION – Emeritus Abbot Charles Wright, O.S.B., Prince of Peace Abbey

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

Proclamation in Honor of National Black History Month 2024; with Satia Austen, President, NSDC NAACP

Presentation of Legacies in Leadership in Honor of Lillian Adams, Willie Buchanon, Raye Clendenning, June Parks, & Gwen Sanders

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 January 24, 2024 Regular Meeting and the January 31, 2024 Council Workshop
6. [City Council](#): Approval of a purchase order to CS-amsc, in the amount of \$67,912, for the purchase of nine motorized valve actuators; and authorization for the Financial Services Director, or designee, to execute the purchase order

7. [City Council](#): Approval of a purchase order to Aqualitec Corporation, in the amount of \$72,042, for a Headworks Rag Washer and Compactor; and authorization for the Financial Services Director, or designee, to execute the purchase order
8. [City Council](#): Approval of a purchase order to Rockwell Solutions, Inc., in the amount of \$328,000, for the purchase of one emergency bypass pump for the Water Utilities Department; and authorization for the Financial Services Director, or designee, to execute the purchase order
9. [City Council](#): Approval of a purchase order to National Auto Fleet Group, in an amount of \$324,552, for four F250 Ford trucks and two Ford F350 trucks for the Water Utilities Department; approval of three of the six vehicles as Addition to Fleet purchases; approval of a purchase order to California Truck Equipment Company for \$173,614, for upfitting of the vehicles; appropriation of \$47,000 from the Sewer Operating Unrestricted fund balance, and authorization for the Financial Services Director, or designee, to execute the purchase orders
10. [City Council](#): Approval of a change order, in the amount of \$145,952, to an existing purchase order with Flo-Systems, Inc. for the purchase of two Fairbanks Nijhuis pumps with motors; approval of the procurement as a sole source purchase; and authorization for the Financial Services Director, or designee, to execute the change order
11. [City Council](#): Approval of the construction changes listed in Contract Change Order Nos. 19 and 20 to the Public Works Agreement with ATP General Engineering Contractors for the Slurry Seal and Overlay project in the total amount of \$90,696 for a total revised contract amount of \$14,943,958.49; and authorization for the City Engineer to execute the Contract Change Orders
12. [City Council](#): Approval of Amendment 1 to the Professional Services Agreement with Environmental Science Associates, in the amount of \$70,000, for a total contract amount of \$208,630, for ongoing project management, permitting services and construction engineering services for the Loma Alta Slough Wetlands Enhancement Project, and authorization for the City Manager to execute the Amendment
13. [City Council](#): Approval of amendments to three Professional Services Agreements (PSAs): Two PSAs with NV5, Inc. for construction management services and construction inspection services, respectively, and one PSA with Harris & Associates, Inc. for project management services for as-needed Capital Improvement Program and Land Development Services, each in the amount of \$100,000; and authorization for the City Manager to execute the amendments upon receipt of all necessary documents
14. [City Council](#): Approval of Amendment 4 to the Professional Services Agreement with Richard Brady and Associates, in the amount of \$180,000, for a total compensation not to exceed \$1,354,850, for additional construction support and inspection services; appropriation of \$20,000 from the General Fund Pier Assigned Maintenance account; and authorization for the City Manager, or designee, to execute the amendment upon receipt of all supporting documents
15. [City Council](#): Approval of the cumulative not-to-exceed limits of Amendment 5 to the Regional Stormwater Memorandum of Understanding with the County of San Diego and Regional Copermittees to comply with the Regional Municipal Stormwater Permit; and authorization for the City Manager to execute the amendment

- 16. [City Council](#): Adoption of a resolution approving Final Map No. T21-00001 for the Cypress Point project, a residential subdivision consisting of 54 single-family homes located on an approximate 7.38-acre site situated west of Los Arbolitos Boulevard at the Aspen Street and Pala Road intersection; and authorization for the City Clerk to record the Final Map with the San Diego County Recorder
- 17. [City Council](#): Adoption of a resolution authorizing the City to apply for and receive grant funds from the United States Bureau of Reclamation’s (USBR) WaterSMART: Title XVI WIIN Water Reclamation and Reuse Projects for Fiscal Year 2023, in the amount of \$7,134,245, for the Pure Water Oceanside Phase I; and for WaterSMART: Desalination Construction Projects Under the WIIN Act for Fiscal Year 2023, in the amount of \$5,413,714, for the Brine Optimization and Well Expansion Project; appropriation of funds when received; and authorization for the Water Utilities Director, or designee, to act on behalf of the City as signatory to accept grant funds
- 18. [City Council](#): Adoption of a resolution approving and implementing the Memorandum of Understanding between the City of Oceanside and the Oceanside Police Officers’ Association retroactively effective January 1, 2024, through December 31, 2026
- 19. [City Council](#): Approval and adoption of the revised City of Oceanside Salary Schedule retroactively effective January 7, 2024

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.

- 20. [City Council](#): Adoption of a resolution to certify and approve the hiring of Lynne Seabloom as an hourly, extra-help Consulting Assistant, effective February 15, 2024, in an amount not to exceed \$20,757 for FY 2023-24, to ensure a transfer of critical duties and information to her replacement in the Fire Department
 - A) Report by David Parsons, Fire Chief
 - B) Discussion
 - C) Recommendation – adopt resolution

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.

None.

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.

21. [Advance written request to reserve time to speak:](#)
 - a. Ken Leighton – Asking for more competence and ethics and less political drama on City Council
22. Communications from the public regarding items not on this agenda

MAYOR AND/OR COUNCILMEMBER ITEMS

23. [Request by Councilmember Joyce and Mayor Sanchez](#) to direct staff to establish the Oceanside Commission on Sustainability and Climate Action. The scope of work would include updating Oceanside’s Climate Action Plan, monitoring progress on the Climate Action Plan, and developing recommendations on policies positively impacting the sustainability of our city

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.

24. [City Council](#): Adoption of an ordinance to amend Chapter 14C (Inclusionary Housing) of the Oceanside City Code to: 1. Change the applicability and reservation requirements for residential projects from three (3) units to projects of ten (10) or more units; 2. Increase the requirement to reserve housing for low and/or moderate-income households from ten (10) percent to fifteen (15) percent; 3. Require that reserved units within a multifamily residential project provide for a proportionate unit mix, based on bedroom count, as to the 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 (ADUs) as an alternative housing type that may be incorporated into a single-family residential project to satisfy such inclusionary housing requirement (*Introduced on January 24, 2024, 3-1 (Keim – no)*)

ADJOURNMENT

The next regularly scheduled meeting is at 3:30 p.m. on Wednesday, February 28, 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.

To facilitate organized presentations for a public hearing, general item or non-agenda public comment, a representative of a group of persons may submit a request to speak on behalf of the group. The representative must identify the group and list not fewer than four members of the group who must be present when the item is called and all members of the group must remain in the council chambers for the duration of the presentation. The presentation on behalf of the group shall not exceed 10 minutes. The other members of the organized presentation group shall not be entitled to speak on the item.

- 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, except as provided in Section 1A. 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.