



MEETING AGENDA

August 10, 2022

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
Kori Jensen
Christopher Rodriguez
Peter Weiss

City Clerk
HDB Secretary
CDC Secretary
OPFA Secretary
Zeb Navarro

City Treasurer
HDB/CDC/OPFA Treasurer
Victor Roy

CITY CLERK'S ACTION MINUTES

3:30 P.M. – ROLL CALL – All Present

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

Item was not discussed in closed session

2. LITIGATION OR OTHER ADVERSARY PROCEEDING (E.G., ADMINISTRATIVE HEARING, ARBITRATION) (SECTION 54956.9(c))

(A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Section 54956.9(a))

1. Travelers Casualty Insurance Company of America, a Foreign Corporation; and Mohnacky Animal Hospitals, Inc., a California Corporation v. City of Oceanside, et al. Superior Court Case No.: 37-2021-00017609-CU-PO-NC

Item was discussed in closed session

2. Senteno v. City of Oceanside, et al. Superior Court Case No.: 21CV1923 TWR WVG

Item was discussed in closed session

(B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Section 54956.9)

1. Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: Claimant: Valentin Sanchez-Garcia Claim No.: GC202200069

Item was discussed in closed session

3. PUBLIC EMPLOYEE APPOINTMENT, PUBLIC EMPLOYMENT, PERSONNEL EVALUATION AND DISCIPLINE (SECTION 54957)

(A) PUBLIC EMPLOYEE APPOINTMENT

1. City Manager

Item was discussed in closed session

Council voted 5-0 to appoint Jonathan Borrego as City Manager with terms and conditions of the

contract to be discussed at the August 24th City Council meeting

5:00 P.M. – ROLL CALL – All Present

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

PLEDGE OF ALLEGIANCE– Mayor Sanchez

PROCLAMATIONS AND PRESENTATIONS

"The History of Oceanside" by Kristi Hawthorne, Historian & Director, Oceanside Historical Society; oceansidehistoricalsociety.org

Presentation given

August Mayor's Business Spotlight - Captain Joe Cacciola, Sea Star Charters & Ocean Classroom, Celebrating 40 Years in Business; with Scott Ashton, Chief Executive Officer, Oceanside Chamber of Commerce

Presentation given

CLOSED SESSION REPORT

4. Closed Session report by City Attorney

Report given

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.

5. 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)

**Motion to Approve Consent Calendar Items 5-22: Keim
Second: Weiss
Approved: 5-0**

6. 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 June 22, 2022 Regular Meeting

Approved: 5-0

7. City Council: Approval of a purchase order in the amount of \$60,781 to Superior, LLC of Lake Mary, Florida, for ongoing support and maintenance required for the City's development tracking program; approval of the purchase as a sole-source; and authorization for the Financial Services Director, or designee, to execute the purchase order

Approved: 5-0

8. City Council: Approval of the construction changes listed in Contract Change Order No. 10 to the Public Works Agreement with PCN3 Inc. for the Beachfront Improvements Project in the total amount of \$213,402, for a revised contract amount of \$10,766,419; and authorization for the City Engineer to execute the change order

Approved: 5-0

Document No. 22-D0521-1

9. City Council: Approval of Amendment 1 to the Professional Services Agreement with LAZ Parking California, LLC in the amount of \$398,466, for a revised contract amount of \$681,617, extending the term of the agreement for three additional years with two optional one-year extensions, for parking revenue collection and courier services for all parking meters and parking lot pay stations within the Downtown and Harbor District; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents

Approved: 5-0

Document No. 22-D0522-1

10. City Council: Approval of Amendment 1 to the Property Use Agreement with Cause of Christ for use of a small office and storage room at the John Landes Recreation Center located at 2855 Cedar Road, Oceanside, extending the term for one-year, for the purpose of providing community outreach activities as well as family and youth related services and activities to the general public, including the residents of Oceanside; and authorization for the City Manager to execute the amendment

Approved: 5-0

Document No. 22-D0523-1

11. City Council: Approval of Amendment 1 to the Property Use Agreement with Vista Community Clinic for the exclusive use of the Junior Seau Club 55 Fitness Center located at 448 Country Club Lane, extending the term of the agreement through June 30, 2023; and authorization for the City Manager to execute the amendment upon receipt of all supporting documents

Approved: 5-0

Document No. 22-D0524-1

12. City Council: Approval of Amendment 5 in an annual amount of \$24,515 to the Professional Services Agreement with HdL Coren & Cone for a revised contract amount of \$301,401, which includes Consumer Price Index increase, extending the term of the agreement by one year from August 20, 2022, to August 20, 2023, for property tax management services; and authorize the City Manager to execute the amendment

Approved: 5-0

Document No. 22-D0525-1

13. City Council: Approval of the Sixth Amendment to the Statement of Understanding (SOU) between Camp Pendleton and the City of Oceanside for Sewer Capacity in the City of Oceanside's Ocean Outfall extending the term of the SOU for a five-year period through October 31, 2027; and authorization for the City Manager to execute the amendment

Approved: 5-0

Document No. 22-D0526-1

14. City Council: Approval of a Public Works Agreement for as-needed facilities painting maintenance services with Golden State Industrial Coatings, Inc. of Murrieta for a three-year contract amount of \$196,500; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents

Approved: 5-0

Document No. 22-D0527-1

15. City Council: Approval of the proposed Excavation and Right-of-Way Encroachment Policies; and authorization for the City Engineer to update the Policies as necessary or as required by Statute, Resolution, or Ordinance to comply with changes in industry standards and the needs and requirements of the City

Approved: 5-0

16. City Council: Adoption of a resolution approving Final Map No. T21-00003 for the On Geneva project and authorization for the City Clerk to record the Final Map with the San Diego County Recorder

Approved: 5-0

Resolution No. 22-R0528-1

17. City Council: Acceptance of grant funding from the California Department of Resources Recycling and Recovery (CalRecycle); appropriation of the funds to the Water Utilities Department; approval of a Professional Services Agreement in the amount of \$153,847 with the Solana Center for food recovery and technical assistance support services; and authorization for the City Manager, or designee, to execute the agreements

Approved: 5-0

Document No. 22-D0529-1

18. City Council: Adoption of a resolution authorizing the City to apply for and receive grant funds in an amount up to \$5,000,000 for the United States Bureau of Reclamation's WaterSMART Grant: Water and Energy Efficiency Projects for Fiscal Year 2023 for the Renewable Energy from Food Waste Diversion Project; appropriation of the funds to the Water Utilities Department; and authorization for the City Manager, or designee, to act on behalf of the City as signatory to accept grant funds

Approved: 5-0

Resolution No. 22-R0530-1

19. City Council: Acceptance of an additional \$45,723 in grant funds from the California State Library, awarded to the City to increase support for the existing Teens Work paid internship program for teens, and appropriation of these funds to the Library Department

Approved: 5-0

20. City Council: Acceptance of \$53,852 in grant funds from the California State Library, awarded to the City to continue the existing Community Care Project, and appropriation of these funds to the Library Department

Approved: 5-0

21. City Council: Adoption of a resolution approving and implementing the Memorandum of Understanding between the City of Oceanside and the Oceanside Marine Safety Employees' Association retroactively effective July 1, 2022, through June 30, 2024

Approved: 5-0

Document No. 22-D0531-1

Resolution No. 22-R0532-1

22. City Council: Adoption of a resolution approving and implementing the Memorandum of Understanding between the City of Oceanside and the Oceanside Police Officers' Association (Non-Sworn), retroactively effective July 1, 2022, through June 30, 2024

Approved: 5-0

Document No. 22-D0533-1

Resolution No. 22-R0534-1

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.

23. City Council: Affirmation of Alternative B as the preferred plan for the second phase of the City's comprehensive General Plan Update (GPU Phase 2)

- A) Report by Russ Cunningham, Principal Planner
- B) Discussion
- C) Recommendation – affirm Alternative B

Motion: Weiss

Second: Keim

Approved: 5-0

24. City Council: Approval of revised Bylaws for the Police and Fire Commission and adoption of a resolution establishing a Standing Oversight Committee

- A) Report by Fred Armijo, Police Chief
- B) Discussion
- C) Recommendation – approve revised Bylaws and adopt resolution

Motion to approve revised Bylaws including converting alternative commissioners to regular commissioners and adopt resolution: Keim

Second: Weiss

Approved: 5-0

Document No. 22-D0535-1

Resolution No. 22-R0536-1

25. City Council: Approval of Amendment 1 to a Public Works Agreement with Denali Water Solutions, LLC, of San Bernardino, in an amount not to exceed \$5,143,000, for a total contract amount of \$7,425,500 for biosolids handling and sludge hauling services; approval of an additional appropriation in the amount of \$9,100 from the Water and \$544,013 from the Sewer Operating fund unrestricted balances; and authorization for the City Manager to execute the amendment
- A) Report by Rudy Guzman, Water Utilities Division Manager
 - B) Discussion
 - C) Recommendation – approve amendment
- Motion: Keim**
Second: Weiss
Approved: 5-0
Document No. 22-D0537-1

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.

26. City Council: Introduction of an ordinance amending Article 30, Section 3032 entitled "Affordable Housing Density Bonus" (AHDB) of the Zoning Ordinance (ZA22-00001) to establish revised AHDB regulations conforming to the provisions of Government Code Section 65915 as amended through various Senate and Assembly Bills adopted between 2019 and 2021
- City Council/CDC: Adoption of a resolution establishing the amended text of Article 30, Section 3032 as part of the implementing documents of the Local Coastal Program (LCPA22-00001)
- 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 Delaney Carmen, Planner I
 - E) Recommendation – introduce ordinance and adopt resolution
- Motion: Weiss**
Second: Keim
Approved: 4-0-1 (Sanchez – Abstain)
Ordinance Introduced
Resolution No. 22-R0538-1
27. City Council: Introduction of an ordinance amending Article 12, Section 1332.(D).2 of the Zoning Ordinance (ZA22-00002) to establish a maximum density of 75 dwelling units per acre for mixed-use projects in the Downtown District
- City Council/CDC: Adoption of a resolution establishing the amended text as part of the implementing document of the Local Coastal Program (LCPA22-00002)
- 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) Recommendation – introduce ordinance and adopt resolution

ITEM PULLED BY STAFF

28. City Council: Approval of the FY 2022-23 Annual Action Plan of the Consolidated Plan for Housing and Community Development for submission to the U.S. Department of Housing and Urban Development; authorization for the City Manager to submit the Plan to the U.S. Department of Housing and Urban Development for funds under the Community Development Block Grant and HOME Investment Partnership Programs; authorization for the City Manager to sign and execute required forms and documents for the grant funds; and authorization for the Neighborhood Services Director to sign agreements with subrecipients
- 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 Cecilia Barandiaran, Management Analyst
 - E) Recommendation – approve action plan

Motion: Rodriguez

Second: Keim

Approved: 5-0

Document No. 22-D0539-1

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.

29. Advance written request to reserve time to speak:
- a. Rash Setekh – The City’s influence, ability, capability to aide in building an infrastructure for sustained community growth; with citizens of the community as primary population of empowerment
30. Communications from the public regarding items not on this agenda
8 speakers

MAYOR AND/OR COUNCILMEMBER ITEMS

31. Request by Councilmembers Rodriguez and Keim to direct staff to develop and implement minimum education and/or professional experience requirements for the position of City Treasurer
- Request Made**
- Motion to direct the City Manager to bring back within 30 days criteria for qualifications and education to run for the office of City Treasurer: Rodriguez**
- Second: Keim**
- Approved: 4-1 (Sanchez – No)**

32. Request by Councilmembers Rodriguez and Jensen for Council discussion regarding Oceanside's current homeless population count and direction to staff concerning City efforts moving forward
Item discussed

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

The next regularly scheduled meeting is at 3:30 p.m. on Wednesday, August 24, 2022.

Adjourned at 8:09 P.M.

APPROVED BY COUNCIL/HDB/CDC/OPFA: 8/24/2022



Zeb Navarro
City Clerk, City of Oceanside