

City of Oceanside

300 North Coast Highway, Oceanside, California 92054



Clerk's Action Minutes

Wednesday, February 19, 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 54956.9)

Significant Exposure to litigation pursuant to Subdivision (d)(2) of Section 54956.9:

Claimants: Kent and Heidi Borsch; Claim No. GC2024000104.

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (SECTION 54956.8)

(A) Property: 110 Rancho Del Oro Dr., Oceanside, CA (APN 158-067-03, APN 158-080-07 & APN 158-591-04)
Negotiating parties: City of Oceanside and Ivey Ranch Park Association, Inc.
Negotiator for the City: Vicki Gutierrez, Real Estate Manager
Under Negotiations: Price and terms for lease of real property

5:00 P.M. – ROLL CALL

INVOCATION

Fr.Charles Wright, O.S.B., Prince of Peace Abbey

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

Mayors Business Spotlight - Ashley's Party Rentals, Robert Osario

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.

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:

**MOTION TO APPROVE ITEMS 4-11, 14, 16-10: JOYCE
SECOND: WEISS
APPROVED: 5-0**

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 February 5, 2025 Regular Meeting
City Council/ HDB/CDC/ OPFA:
6. Staff recommends that the City Council approve a change order to increase an existing purchase order with Swarco McCain for traffic signal supplies, in the amount of \$72,000, for a revised total of \$160,000; approve a change order to increase an existing purchase order with California Electric Supply (CES) for solar street lighting supplies, in the amount of \$52,000, for a revised total of \$340,413; approve a purchase order to Bear Electric, in the amount of \$25,000, for traffic signal cabinet replacement; approve Amendment 2 to the Public Works Agreement (PWA) with Patterson Brothers Lighting (Patterson) for athletic field lighting repairs, in the amount of \$65,860, for a revised total of \$215,860; appropriate \$214,860 to the Knockdown Risk Disbursement account from General Fund Assigned Infrastructure Reserves; 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 change orders and purchase order.
City Council:

Enactment No. 25-D0052-1

Enactment No. 25-D0053-1

Enactment No: 25-D0051-1

7. Staff recommends that the City Council approve a three-year Professional Services

Agreement (PSA) with Pierside Investigations to provide background investigations, reports and polygraph services, through March 31, 2028, in the amount not to exceed \$125,000 for the remainder of FY 2024-25, \$234,000 in FY 2025-26, \$245,000 in FY 2026-27, and \$187,000 from July 1, 2027 through March 31, 2028; appropriate \$70,000 and \$79,000 in future years from General Fund Unassigned Fund Balance; and authorize the City Manager, or designee, to execute the agreement.

City Council:

Enactment No: 25-D0054-1

8. Staff recommends that the City Council approve a Professional Services Agreement (PSA) with North County LGBTQ Resource Center (LGBTQ Resource Center), in the amount of \$59,125, for use of the property and its facilities at 1919 Apple Street for operation of the Oceanside Safe Parking Program and authorize the City Manager or designee to execute all necessary documents and agreements upon receipt of the required supporting documentation.

City Council:

Enactment No: 25-D0055-1

9. Staff recommends that the City Council 1) adopt a Resolution accepting grant funds, in the amount of \$1,643,344, from the State Coastal Conservancy; 2) appropriate the funds to the Water Utilities Department; and 3) approve Amendment 4 to the Professional Services Agreement with Environmental Science Associates, in an amount not to exceed \$166,514 for a for a total contract amount not to exceed \$411,326, for permitting and construction services for the Loma Alta Slough Wetlands Enhancement Project; and authorize the City Manager, or designee, to act as signatory to accept grant funds and execute the amendment.

City Council:

Enactment No. 25-D0057-1

Enactment No. 25-D0058-1

Enactment No: RES 25-R0056-1

10. Staff recommends that the City Council accept \$340,747 in grant funds from the 2023 Assistance to Firefighters Grant (AFG) awarded to the City; appropriate these funds to the Fire Department; and authorize the City Manager, or designee, to execute all related grant documents.

City Council:

11. Staff recommends that the City Council accept and appropriate \$60,000 in grant funds from California Library Association and \$79,019 from the California State Library, awarded to the City to support Lunch at the Library services, and approve one new provisional part time Hourly Librarian position to support the project.

City Council:

12. Staff recommends that the City Council adopt a resolution acknowledging receipt of the annual Oceanside Fire Department report regarding the inspection of certain occupancies including schools, hotels, motels, lodging houses, apartments, and residential care facilities pursuant to Sections 13146.2 and 13146.3 of the California

Health and Safety Code.

City Council:

ITEM PULLED BY MEMBER OF THE PUBLIC

MOTION: SANCHEZ

SECOND: ROBINSON

APPROVED: 5-0

Enactment No: RES 25-R0059-1

13. Staff recommends that the City Council adopt a resolution establishing stop controls at various intersections within the City of Oceanside.

City Council:

ITEM PULLED FOR DISCUSSION BY COUNCILMEMBER ROBINSON

MOTION: SANCHEZ

SECOND: ROBINSON

APPROVED: 5-0

Enactment No: RES 25-R0060-1

14. Staff recommends that the City Council adopt a resolution approving Final Map No. T-16-02 for the proposed Rancho Vista Subdivision project and authorize the City Clerk to record the Final Map with the San Diego County Recorder.

City Council:

Enactment No. 25-D0062-1

Enactment No: RES 25-R0061-1

15. Staff recommends that the City Council adopt a resolution approving amendments to the Administrative Procedural Guidelines for administration and enforcement of Chapter 16B - Manufactured Home Fair Practices of the Oceanside City Code.

City Council:

ITEM PULLED BY MEMBER OF THE PUBLIC

MOTION: SANCHEZ

SECOND: JOYCE

APPROVED: 5-0

Enactment No: RES 25-R0063-1

16. Staff requests the City Council approve the addition of a Chief Assistant City Attorney classification and modify the current authorized Assistant City Attorney position to Chief Assistant City Attorney position within the City Attorney's Office and establish a salary range for the new classification.

City Council:

17. Staff recommends that the City Council receive and file Visit Oceanside's annual report for 2024.

City Council:

18. Staff recommends that the City Council approve and adopt the revised City of Oceanside Salary Schedule retroactively effective January 5, 2025.

City Council:

19. Staff recommends that the City Council deem demolition work performed by Jilk Heavy Construction, Inc. ("JILK") to be complete; end the emergency work declaration for the demolition related to the hammerhead portion of the Oceanside Pier ("Pier") and removal of the fire-damaged restaurant and food kiosk; authorize the City Engineer to execute a contract change order in the amount of \$563,400 to cover the cost of additional Pier stringer removal; appropriate \$563,400 to the Pier Fire Recovery account from the General Fund Assigned Infrastructure Reserves; and authorize the City Engineer to file a Notice of Completion with the County Recorder's office.

City Council:

RESULT: APPROVED

MOVER: Eric Joyce

SECONDER: Peter Weiss

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

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. Staff recommends the City Council provide staff direction on the proposed framework for a storefront cannabis retail license ("Type 10") program.

City Council:

MOTION: Total of four Type 10 licenses: open two for Type 10 storefront retail licenses to the public, offer two Type 10 storefront retail licenses to the city's existing operators provided that they meet minimum qualifications of evaluation criteria, if the minimum qualifications are not met then these licenses will be open to the public; eliminate existing Type 9 licenses: ROBINSON

SECOND: WEISS

APPROVED: 4-1 (SANCHEZ - NO)

MOTION to approve to staff's recommendation for the zoning criteria with the provision that Council would have the ability to look at any appeals: ROBINSON

SECOND: WEISS

APPROVED: 4-1 (SANCHEZ - NO)

MOTION to approve staff's recommendation for evaluation criteria with no loss of points to current operators for length in business and 20 points if operator dedicates 1% of annual business revenue to support youth-oriented non-profits: ROBINSON

SECOND: WEISS

APPROVED 4-1 (SANCHEZ - NO)

MOTION to approve a merit-based awarding process for all Type 10 licenses including current operators and that the top eight applicants go to a final selection panel made up of the City Manager, Assistant City Manager, Deputy City Manager, Finance Director, and Chief of Police would utilize a blind rank-choice voting system to break a tie and that the City Clerk evaluate the scoring and announce the winner at a public meeting: ROBINSON

SECOND: WEISS

APPROVED: 4-1 (SANCHEZ - NO)

MOTION to approve staff's recommendation on separation requirements: ROBINSON

SECOND: WEISS

APPROVED: 4-1 (SANCHEZ - NO)

MOTION to approve staff's recommendation on integrity and safeguards: ROBINSON

SECOND: WEISS

APPROVED: 4-1 (SANCHEZ - NO)

MOTION to approve staff's recommendation on tax structure: ROBINSON

SECOND: WEISS

APPROVED: 4-1 (SANCHEZ - NO)

RESULT: APPROVED
MOVER: Rick Robinson
SECONDER: Peter Weiss

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

Nay: Council Member Sanchez

- A) Report by Dane Thompson, Associate Planner
- B) Discussion
- C) Recommendation – direct staff

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. Jill McDonald/Everest at Oceanside – Homeless encampment behind Alzheimer’s building
 - b. Ken Leighton – Why it’s important to speak at public meetings
- 22. Communications from the public regarding items not on this agenda
7 speakers

MAYOR AND/OR COUNCILMEMBER ITEMS

- 23. Request by Mayor Sanchez to make appointments to or motions for removal from some or all of the City’s advisory groups

MOTION: SANCHEZ

SECOND: JOYCE

APPROVED: 4-1 (WEISS - NO)

RESULT: APPROVED

MOVER: Esther Sanchez

SECONDER: Eric Joyce

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

Nay: Council Member Weiss

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. Staff recommends that the City Council adopt ordinances amending Chapters 29 and 37 of the City Code allowing Water and Wastewater rates to be approved by a resolution of the City Council, and adopt an uncodified ordinance to establish a protest procedure under AB 2257, thereby providing an administrative remedy that must be exhausted as a prerequisite to filing a legal challenge to rate changes under Proposition 218.

(Introduced on February 5, 2025, 5-0)

**MOTION TO ADOPT ORDINANCES AMENDING CHAPTERS 29 AND 37 OF THE CITY CODE: SANCHEZ
SECOND: WEISS
APPROVED: 5-0**

**MOTION TO ADOPT AN UNCODIFIED ORDINANCE TO ESTABLISH A PROTEST PROCEDURE UNDER AB 2257: SANCHEZ
SECOND: WEISS
APPROVED: 5-0**

Ordinance No. 25-OR0065-1

RESULT: APPROVED
MOVER: Esther Sanchez
SECONDER: Peter Weiss

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

Enactment No: 25-OR 0064-1

ADJOURNMENT

ADJOURNED AT 8:06pm