



MEETING AGENDA

August 7, 2019

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
Peter Weiss

Deputy Mayor
HDB Vice President
CDC Vice Chair
OPFA Vice Chair
Jack Feller

Councilmembers
HDB Directors
CDC Commissioners
OPFA Directors
Ryan Keim
Christopher Rodriguez
Esther Sanchez

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), Western Council of Engineers (WCE), and Unrepresented
Item was not discussed in closed session

2. PUBLIC EMPLOYEE APPOINTMENT, PUBLIC EMPLOYMENT, PERSONNEL EVALUATION AND DISCIPLINE (SECTION 54957(b))
A) PUBLIC EMPLOYEE APPOINTMENT
 - i. City Manager
Item discussed in closed session

3. 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))
 - i. ZENLEAF, LLC v. CITY OF OCEANSIDE
Superior Court Case No.: 2019-00034371-CU-MC-NC
Item discussed in closed session
B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (SECTION 54956.9)
 - i. Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9:
One Case
Item discussed in closed session

5:00 P.M. – ROLL CALL – All Present

PLEDGE OF ALLEGIANCE – Mayor Weiss

PROCLAMATIONS AND PRESENTATIONS

Presentation – 2019 Outstanding Membrane Plant Award for Mission Basin Groundwater Purification Facility

Presentation – Mayor's Business Member Spotlight

Presentations made

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: 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 12, 2019, 2:00 p.m. Workshop on Short-Term Rentals, the June 19, 2019, 3:30 p.m. Regular Meeting, and the July 10, 2019, 3:00 p.m. Special Meeting

Motion to Approve Consent Calendar Items 5-11, 13-23, 26, 28-30: Sanchez

Second: Weiss

Approved: 5-0

6. 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)

Approved: 5-0

7. City Council: Approval of annual purchase orders for materials, services, supplies, and equipment in amounts over \$50,000 for FY 2019-20 from various Fire Department funds for a total of \$2,001,736; and authorization for the Financial Services Director, or designee, to execute the purchase orders

Approved: 5-0

Document No. 19-D0514-1

Document No. 19-D0515-1

Document No. 19-D0516-1

Document No. 19-D0517-1

8. City Council: Approval of a purchase order in the amount of \$142,782 to Lone Star Blower of South Houston, Texas for the purchase of a Master Control Panel to operate the existing blowers for the San Luis Rey Water Reclamation Facility; approval of the procurement as sole source; and authorization for the Financial Services Director, or designee, to execute the purchase order

Approved: 5-0

9. City Council: Approval of Closing Change Order 1 to Technical Systems, Inc. (TSI) in the amount of \$63,505 for a revised contract amount of \$8,139,618 for the Water and Sewer SCADA Major Upgrade project; authorization for the City Engineer to execute the change order; acceptance of improvements constructed by TSI; and authorization for the City Clerk to file a Notice of Completion with the San Diego County Recorder
Approved: 5-0
Document No. 19-D0488-1
Document No. 19-D0488(B)-1
10. City Council: Approval of Closing Change Order 5 to Performance Plumbing and Mechanical (PPM) in the amount of \$106,973 for a revised contract amount of \$1,287,452 for the Green Oceanside Kitchen Project (formerly known as the El Corazon Sustainability and Culinary Arts Kitchen Project); approval of a budget appropriation in the amount of \$80,000 from the Solid Waste fund; authorization for the City Engineer to execute the change order; acceptance of improvements constructed by PPM; and authorization for the City Clerk to file a Notice of Completion with the San Diego County Recorder
Approved: 5-0
Document No. 19-D0489-1
Document No. 19-D0490-1
11. City Council: Approval of a three-year Property Use Agreement with Cause of Christ for use of a small office at the John Landes Recreation Center building located at 2855 Cedar Road 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 agreement
Approved: 5-0
Document No. 19-D0491-1
12. City Council: Approval of Amendment 1 to the Purchase and Sale Agreement with Shera Crockett, Inc., doing business as Pacific Group, for the sale of City-owned vacant land declared as surplus located on the north side of Vista Way between Life Street and North Way for the purchase price of \$580,000; and authorization for the City Manager to execute the amendment
Item pulled for discussion
Motion to Approve Consent Calendar Item 12: Rodriguez
Second: Feller
Approved: 4-1 (Sanchez – No)
Document No. 19-D0492-1
13. City Council: Approval of Amendment 3 in the amount of \$25,000 to the Professional Services Agreement with Host Compliance, LLC, for a revised contract amount of \$149,990 effective retroactively from June 13, 2019, to December 13, 2019, for short-term rental Transient Occupancy Tax (TOT) compliance services for the Financial Services Department; and authorization for the City Manager to execute the amendment
Approved: 5-0
Document No. 19-D0493-1

14. City Council: Approval of Amendment 4 in an annual amount of \$23,350 to the Professional Services Agreement with HdL Coren & Cone for a revised contract amount of \$276,886 extending the term of the agreement for three years from August 20, 2019, to August 20, 2022, for property tax management services; and authorization for the City Manager to execute the amendment
Approved: 5-0
Document No. 19-D0494-1
15. City Council: Approval of Amendment 5 in the amount of \$82,762 to the Professional Services Agreement with Facilitating Access to Coordinated Transportation (FACT) for a revised contract amount of \$603,612 for senior shuttle services for the period of July 1, 2019, through June 30, 2020; and authorization for the City Manager to execute the amendment
Approved: 5-0
Document No. 19-D0495-1
16. City Council: Approval of Amendment 1 in the amount of \$25,000 to the Professional Services Agreement with Johnson-Frank & Associates, Inc. for a revised contract amount not to exceed \$75,000 for as-needed or project based professional surveying services for the Development Services Department; and authorization for the City Manager to execute the amendment
Approved: 5-0
Document No. 19-D0496-1
17. City Council: Approval of Amendment 1 in the amount of \$25,000 to the Professional Services Agreement with KDM Meridian for a revised contract amount not to exceed \$75,000 for as-needed or project based professional surveying services for the Development Services Department; and authorization for the City Manager to execute the amendment
Approved: 5-0
Document No. 19-D0497-1
18. City Council: Approval of two amendments to Professional Services Agreements for continued contract project manager services for the Water Utilities Department: 1) with Hoch Consulting of San Diego to add an additional year to the contract and increase the annual amount by \$300,000 per year, for a total annual amount not to exceed \$900,000, and 2) Infrastructure Engineering Corp, Inc. of Poway, to add an additional year to the contract for an annual amount not to exceed \$291,200; and authorization for the City Manager to execute the amendments
Approved: 5-0
Document No. 19-D0498-1
Document No. 19-D0499-1
19. City Council: Approval of a three-year Professional Services Agreement with Trussell Technologies of Solana Beach in the annual amount of \$150,000 for a three-year total of \$450,000 for as-needed process optimization engineering services for the Water Utilities Department; and authorization for the City Manager to execute the agreement
Approved: 5-0
Document No. 19-D0500-1

20. City Council: Approval of a Professional Services Agreement with Raftelis of Charlotte, North Carolina in an amount of \$74,830 for the Water Utilities Strategic Plan Update; and authorization for the City Manager to execute the agreement
Approved: 5-0
Document No. 19-D0501-1
21. City Council: Approval of a two-year Public Works Agreement with Rancho Del Oro Landscaping of Oceanside in an annual amount not to exceed \$128,000 for trash removal, weed abatement, landfill maintenance services, and as-needed emergency work as a result of accidents, storms, etc.; and authorization for the City Manager to execute the agreement
Approved: 5-0
Document No. 19-D0502-1
22. City Council: Authorization to award a contract in an amount not to exceed \$1,028,280 to John S. Meek Company, Inc. of Gardena to replace 188 steel pipe braces on the Oceanside Municipal Pier; approval of a budget appropriation in the amount of \$443,280 from the General Fund Assigned Pier Maintenance account for the project; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents
Approved: 5-0
Document No. 19-D0503-1
23. City Council: Approval of a Professional Services Agreement with Interfaith Community Services, Inc. in the amount of \$66,750 for service as fiscal agent for the 2019-20 Oceanside Regional Bridge Housing program; and authorization for the City Manager to execute the agreement
Approved: 5-0
Document No. 19-D0504-1
24. City Council: Approval of the plans and specifications for the taxiway and runway rehabilitation construction project at the Bob Maxwell Memorial Airfield; authorization to award a contract to Hazard Construction for the project; adoption of a resolution approving the project; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents
Item pulled by public for discussion
Motion to Approve Consent Calendar Item 24: Sanchez
Second: Weiss
Approved: 5-0
Document No. 19-D0505-1
Resolution No. 19-R0506-1
25. City Council: Authorization to award a contract in an amount not to exceed \$576,400 to Performance Plumbing and Mechanical, Inc. of Oceanside for construction of the Harbor Lift Station No. 3 Rehabilitation Project; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents
Item pulled by public for discussion
Motion to Approve Consent Calendar Item 25: Sanchez

Second: Weiss
Approved: 5-0
Document No. 19-D0507-1

26. City Council: Adoption of a resolution approving Final Map No. T16-00001 for the Myers 12 Oceanside project, a condominium project consisting of 12 residential dwelling units located on approximately 0.41 acres of land located on the west side of South Myers Street just south of Kelly Street; and authorization for the City Clerk to record the Final Map with the San Diego County Recorder
Approved: 5-0
Resolution No. 19-R0508-1
27. City Council: Adoption of a resolution accepting grant funds in the amount of \$7.84 million from the California Natural Resources Agency for the construction of the Beachfront Improvements Project; and authorization for the City Manager, or designee, to execute associated grant documents
Item pulled for discussion
Motion to Approve Consent Calendar Item 27: Sanchez
Second: Feller
Approved: 5-0
Resolution No. 19-R0509-1
28. City Council: Adoption of a resolution approving an agreement with the County of San Diego in the amount of \$58,000 for the 2019 Regional Realignment Response Group (R3G); approval of the expenditure plan; approval to appropriate these funds to the Police Department; and authorization for the City Manager, or designee, to execute the agreement and all other required documents
Approved: 5-0
Document No. 19-D0510-1
Resolution No. 19-R0511-1
29. City Council: Approval of the FY 2019-20 Police and Fire Commission Workplan
Approved: 5-0
Document No. 19-D0512-1
30. City Council: Authorization for the City Manager to cast ballots on behalf of the City for 12 properties totaling \$83,024 in annual assessments for the proposed Downtown Oceanside Property and Business Improvement District (DTOPBID)
Approved: 5-0

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.

31. City Council: Adoption of a resolution to certify and approve the appointment of retired annuitant, Wanda Thurston, as an hourly extra help professional assistant, effective August 8, 2019, in an amount not to exceed \$27,000 per fiscal year, to fill a critically needed position in the Neighborhood Services Department
- A) Report by Margery Pierce, Neighborhood Services Director
 - B) Discussion
 - C) Recommendation – adopt the resolution
- Report given
Motion: Sanchez
Second: Weiss
Approved: 5-0
Resolution No. 19-R0513-1

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.

32. City Council: Hear public testimony regarding the proposed formation of the Downtown Oceanside Property and Business Improvement District (DTOPBID); receive ballots from affected property owners; authorize the City Clerk to count the ballots; if the DTOPBID is approved by the property owners, adopt a resolution forming the DTOPBID, approving the assessment formula, and levying the assessments
- A) Mayor opens Public Hearing
 - B) Mayor requests disclosure of Councilmember and constituent contacts and correspondence
 - C) City Clerk presents correspondence and/or petitions
 - D) Testimony beginning with Deanna Lorson, Assistant City Manager
 - E) Recommendation – Close the public hearing and authorize the City Clerk to count the ballots
 - F) City Clerk presents ballot results
 - G) Recommendation – take all actions to form the DTOPBID or abandon all proceedings
- Motion: Sanchez
Second: Weiss
Approved: 5-0
Resolution No. 19-R0487-1

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.

- 33. Advance written request to reserve time to speak: None
- 34. Communications from the public regarding items not on this agenda – 5 Speakers

MAYOR AND/OR COUNCILMEMBER ITEMS

- 35. City Council: Request by Councilmember Rodriguez and Mayor Weiss for staff to implement, within 90 days, a structured and streamlined planning case review process that establishes a predictable zoning entitlement review path for developers; actions are to include the following:
 - A) Establish a Planning Case Review Schedule that clearly illustrates processing timeframes so that the development community has a clear understanding of the timing and process associated with the review of discretionary planning applications
 - B) Provide an opportunity for project applicants to meet face to face with staff during the initial 30-day application review to provide an opportunity for developers to meet with staff to discuss preliminary conditions of approval and work through potential issues in a face to face meeting
 - C) Empower reviewing staff to make decisions and provide clear direction during developer meetings in order to minimize or eliminate the need for future iterative reviews
 - D) Identify and implement measures to reduce the need for subsequent 30-day review cycles as projects are revised and resubmitted
 - E) Identify any fee adjustments needed to ensure full cost recovery of the process described and present any necessary adjustments for City Council consideration

Motion: Rodriguez

Second: Weiss

Approved: 4-0-1 (Sanchez – abstain)

GENERAL COUNCILMEMBER COMMENTS – Comment 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.

None

ADJOURNMENT

Adjourn to a Mayor/Council Workshop at 6:00 p.m. on Wednesday, August 14, 2019, for a Public Hearing regarding the Coast Highway Corridor Study

Adjourned at 7:25 p.m.

APPROVED BY COUNCIL/HDB/CDC/OPFA:

Zeb Navarro
City Clerk, City of Oceanside