

City of Oceanside

300 North Coast Highway, Oceanside, California 92054



Clerk's Action Minutes

Wednesday, April 23, 2025

3:30 PM

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

**Council Chambers
300 North Coast Highway
Oceanside, CA 92054**

City Council

3:30 P.M. – ROLL CALL

Present: Council Member Peter Weiss, Council Member Esther Sanchez, Council Member Eric Joyce, Council Member Rick Robinson, and Council Member Jimmy Figueroa

CITY COUNCIL, HDB, CDC, OPFA CLOSED SESSION ITEMS

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 - ANTICIPATED LITIGATION (SECTION 54956.0)
Significant exposure to litigation pursuant to Section 54956.9(d)(2), (e)(3): One case involving a significant exposure to litigation. The facts justifying a closed session briefing are set forth in a communication from YIMBY Law to the City of Oceanside dated January 22, 2025.

5:00 P.M. – ROLL CALL

Present: Council Member Peter Weiss, Council Member Esther Sanchez, Council Member Eric Joyce, Council Member Rick Robinson, and Council Member Jimmy Figueroa

INVOCATION

Fr. William Kernan, Pastor, Saint Margaret Parish

PLEDGE OF ALLEGIANCE**PROCLAMATIONS AND PRESENTATIONS**

Proclamation in Honor of National Fair Housing Month 2025

Proclamation in Honor of 2024-2025 Miss Oceanside, Miss Teen Oceanside, & Their Princesses

Mayor Business Spotlight: Flip Flop Shops Oceanside, Business Owners Shelby & Roma Nichols

Oceanside Employee Recognition Awards

CLOSED SESSION REPORT

CONSENT CALENDAR ITEMS

MOTION TO APPROVE ITEMS 3, 6-8, 10-18, 20

This was approved.

RESULT: APPROVED

MOVER: Peter Weiss

SECONDER: Esther Sanchez

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.

3. Staff recommends that the City Council/Harbor Board/CDC/OPFA approve the waiving of reading of the text of all ordinances and the text and title of all resolutions included in this agenda. Unanimous approval of the City Council/Harbor Board/CDC/OPFA is required.

City Council/ HDB/CDC/ OPFA:

RESULT: APPROVED

MOVER: Peter Weiss

SECONDER: Esther Sanchez

4. Accept 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 April 9, 2025 Regular Meeting
City Council/ HDB/CDC/ OPFA:

ITEM PULLED FOR DISCUSSION BY COUNCILMEMBER WEISS

MOTION TO APPROVE MINUTES WITH FOLLOWING COMMENTS ON ITEM #21:

Councilmember Weiss supports the no-fault evictions provided that the time period for payment was reduced from two months to one month and that it is consistent with State law and that his intent was to exempt properties that are exempt by State law which includes single family homes and he will not be supporting an ordinance that does not exempt those properties. In regards to the rate cap for pre-1995 corporate-owned apartment complexes, if it requires the Council to have any appeals process whether it is through the Council or Housing Commission, he will not be supporting such an

ordinance: WEISS
SECOND: ROBINSON
APPROVED: 4-1 (FIGUEROA - NO)

5. Staff recommends that the City Council approve a purchase order to American Ramp Company, in an amount not to exceed \$1,000,000, for design and installation of a pump track at El Corazon Park Site 1 and authorize the Financial Services Director, or designee, to execute the purchase order.
City Council:

ITEM PULLED FOR DISCUSSION BY DEPUTY MAYOR JOYCE
MOTION: JOYCE
SECOND: SANCHEZ
APPROVED: 5-0

6. Staff recommends that the City Council approve Amendment 2 to the Property Use Agreement with West Coast Tomato Growers, Inc., for the non-exclusive use of 9.2 acres of City-owned property for agricultural farming, extending the term of the agreement through June 30, 2028, for a three-year minimum total revenue of \$18,000, and authorize the City Manager to execute the amendment upon receipt of all supporting documents.
City Council:

Enactment No: 25-D0184-1

7. Staff recommends that the City Council approve Amendment 2 to the Lease Agreement with Kruger/Wilkinson Trust for use of the premises located at 804 Pier View Way, Suite 101 and 105, by the READS Literacy Program, extending the term of the Agreement through September 30, 2028, for a three-year minimum total cost of \$225,449; and authorize the City Manager to execute the amendment upon receipt of all supporting documents.
City Council:

Enactment No: 25-D0185-1

8. Staff recommends that the City Council approve Amendment 3 to the Professional Services Agreement (PSA) with CR Associates, in an amount not to exceed \$1,561,720, for a total revised contract amount not to exceed \$4,273,495, for additional design services for the proposed College Boulevard Widening Project; and authorize the City Manager to execute the amendment upon receipt of all supporting documents.
City Council:

Enactment No: 25-D0186-1

9. Staff recommends that the City Council approve Amendment 4 to the Professional Services Agreement (PSA) with Schmidt Design Group, in the amount of \$111,134 for a revised contract amount of \$733,624, to perform additional design services for the El Corazon Park Site 1 project; and authorize the City Manager to execute the amendment upon receipt of all supporting documents.
City Council:

ITEM PULLED FOR DISCUSSION BY DEPUTY MAYOR JOYCE
MOTION: JOYCE
SECOND: WEISS
APPROVED: 5-0

Enactment No: 25-D0187-1

10. Staff recommends that the Harbor District Board of Directors approve Amendment 5 to the Percentage Property Lease Agreement with Charles Brammer, dba Chic's Custom Canvas, for the leased premises at 1400 Harbor Drive North, Suites "A", "B" & "C", for a one-year minimum total revenue of \$18,386; and authorize the Administrative Officer to execute the amendment.

HDB:

Enactment No: 25-D0188-2

11. Staff recommends that the Harbor District Board of Directors approve Amendment 4 to the Percentage Property Lease Agreement with Oceanside Harbor Fuel Dock and Mini Mart, Inc. for the premises located at 1380 North Pacific Street, approve a rent abatement for April and May minimum and percentage rents; and authorize the Administrative Officer to execute the amendment.

HDB:

Enactment No: 25-D0189-2

12. Staff recommends that the City Council approve a Legal Services Agreement ("Agreement") with Brown and Winters ("B&W") on a contingency fee basis for various insurance coverage related tasks related to City of Oceanside environmental sites and authorize the City Attorney to execute all necessary documents for implementation of same.

City Council:

Enactment No: 25-D0190-1

13. Staff recommends that the City Council approve an Animal Services Agreement with the San Diego Humane Society and S.P.C.A. for animal shelter and animal control services throughout the City of Oceanside from July 1, 2025 through June 30, 2028 at a cost of \$2,329,260 for the first year and a total amount not to exceed \$7,635,547 over the three-year term; appropriate \$46,530 from Unassigned General Fund to the Humane Society account; and authorize the City Manager to execute the agreement upon receipt of all supporting documents.

City Council:

RESULT: **APPROVED**
MOVER: Peter Weiss
SECONDER: Esther Sanchez

Aye: Council Member Weiss, Council Member Sanchez, Council Member Joyce, Council Member Robinson, and Council Member Figueroa

Enactment No: 25-D0191-1

14. Staff recommends that the City Council approve a Memorandum of Understanding

(MOU) between the City of Oceanside (Oceanside) and the City of Vista (Vista), for a not to exceed amount of \$150,000, establishing that Vista will be responsible for the design and construction of the Protected Bike Lanes Project (Project), which includes the segment on South Melrose Drive immediately north of and south of Cannon Road while Oceanside will be responsible for the associated costs to construct the protected bike lanes on South Melrose Drive within Oceanside's City limits and remain responsible for the costs and continued maintenance of the portion of the Project installed within Oceanside's boundaries; appropriate \$130,000 from SB-1 fund; and authorize the City Manager, or designee, to execute the MOU. City Council:

Enactment No: 25-D0192-1

15. Staff recommends that the City Council adopt the following resolutions for the Oceanside Lighting District, Assessment District No. 2-1991 so as to initiate the proceedings for the renewal thereof by: 1) directing the City Engineer to prepare an Engineer's Report; 2) approving the Engineer's Report as prepared or modified; 3) declaring the intent to levy and collect assessments for FY 2025-26 and setting a public hearing for June 4, 2025, at 6:00 p.m. in the City Council Chambers regarding the proposed assessments. City Council:

Resolution No. 25-R0194-1

Resolution No. 25-R0195-1

Enactment No: RES 25-R0193-1

16. Staff recommends that the City Council adopt the following resolutions for each of the City's eleven Landscape Maintenance Districts initiating the proceedings for renewal of the districts: 1) directing the City Engineer to prepare a report regarding the improvements and the proposed assessments for FY 2025-26; 2) approving the Engineer's Reports as prepared or modified for FY 2025-26; and 3) declaring an intent to levy and collect assessments for FY 2025-26 and setting a public hearing for June 4, 2025, at 6:00 p.m. in the City Council Chambers regarding the proposed assessments. City Council:

Resolution No. 25-R0197-1 to 25-R0228-1

Enactment No: RES 25-R0196-1

17. Staff and the Police and Fire Commission recommend that the City Council accept and appropriate \$264,816 in grant funds from the State of California Enhancing Law Enforcement Activities Subaccount (ELEAS) awarded to the City for the Citizen's Option for Public Safety (COPS) 2024 Grant Program; and authorize the City Manager, or designee, to execute all grant documents. City Council:
18. Staff recommends that the City Council adopt a resolution approving Final Map No. RT19-00002 for the proposed 513 N Freeman project and authorize the City Clerk to record the Final Map with the San Diego County Recorder. City Council:

Enactment No: RES 25-R0229-1

19. Staff recommends that the City Council adopt a resolution authorizing the City to apply for a grant funding opportunity to develop an Active Transportation Plan. The application is for a San Diego Association of Governments (SANDAG) Smart Growth Incentive Program (SGIP) grant in the amount of \$650,000.

City Council:

ITEM PULLED FOR DISCUSSION BY MEMBER OF THE PUBLIC

MOTION: SANCHEZ

SECOND: ROBINSON

APPROVED: 4-0 (WEISS-ABSENT)

Enactment No. 25-D0231-1**Enactment No: RES 25-R0230-1**

20. Staff recommends that the City Council receive and file the Downtown Oceanside Property and Business Improvement District's (DTOPBID) annual report for 2023-2024.

City Council:

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.

21. Staff recommends that the City Council adopt the resolution approving an amendment to the employment agreement between the City and City Manager Jonathan Borrego, to be effective May 1, 2025.

City Council:

Enactment No. 25-D0233-1

RESULT:

APPROVED

MOVER:

Eric Joyce

SECONDER:

Esther Sanchez

Aye:

Council Member Weiss, Council Member Sanchez, Council Member Joyce, Council Member Robinson, and Council Member Figueroa

Enactment No: RES 25-R0232-1

- A) Report by Rob O'Brien, Deputy City Manager
- B) Discussion
- C) Recommendation – adopt resolution

22. Staff recommends that the City Council approve a 13-month Drone as First Responder (DFR) pilot program and a Real-Time Crime Center (RTCC); approve a purchase order to Flying Lion, Inc. for staffing of a visual observer position in an amount not to exceed \$143,600; authorize the purchase as a sole source; and authorize the Financial Services Director, or designee, to execute the purchase order.

City Council:

MOTION: JOYCE

SECOND: ROBINSON

APPROVED: 5-0

- A) Report by Michael Provence, Police Lieutenant
- B) Discussion
- C) Recommendation – approve program and purchase order

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. Staff recommends that the City Council (1) hold a public hearing; (2) adopt the Resolution of the City Council of the City of Oceanside, California, Acting as the Legislative Body of the City of Oceanside Community Facilities District No. 2023-1 (North River Farms Public Facilities), Approving a Second Amendment to the Rate and Method of Apportionment and Decreasing the Amount of Bonded Indebtedness and Calling an Election therein; (3) direct the City Clerk to hold the election; (4) adopt the Resolution of the City Council of the City of Oceanside, California, Acting as the Legislative Body of the City of Oceanside Community Facilities District No. 2023-1 (North River Farms Public Facilities), Certifying the Results of the April 23, 2025, Special Election; and (5) introduce the Ordinance of the City Council of the City of Oceanside, California, Acting as the Legislative Body of the City of Oceanside Community Facilities District No. 2023-1 (North River Farms Public Facilities) Authorizing the Levy of a Special Tax Within Such District. City Council:

**MOTION TO ADOPT RESOLUTION APPROVING A SECOND
AMENDMENT TO THE RATE AND METHOD OF APPORTIONMENT**

**AND DECREASING THE AMOUNT OF BONDED INDEBTEDNESS AND
CALLING AN ELECTION: WEISS
SECOND: ROBINSON
APPROVED: 5-0**

**MOTION TO CERTIFY THE RESULTS OF THE APRIL 23, 2025
SPECIAL ELECTION: WEISS
SECOND: ROBINSON
APPROVED: 5-0**

**MOTION TO INTRODUCE THE ORDINANCE: WEISS
SECOND: ROBINSON
APPROVED: 5-0**

**Resolution No. 25-R0234-1
Resolution No. 25-R0235-1**

- 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 Jill Moya, Financial Services Director
- E) Recommendation - adopt resolutions and introduce ordinance

- 24.** Staff recommends that the City Council introduce an ordinance amending Chapter 29 of the Oceanside City Code to establish wastewater system capacity buy-in fee adjustments; introduce an ordinance amending Chapter 37 of the Oceanside City Code to establish water system buy-in fee adjustments; and direct staff to implement the capacity buy-in fee adjustments.

City Council:

ITEM HAS BEEN PULLED FROM AGENDA BY STAFF

- 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 John McKelvey, Principal Management Analyst
- E) Recommendation - introduce ordinances and direct staff

25.

City Council:

This item will be continued to the City Council meeting on May 21, 2025.

- 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 Manuel Baeza, Principal Planner
- E) Recommendation - adopt resolution

This item will be continued to the City Council meeting on May 21, 2025.

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. Ken Leighton – The Navigation Center
- b. Tim Gordon – Oceanside ADU Ordinance Water Meter Upsize Fees

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

8 SPEAKERS

MAYOR AND/OR COUNCILMEMBER ITEMS**GENERAL COUNCILMEMBER COMMENTS****COMMENTS MADE****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.

ADJOURNMENT

Meeting adjourned at 7:44 P.M. in memory of Pope Francis