

City of Oceanside

300 North Coast Highway, Oceanside, California 92054



Clerk's Action Minutes

Wednesday, February 5, 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 - EXISTING LITIGATION (Section 54956.9(d)(1))

1. Brent Rawson and Denise Dougi v. City of Oceanside, et al.
San Diego Superior Court Case No. 37-2023-00032978-CU-PO-NC
2. Greg Sandifer v. City of Oceanside
Workers' Comp Case No. ADJ13253755

(B) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (SECTION 54956.9)

Significant Exposure to litigation pursuant to Subdivision (d)(2) of Section 54956.9: One Case. The facts justifying a closed session briefing are set forth in correspondence dated January 28, 2025 from the law firm of Cox Castle & Nicholson objecting to the 90-day continuance of the appeal hearing on Development Plan D23-00009 and Density Bonus DB23-00004.

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (SECTION 54956.8)

(A) Property: 928 North Coast Highway (APN 147-020-39)
Negotiating parties: City of Oceanside and Oceanside Chamber of Commerce
Negotiator for the City: Vicki Gutierrez, Real Estate Manager
Under Negotiations: Price and Terms for the lease of real property

One Speaker - Shari Mackin

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 Sheldon Brown, Cause of Christ Ministries

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

Proclamation in Honor of National Black History Month 2025

CLOSED SESSION REPORT

CONSENT CALENDAR ITEMS

MOTION TO APPROVE ITEMS 4-7, 9-12

This was approved.

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

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:
- 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 January 22, 2025 Regular Meeting
City Council/ HDB/CDC/ OPFA:

6. Staff recommends that the City Council approve a purchase order, in an amount not to exceed \$237,031, for event protection barriers to be used for various City events and approve a Professional Services Agreement (PSA) with Meridian Rapid Defense Group LLC ("Meridian") to deploy the event protection barriers in the amount of \$117,000; authorize the Financial Services Director, or designee, to execute the purchase order; authorize the City Manager to execute the agreement upon receipt of all final documents; authorize the City Manager to purchase additional protection barriers and amend the PSA as needed by an additional \$708,062 within six months of initial City Council approval, for a total amount not to exceed \$1,062,093; and appropriate \$575,709 from General Fund Assigned Infrastructure Reserves as needed for the additional purchase.

City Council:

Enactment no. 25-D0036-1

Enactment No: 25-D0031-1

7. Staff recommends that the City Council approve a purchase order to Misco Water, in the amount of \$118,936, for three polymer blending units; and authorize the Financial Services Director, or designee, to execute the purchase order.

City Council:

8. Staff recommends that the City Council approve Amendment 3 to the Professional Services Agreement (PSA) with Bureau Veritas North America, Inc., in the amount of \$62,915, for a new agreement total of \$272,475 for consultant Fire and Life Safety Plan Review Services; and authorize the City Manager to execute the amendment.

City Council:

ITEM PULLED BY MEMBER OF THE PUBLIC

MOTION: SANCHEZ

SECOND: ROBINSON

APPROVED: 5-0

Enactment No: 25-D0032-1

9. Staff recommends that the City Council approve and adopt the revised City of Oceanside Salary Schedule retroactively effective December 8, 2024.

City Council:

10. Staff recommends that the City Council adopt a resolution granting the appeal of the Planning Commission's denial and approving Regular Coastal Permit (RC23-00013) and Variance (V24-00001) to allow an existing unpermitted balcony accessory to a second story apartment unit that exceeds the maximum allowable lot coverage in the R-1 District at 1842 South Pacific Street.

City Council:

Enactment No: RES 25-R0033-1

11. Staff recommends that the City Council authorize staff and Jilk Heavy Construction,

Inc. ("JILK") to continue work with respect to emergency demolition related to the hammerhead portion of the Oceanside Pier, including the removal of the existing restaurant and food kiosk, and continue the City Engineer's authorization to approve Change Orders up to a total of \$135,000.

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

- 12. Staff recommends that the City Council authorize the City Engineer's office to file a Notice of Completion with the County Recorder's Office for emergency work performed by Orion Construction to repair the 6th Aqueduct Pipeline, and replenish the balance of the Purchase Order.

City Council:

Enactment No: 25-D0034-1

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.

- 13. Staff presents the FY 2025-26 through FY 2029-30 General Fund Five-Year Financial Forecast for review and seeks direction to proceed with the development of a fiscally sustainable budget strategy that aligns with the City's long-term goals and priorities. Staff concurrently recommends that the City Council approve the allocation of 50% of the FY 2023-24 General Fund surplus (\$8.25M) to the San Luis Rey River (SLRR) project reserve account and the appropriation of the remaining 50% of the surplus (\$8.25M) to the El Corazon Park Site 1 project.

City Council:

MOTION TO APPROVE STAFF'S RECOMMENDATION AND DIRECT STAFF TO SCHEDULE A WORKSHOP FOR BUDGET DISCUSSION TO PRIORITIZE UNFUNDED CIP PROJECTS

RESULT: APPROVED
MOVER: Rick Robinson
SECONDER: Eric Joyce

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

- A) Report by Jill Moya, Financial Services Director
- B) Discussion
- C) Recommendation – review forecast, approve allocation and appropriation

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.

14. Staff recommends that the Community Development Commission (CDC) adopt a resolution approving a Regular Coastal Permit (RRP24-00001) to permit two unpermitted rooftop decks at 151 South Myers Street.

CDC:

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

Enactment No: RES 25-R0035-1

- A) Chair opens public hearing
- B) Chair requests disclosure of Commissioner and constituent contacts and correspondence
- C) Secretary presents correspondence and/or petitions
- D) Testimony beginning with Rob Dmohowski, Principal Planner
- E) Recommendation - adopt resolution

15. Staff recommends that the City Council introduce 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 introduce 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.

City Council:

**MOTION TO INTRODUCE AN ORDINANCE AMENDING CHAPTER 29 AND CHAPTER 37 OF THE CITY CODE: WEISS
 SECOND: ROBINSON
 APPROVED: 5-0**

**MOTION TO INTRODUCE AN UNCODIFIED ORDINANCE TO ESTABLISH A PROTEST PROCEDURE UNDER AB2257: WEISS
 SECOND: ROBINSON
 APPROVED: 5-0**

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

- 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

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.

- 16. Communications from the public regarding items not on this agenda
3 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 6:51 PM