



# CITY OF OCEANSIDE AGENDA

**Joint Meetings of the Oceanside City Council,  
Oceanside Small Craft Harbor District Board of Directors,  
Oceanside Community Development Commission, and  
Oceanside Public Financing Authority**

**Wednesday, September 25, 2013**

City Council Chambers  
300 North Coast Highway, Oceanside, California 92054

- 2:00 p.m. Call to order and commence Closed Session**
- 4:00 p.m. City Council/Harbor District Board of Directors (HDB)/  
Community Development Commission (CDC)/Oceanside  
Public Financing Authority (OPFA) Regular Business**
- 5:00 p.m. Commence Public Hearings, if applicable**

**Mayor**  
**HDB President**  
**CDC Chairman**  
**OPFA Chairman**  
Jim Wood

**City Clerk**  
**HDB Secretary**  
**CDC Secretary**  
**OPFA Secretary**  
Zack Beck

**Deputy Mayor**  
**HDB Vice President**  
**CDC Vice Chair**  
**OPFA Vice Chair**  
Jerome M. Kern

**Treasurer**  
Gary Ernst

**Councilmembers**  
**HDB Directors**  
**CDC Commissioners**  
**OPFA Directors**  
Gary Felien  
Jack Feller  
Esther Sanchez

**City Manager**  
**HDB Administrative Officer**  
**CDC Executive Director**  
**OPFA Executive Director**  
Peter A. Weiss

**City Attorney**  
**HDB Attorney**  
**CDC General Counsel**  
**OPFA General Counsel**  
John P. Mullen

The Mayor and City Council also serve as the Small Craft Harbor District Board of Directors, the Community Development Commission, and the Oceanside Public Financing Authority

**INFORMATION TO THE PUBLIC CONCERNING THE CITY COUNCIL/  
HARBOR DISTRICT BOARD OF DIRECTORS (HDB)/  
COMMUNITY DEVELOPMENT COMMISSION (CDC)/  
OCEANSIDE PUBLIC FINANCING AUTHORITY (OPFA) MEETING**

**1. GENERAL INSTRUCTIONS TO PERSONS WISHING TO ADDRESS THE CITY COUNCIL/HDB/CDC/OPFA**

- A. Request to Speak Forms – Individuals wishing to address the City Council/HDB/CDC/OPFA on matters on the agenda other than Public Hearing items must submit a “Request to Speak” form in person to the City Clerk.

The “Request to Speak” form may be submitted to the Clerk at any time following the start of the meeting, but must be submitted prior to the initiation of the portion of the agenda containing the item you wish to address (e.g., Consent Calendar, Public Communications, General Items).

When the presiding officer invites public input the City Clerk will call the names of those who submitted requests to speak. As your name is called, please approach either of the public podiums.

- B. Addressing the City Council/HDB/CDC/OPFA – Each person addressing the City Council/HDB/CDC/OPFA shall state his or her name and address for the record and state if he or she represents an organization or other persons. All remarks shall be addressed to the governing body as a whole. Questions shall not be asked of the governing body or staff without obtaining permission from the presiding officer. Visual aids (videos, slides and photographs, etc.) may be used as part of your presentation but must be confined within the time allowed per speaker. Videos and slides must be presented to the City Clerk prior to the beginning of the meeting for distribution to the audio-visual staff.
- C. Time Limits for Speakers – There is a 3-minute limit for all persons addressing the City Council/HDB/CDC/OPFA, except as noted below. Speakers may not cede their time to another speaker. There is a series of three lights at each speaker’s podium. When the speaker begins, the green light is lit. When only one minute remains for speaking, the yellow light appears. This indicates that it is time for the speaker to conclude his or her comments. When the speaker time has expired, a red flashing light will appear.
- D. Written Communications Concerning Matters on the Agenda – Written comments or correspondence on agenda items received at least 4 hours prior to the beginning of the meeting will be distributed to the City Council/HDB/CDC/OPFA and made part of the record. It is their policy, however, that such correspondence shall not be read aloud at the meeting. Any correspondence should be mailed or delivered to the City Clerk, as well as the Mayor and City Council, City of Oceanside, 300 N. Coast Highway, Oceanside, CA 92054.
- E. Lobbyist Registration – If you are speaking before Council to try to influence a municipal decision and you are being paid to represent a client in the matter, you may need to register as a lobbyist and identify yourself as such before the City Council. See the City Clerk’s information about lobbying or review Chapter 16C of the City Code. Both can be found on the City’s Web site at [www.ci.oceanside.ca.us](http://www.ci.oceanside.ca.us).

**2. PUBLIC HEARING ITEMS**

Certain actions of the City Council/HDB/CDC/OPFA require public hearings. These can include land use and zoning matters, nuisance abatements, and items concerning bond financing. Public hearings typically involve a staff presentation, followed by testimony by the appellant(s) and applicant(s), where applicable. Following that, public testimony is invited.

Persons who wish to testify on a public hearing item do NOT need to fill out a "Request to Speak" form. After the hearing is opened for public testimony, the presiding officer will invite speakers to the podium. Each individual is limited to speak for no more than three minutes. If multiple speakers are present, however, the time allotted per speaker may be less than three minutes in order to accommodate everyone wishing to speak.

Where applicable, public hearing applicants and appellants will each be given 20 minutes total time to speak, including rebuttal. In cases where there are multiple applicants and/or appellants, a total of 30 minutes for all appellants and 30 minutes time for all applicants will be allowed. In such cases, the time will be divided equally, unless otherwise divided by mutual consent of the applicants or appellants.

**Public Hearing items are "time-certain" and are heard beginning at 5:00 p.m., regardless of how far the City Council has progressed with its other agenda items. Due to the time-certain requirement, other items may be taken out of order on the agenda to accommodate the public hearing schedule.**

### 3. **PUBLIC COMMUNICATIONS**

These are items on each meeting agenda for members of the public to speak regarding matters within the jurisdiction of the City Council/HDB/CDC/OPFA, but not otherwise already on the agenda. Requests to speak may be initiated either in writing in advance to the City Manager's Office or by submitting a "Request to Speak" slip as specified in Section 1A above. Each speaker will be allowed up to 3 minutes to speak. Priority will be given to speakers in the order the requests to speak were received and will be heard up to the time when Public Hearings, if applicable, are scheduled to begin, i.e., 5:00 p.m. Any remaining Public Communication requests to speak will be deferred until the end of the agenda.

- A. Advance Written Request to Speak must be received by the City Manager's office no later than 10:00 a.m., seven days prior to the meeting.
- B. Communications on Matters not on the Agenda require applicants to complete a request to speak slip pursuant to Section 1A above.

### 4. **CONSENT CALENDAR ITEMS**

All items listed on the Consent Calendar are considered to be routine matters or formal documents covering previous instructions from the governing body. All of the items listed on the Consent Calendar may be enacted by a single vote. There will be no separate discussion of Consent Calendar items unless members of the governing body, the City staff or the public request discussion on specific Consent Calendar items. If a member of the public wishes to speak on a Consent Calendar item, a Request to Speak form must be filed with the City Clerk **prior** to the Consent Calendar being called.

### 5. **REGULAR MEETING SCHEDULE**

Joint City Council/HDB/CDC/OPFA meetings are typically scheduled on two Wednesdays of each month and generally follow the format listed below. Agendas for specific meetings are available to the public prior to the meeting. Please see page iv, Section 7, for more details.

2:00 p.m.	City Council/HDB/CDC/OPFA Closed Session
4:00 p.m.	City Council/HDB/CDC/OPFA Regular Business
5:00 p.m.	City Council/HDB/CDC/OPFA Public Hearings, if applicable

**Public hearing items are "time-certain" and are heard beginning at 500 p.m. Due to the time-certain requirement, other items may be taken out of order on the agenda to accommodate the 5:00 p.m. public hearing schedule.**

Because all meetings are jointly convened, there may be business of the City Council, Harbor District Board of Directors, Community Development Commission, or Oceanside Public Financing Authority conducted at any of the scheduled times. All items will clearly identify which of the four governing bodies are acting on the item.

A complete listing of regular scheduled meetings is available from the City Clerk's office at (760) 435-3000 or on the City of Oceanside Web site [www.ci.oceanside.ca.us](http://www.ci.oceanside.ca.us)

6. **WORKSHOPS**

From time to time the City Council may schedule a specially noticed Workshop or meeting to discuss a particular topic in greater depth than would be possible at a regular meeting. All such meetings are open to the public.

At a Workshop Meeting, the City Council may vote on any properly agendized matter, and public input is provided for on the agenda.

7. **AGENDA POSTING AND AVAILABILITY**

This agenda has been posted at least 72 hours prior to the meeting at the Civic Center Plaza, 300 North Coast Highway. The agenda, including backup reports, will be posted on the City's Web site at [www.ci.oceanside.ca.us](http://www.ci.oceanside.ca.us), and will be available for public review during business hours by no later than the Monday preceding the meeting at the City Clerk's Office, Second Floor City Hall North, 300 North Coast Highway

Written materials relating to an item on this agenda that are distributed to the City Council/HDB/CDC/OPFA within 72 hours before it is to consider the item at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office (location above), during normal business hours. Such written materials will also be made available on the City of Oceanside's Web site, subject to staff's ability to post the documents before the regularly scheduled meeting.

8. **AGENDA BROADCASTS ON CHANNEL 19**

The regular City Council/HDB/CDC/OPFA meetings will be broadcast live on the Government Access Channel 19 by Oceanside Community Television (KOCT) and re-broadcast during the week following the meeting. Please refer to KOCT's program schedule for dates and times of re-broadcasts. Videotape of this meeting is available for public reference in the Oceanside Main Library, 330 North Coast Highway.

9. **ASSISTANCE TO PERSONS WITH DISABILITIES**

If you have special needs because of a disability which make it difficult for you to participate in the meetings, please contact the City Clerk at 300 North Coast Highway, Oceanside, CA, telephone (760) 435-3000 by noon the Monday preceding the meeting. The City of Oceanside will attempt to make arrangements to accommodate your disability.

# **MEETING AGENDA**

**September 25, 2013**

## **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**  
Jim Wood

**Deputy Mayor**  
**HDB Vice President**  
**CDC Vice Chair**  
**OPFA Vice Chair**  
Jerome M. Kern

**Councilmembers**  
**HDB Directors**  
**CDC Commissioners**  
**OPFA Directors**  
Gary Felien  
Jack Feller  
Esther Sanchez

**City Clerk**  
**HDB Secretary**  
**CDC Secretary**  
**OPFA Secretary**  
Zack Beck

**Treasurer**  
Gary Ernst

### **2:00 P.M. – ROLL CALL**

#### **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 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

2. **PUBLIC EMPLOYEE APPOINTMENT, PUBLIC EMPLOYEMENT, PERSONNEL  
EVALUATION AND DISCIPLINE (SECTION 54957(b))**

A) City Manager

3. **CONFERENCE WITH REAL ESTATE NEGOTIATOR**
  - A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: Portion of Rancho Del Oro Drive right-of-way north of State Route 78, portion of Haymar Drive right-of-way west of College Boulevard, portion of Ron Ortega Park (APN 148-260-28), and portion of APN 148-340-26; Negotiating Parties: City of Oceanside and BGT Media LLC, CBS Outdoors, ClearChannel Outdoor, Inc., and Lamar Outdoor Advertising; Negotiator for the City: Douglas Eddow, Real Estate Manager; Under Negotiations: Price and terms of property use agreements
4. **LITIGATION OR OTHER ADVERSARY PROCEEDING (E.G. ADMINISTRATIVE HEARING, ARBITRATION) (SECTION 54956.9(a))**
  - A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
    - DUNEX, INC., CAVALIER MOBILE ESTATES v. CITY OF OCEANSIDE
    - Superior Court Case No.: 37-2012-00055503-CU-EI-NC

## **4:00 P.M. – ROLL CALL**

### **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 Joint Minutes of the Small Craft Harbor District Board of Directors, Community Development Commission, City Council, and Oceanside Public Financing Authority of the August 15, 2012, 2:00 p.m. Regular Meeting
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)
7. Harbor: Approval of a purchase order in an amount not to exceed \$130,000 to Bellingham Marine Industries, Inc., of Bellingham, Washington, for replacement docks for the Q, R and S Docks at the Oceanside Harbor; and authorization for the Financial Services Director, or designee, to execute the purchase order
8. City Council: Approval of Amendment 1 to the professional services agreement with Sequoia Financial Services extending the term of the agreement for one additional year to provide revenue collection services for the Financial Services Department; and authorization for the City Manager to execute the amendment
9. City Council: Approval of a professional services agreement with Insituform of Fullerton in the amount of \$162,350, approval of a professional services agreement with Hadronex of Escondido in the amount of \$83,218, approval of a change order to purchase order 1001472 with Sancon of Huntington Beach in the amount of \$144,243, for construction services necessary to comply with Regional Water Quality Control Board Settlement Order R9-2013-0004; approval of budget transfers in the amounts of \$306,393 from Fund 721 to Haymar ECA # 1 CIPP Fund , \$78,215 from Fund 721 and \$4,903 from Fund 722 to Haymar ECA #2 SMARTCOVERS Fund; and authorization for the City Manager to execute the agreements

10. City Council: Approval of a two-year professional services agreement with Prizm Janitorial Services, Inc., of Escondido in the annual amount of \$72,509 for park restroom cleaning services; and authorization for the City Manager to execute the agreement
11. City Council: Approval of a professional services agreement with Washburn Grove Management of Hemet in an amount not to exceed \$139,100 for Phase I Re-mowing of the San Luis Rey River; and authorization for the City Manager to execute the agreement
12. City Council: Approval of a one-year professional services agreement beginning September 30, 2013, with Facilitating Access to Coordinated Transportation (FACT) of Oceanside, in an amount not to exceed \$66,150 for senior shuttle services; and authorization for the City Manager to execute the agreement
13. City Council: Approval of a three-year cost-share agreement with the County of San Diego in an amount not to exceed \$150,884 for the development of the Water Quality Improvement Plan and implementation of the Total Maximum Daily Load Compliance Monitoring for the San Luis Rey River Watershed Management area; and authorization for the City Manager to execute the agreement
14. City Council: Approval to accept \$17,000 in grant funds from the National Endowment for the Arts awarded to the City for the Big Read Program; and approval to appropriate these funds to the Library Department
15. City Council: Approval to accept \$51,233 in grant funds from the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant of 2013 awarded to the City; approval to appropriate these funds to the Police Department for gang and violent crime suppression details; approval of the grant budget; and authorization for the City Manager, or designee, to execute the grant documents
16. City Council: Adoption of a resolution accepting \$339,619 in grant funds from the Federal Aviation Administration awarded to the City for airport-related improvements; approval to appropriate these funds to the Airport Maintenance and Operation Fund; and authorization for the City Manager to execute the grant documents
17. City Council/HDB/CDC/OPFA: Adoption of four resolutions establishing the 2014 meeting schedule dates and times for regular meetings of the City Council, Small Craft Harbor District Board, Community Development Commission, and Oceanside Public Financing Authority
18. City Council: Adoption of a resolution establishing all-way stop controls at Hunsaker Street and Grandview Street
19. City Council: Adoption of a resolution to dissolve the Integrated Waste Commission
20. City Council: Approval to remove a portion of the double-yellow centerline on the public section of Panorama Ridge Road between the private portion of Panorama Ridge Road and Northerly Street
21. City Council: Acceptance of the City Treasurer's Report for the quarter and year ended June 30, 2013

## **GENERAL ITEMS**

*General Items are normally heard after any 5:00 p.m. Public Hearing Items. However, if time permits, some General Items may be heard prior to any 5:00 p.m. Public Hearing Items, following the Consent Calendar.*

22. City Council: Adoption of a resolution authorizing the execution and delivery of an equipment lease/purchase agreement with Banc of America Public Capital Corp. in an amount not to exceed \$5,500,000 to retrofit street lights citywide; approval of a professional services agreement with Southern Contracting of San Marcos in an amount not to exceed \$5,094,947 for design-build and project management services; and authorization for the City Manager to execute the agreements and related lease documents
  - A) Report by Michele Lund, Treasury Manager and H. Kiel Koger, Public Works Manager
  - B) Discussion
  - C) Recommendation – adopt the resolution and approve the agreement
  
23. City Council: Introduction of an ordinance amending Article 14, Section 14 and 14.1, of the Oceanside Traffic Code by the addition and changes of various sub-sections to establish various speed limits on various streets
  - A) Report by Teala Cotter, Assistant Traffic Engineer
  - B) Discussion
  - C) Recommendation – adopt the resolution

## **CITY COUNCIL REPORTS**

24. Mayor Jim Wood  
Economic Development Commission; League of California Cities Legislative Delegates (voting); Library Board of Trustees; Manufactured Home Fair Practices Commission; North County Dispatch–JPA/Fire; Washington, DC, Appropriation Visit–Legislative Delegate
  
25. Deputy Mayor Jerome M. Kern  
Harbor and Beaches Advisory Committee; Police and Fire Commission; Buena Vista Lagoon JPC; City/OUUSD/VUSD Committee; and SANDAG Shoreline Preservation Committee–Alternate; San Diego County Water Authority; SANDAG Board–2nd Alternate
  
26. Councilmember Gary Felien  
Historical Preservation Advisory Commission; League of California Cities Executive Committee–Alternate; League of California Cities – Legislative Delegates (voting)–2nd Alternate; SANDAG Board–1st Alternate; North County Transit District Board
  
27. Councilmember Jack Feller  
Arts Commission; League of California Cities Executive Committee; North County Dispatch JPA/Fire–Alternate; Parks and Recreation Commission; SANDAG Board; North County Transit District Board–Alternate
  
28. Councilmember Esther Sanchez  
Housing Commission; Integrated Waste Commission; Utilities Commission; Buena Vista Lagoon JPC; City/OUUSD/VUSD Committee; League of California Cities–Legislative Delegates (voting)–1st Alternate; SANDAG Shoreline Preservation Committee; Washington, DC, Appropriation Visit–Legislative Delegate–Alternate



## **5:00 P.M. – INVOCATION**

### **PLEDGE OF ALLEGIANCE**

### **PROCLAMATIONS AND PRESENTATIONS**

Proclamation – National Hispanic Month

Presentation – Mayor’s Business Member Spotlight

Presentation – Mayor’s Youth Sports Recognition and Appreciation Award

### **CLOSED SESSION REPORT**

29. Closed Session report by City Attorney

### **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.*

Advance written request to reserve time to speak: **None**

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

### **PUBLIC HEARING ITEMS**

*Public hearing items are "time-certain" and are heard beginning at 5:00 p.m. Due to the time-certain requirement, other items may be taken out of order on the agenda to accommodate the 5:00 p.m. public hearing schedule.*

31. City Council: Approval to allocate Community Development Block Grant (CDBG) contingency funds in the amount of \$25,400 to the Brooks Street Swim Center, increasing the funding for existing project improvements (termite/roofing); and approval to amend the 2013-14 Action Plan accordingly
- 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 Eileen Turk, Division Manager, Parks and Recreation Division
  - E) Recommendation – approve the allocation of funds and amendment of Action Plan

### **MAYOR AND/OR COUNCILMEMBER ITEMS**

32. Request by Councilmember Sanchez to consider a ban on the sale of dogs in pet stores within the City of Oceanside and direction to staff

## **CITY MANAGER ITEMS**

33. City Council: FY 2012-13 Year-End Budget Update
- A) Introduction by Peter A. Weiss, City Manager
  - B) Report by Michael Blazenski, Interim Finance Services Director
  - C) Discussion
  - D) Recommendation – review update and approve the proposed adjustment

## **INTRODUCTION AND ADOPTION OF ORDINANCES**

*The following items are ordinances for introduction or 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 introduce or 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**

The next regularly scheduled meeting is at 2:00 p.m. on Wednesday, October 2, 2013