

City of Oceanside

300 North Coast Highway, Oceanside, California 92054



Clerk's Action Minutes

Wednesday, May 21, 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**ALL PRESENT****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 - EXISTING LITIGATION (Section 54956.9(d)(1))

1. *Jeffrey Novak v. City of Oceanside*
Workers Comp. Case No. ADJ15390283
2. *Jose Perez v. City of Oceanside*
Workers Comp. Claim No. 23-171313
3. *Joseph McNally v. City of Oceanside*
Workers Comp. Case No. ADJ5266629

3. 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) and (e)(4): One case involving a significant exposure to litigation. The facts justifying a closed session briefing are set forth in a communication from Cox, Castle & Nicholson LLP to the City of Oceanside dated April 23, 2025 and threats of litigation made by attorney Alex DeGood of Cox, Castle & Nicholson, LLP during non-agenda public comment at the April 23, 2025 meeting of the City Council.

1 SPEAKER**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

Pastor Adam Riojas, At The Cross Oceanside

PLEDGE OF ALLEGIANCE**PROCLAMATIONS AND PRESENTATIONS**

Proclamation in Honor of National Poppy Day

Proclamation in Honor of Public Works Day

Proclamation in Honor of ALS Awareness Month

CLOSED SESSION REPORT**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.

MOTION TO APPROVE ITEMS 4-5, 7-14, 17-19, 21: WEISS

SECOND: JOYCE

APPROVED: 5-0

4. 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:
5. 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 30, 2025 Workshop Meeting
City Council/ HDB/CDC/ OPFA:
6. Staff recommends that the City Council approve a purchase order to National Auto

Fleet Group, in the amount of \$692,861, for eleven replacement vehicles and two addition to fleet vehicles; a purchase order to Johnson Equipment Company, in the amount of \$74,000, to upfit one vehicle for the Fire Department; a purchase order to G&W Truck Accessories, in the amount of \$55,600; a purchase order to Emergency Vehicle Systems (EVS), in the amount of \$72,100, for outfitting ten vehicles with emergency amber lighting and equipment; a purchase order to Active Auto Collision, in the amount of \$3,367, for painting the Fire vehicle roof; approve a contingency of \$10,000 for any changes to costs; and authorize the Financial Services Director, or designee, to execute the purchase orders upon receipt of all supporting documents.

City Council:

ITEM PULLED FOR DISCUSSION BY MEMBER OF THE PUBLIC

MOTION: SANCHEZ

SECOND: JOYCE

APPROVED: 5-0

7. Staff recommends that the City Council approve a purchase order to Bauer Compressors, in an amount not to exceed \$348,682, for the purchase of self-contained breathing apparatus (SCBA); approve the purchase as a sole-source; and authorize the Financial Services Director, or designee, to execute the purchase order.
City Council:
8. Staff recommends that the City Council approve a purchase order to National Auto Fleet Group, in the amount of \$221,502, for two Ford F-150 Lightning Electric Trucks and one Ford E-Transit EV Van to replace three Water Utilities vehicles and one Ford E-Transit EV Van as an Addition to Fleet (ATF) for the Library Department; a purchase order to Workhorse Signs and Graphics, in the amount of \$18,140, to wrap two Ford E-Transit EV Vans; a purchase order to Emergency Vehicle Systems (EVS), in the amount of \$9,116, to upfit the two Ford F-150 Lightnings; a purchase order to So Cal Truck, in the amount of \$47,966, to upfit two Ford E-Transit EV Vans; and authorize the Financial Services Director, or designee, to execute the purchase orders upon receipt of all supporting documents.
City Council:
9. Staff recommends that the City Council approve annual purchase orders and change orders for services, supplies, and materials in amounts over \$100,000 for FY 2025-26 for routine and recurring maintenance, repairs, and operations, including sole source approvals in a total amount of \$2,647,000, for the Public Works Department; approve Amendment 1 to the Amoranto Family LLC dba Bio-One of Oceanside for Bio-Hazard Waste Clean-up Services, in the amount of \$240,000 for 4 years for a total not to exceed amount of \$300,000; approve Amendment 3 to the Mariposa Landscapes, Inc. Parks, Beaches and Facilities Agreement to include Irrigation Repairs and Maintenance, in the amount of \$227,786 for a total not to exceed amount of \$2,651,001; approve Amendment 1 to the Mariposa Landscapes, Inc. Medians, Streetscapes and Fire Stations Agreement to include Fire Station 1, in the amount of \$16,261 for a total not to exceed amount of \$817,336; approve Amendment 2 to Cart Retrieval, Inc. for Citywide cart

retrieval services, in the amount of \$50,000 for a total not to exceed amount of \$124,000; approve a three-year Public Works Agreement with United Storm Water, Inc. for a total amount of \$1,158,914 for the Annual Citywide Storm Drain Inspection and Cleaning Program; and authorize the City Manager, or designee, to execute the amendments upon receipt of all supporting documents; and authorize the Financial Services Director, or designee, to execute the purchase orders and change orders.
City Council:

Enactment No: 25-D0263-1

Enactment No: 25-D0264-1

Enactment No: 25-D0265-1

Enactment No: 25-D0266-1

Enactment No: 25-D0262-1

10. Staff recommends that the City Council approve a change order to Dave Bang and Associates for additional supplies for play structure repairs, in the amount of \$46,000, for a revised total of \$123,000; authorize the Financial Services Director, or designee, to execute the change order.

City Council:

11. Staff recommends that the City Council approve Amendment 1 to the Professional Services Agreement (PSA) with Dudek, in the amount of \$86,203 for a revised contract total of \$206,202 for the study, design plan, permitting, and environmental documents necessary to provide continuing maintenance of the Loma Alta Creek mouth; appropriate \$86,203 in funds from General Fund Assigned Infrastructure; and authorize the City Manager, or designee, to execute the amendment upon receipt of all supporting documents; and authorize the Financial Services Director, or designee, to execute the purchase order.

City Council:

Enactment No: 25-D0267-1

12. Staff recommends that the City Council approve Amendment 2 to the Professional Services Agreement (PSA) with KDM Meridian ("KDM"), in the amount of \$40,000 for a revised total contract amount not to exceed \$590,000; approve Amendment 2 to the Professional Services Agreement (PSA) with Geopacifica, Inc. ("Geopacifica") in the amount of \$40,000 for a revised total contract amount not to exceed \$540,000, and authorize the City Manager to execute the amendments.

City Council:

Enactment No: 25-D0269-1

Enactment No: 25-D0268-1

13. Staff recommends that the City Council approve a Professional Services Agreement for On-Call Traffic Engineering services with Kimley-Horn, in an amount not to exceed \$250,000 per year, with two one-year renewable options; authorize the City Manager, or designee, to execute the agreement upon receipt of all supporting documents; and authorize the Financial Services Director, or designee, to execute the Purchase Order.

City Council:

Enactment No: 25-D0270-1

14. Staff recommends that the City Council approve a Professional Services Agreement with N2W Engineering, Inc., in a not-to-exceed amount of \$2,167,872, to provide engineering and design services for the North Valley Lift Station Replacement project; appropriate \$1,300,000 from the Sewer Fixed Asset Replacement unrestricted fund balance; and authorize the City Manager, or designee, to execute the agreement upon receipt of all supporting documents.
City Council:

Enactment No: 25-D0271-1

15. Staff recommends that the City Council approve a Professional Services Agreement with HF&H Consultants, LLC, in a not-to-exceed amount of \$180,289 annually, for a total contract amount not-to-exceed \$360,579 for the initial two-year term, for as-needed solid waste, recycling, organics and edible food recovery consulting services; and authorize the City Manager, or designee, to execute the agreement.
City Council:

ITEM REMOVED FROM AGENDA BY STAFF

16. Staff recommends that the City Council approve a ten-year Property Use Agreement with Otomi & Stone LLC for use of property located at 1300 Lee Drive, for a minimum total revenue to the City of \$497,688 plus a percentage of tournament gross sales; and authorize the City Manager to execute the agreement upon receipt of all supporting documents.
City Council:

ITEM REMOVED FROM AGENDA BY STAFF

17. Staff recommends that the City Council approve a Public Works Agreement (PWA) with Johnson Controls, in an amount of \$64,790, for the replacement of three existing Network Automation Engines (NAE); authorize the City Manager to execute the agreement upon receipt of all supporting documents; and authorize the Financial Services Director, or designee, execute the purchase order.
City Council:

Enactment No: 25-D0272-1

18. Staff recommends that the City Council award a Public Works Agreement to Shaw Equipment Rentals, Inc., in the amount of \$831,000, for construction of the Sewer Point Repair Program - Package No. 8 Project; authorize the City Engineer to approve Change Orders up to 10 percent of the contract value for a total not to exceed amount of \$914,100; appropriate \$750,000 from the Sewer Fixed Asset Replacement Fund; and authorize the City Manager, or designee, to execute the agreement upon receipt of all supporting documents.
City Council:

Enactment No: 25-D0273-1

19. Staff recommends that the City Council award a Public Works Agreement (PWA) and purchase order, in the amount of \$645,300 to Fordyce Construction, Inc., for

the rectangular rapid flashing beacons and light emitting diodes stop signs project; approve a contingency in the amount of \$55,500; authorize the Financial Services Director to execute the purchase order; and authorize the City Manager, or designee, to execute the agreement upon receipt of all supporting documents.

City Council:

Enactment No: 25-D0274-1

20. Staff recommends that the City Council adopt a resolution authorizing the display of the Rainbow Flag or Pride Flag below the City of Oceanside flag on the existing flag pole at City Hall for the entire month of June as government speech in honor of Pride month, beginning in June 2025 and each June thereafter.

City Council:

ITEM PULLED FOR DISCUSSION BY MEMBER OF THE PUBLIC

MOTION: SANCHEZ

SECOND: JOYCE

MOTION FAILED: 2-3 (FIGUEROA, ROBINSON, WEISS - NO)

21. Staff recommends that the City Council determine there remains a need to continue emergency work on the 18-inch Mesa Loma Water Main.

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.

22. Staff recommends that the City Council approve a one-year Joint Use Agreement ("Agreement") with the Oceanside Unified School District (OUSD), effective June 1, 2025 through May 31, 2026, for the joint use of park and recreation and school facilities; appropriate \$50,000 from the Parks Fund unassigned fund balance; and authorize the City Manager to execute the agreement.

City Council:

RESULT: APPROVED

MOVER: Eric Joyce

SECONDER: Jimmy Figueroa

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

Enactment No: 25-D0275-1

- A) Report by Manuel Gonzalez, Parks & Recreation Director
- B) Discussion
- C) Recommendation – approve 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.

23. Staff recommends that the City Council receive a public report on the status of the City of Oceanside's employee vacancies; including information on recruitment and retention efforts.

City Council:

REPORT RECEIVED

- 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 Chelsea Phebus, Human Resources Director
- E) Recommendation - receive report

24. Staff recommends that the City Council adopt a resolution upholding Planning Commission Resolution No. 2024-P16 approving Development Plan (D23-00009), and Density Bonus (DB23-00004) on a 1.739 -acre site located at 503 Vista Bella.
City Council:

MOTION TO APPROVE STAFF'S RECOMMENDATION WITH THE ADDITION OF CAPPING FLASHING PEDESTRIAN BEACONS AT \$60,000**Enactment No. RES 25-R0276-1**

RESULT: APPROVED

MOVER: Peter Weiss

SECONDER: Rick Robinson

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

Nay: Council Member Joyce

- 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) Testimony of Appellant, if requested
- F) Testimony of Applicant, if requested
- G) Recommendation - adopt resolution

25.

Staff recommends that the City Council adopt a resolution upholding Planning Commission Resolution 2025-P05 certifying the Final Environmental Impact Report and associated Mitigation Monitoring and Reporting Program and Resolution No. 2025-P04 approving Development Plan (D22-00001), Conditional Use Permit (CUP22-00001), and Variance (V22-00001) for the proposed Eddie Jones Warehouse, Manufacturing, and Office Facility Multi-Building and Truck Bay Reduction Alternative ("MBTRA") Project.

City Council:

MOTION TO GRANT THE APPEAL: JOYCE

SECOND: SANCHEZ

APPROVED: 3-2 (ROBINSON, WEISS - NO)

- 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 Rob Dmohowski, Principal Planner
- E) Testimony of Appellant, if requested
- F) Testimony of Applicant, if requested
- G) Recommendation - adopt 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. Ken Leighton - Should the KOCT show "Gravy Train" get cancelled?

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

6 SPEAKERS

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

RESULT: **APPROVED**

MOVER: Esther Sanchez

SECONDER: Eric Joyce

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

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.

29. Staff recommends that the City Council readopt an ordinance amending Sections 15.63 and 15.68, and adding Section 15.69 of the Oceanside City Code to modify existing Sidewalk Vending regulations in order to comply with Government Code Section 36933. (Introduced on March 26, 2025, 5-0)

City Council:

Enactment No. 25-OR0160-1

RESULT: **APPROVED**

MOVER: Peter Weiss

SECONDER: Rick Robinson

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

- 30.** Staff recommends that the City Council adopt 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.
(Introduced on April 23, 2025, 5-0)

City Council:

RESULT: **APPROVED**

MOVER: Peter Weiss

SECONDER: Eric Joyce

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

Enactment No: 25-OR0277-1

ADJOURNMENT

MEETING ADJOURNED AT 11:36 P.M.