



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, October 21, 2015

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

- 3:30 p.m. Call to order and commence Closed Session**
**5:00 p.m. City Council/Harbor District Board of Directors (HDB)/
Community Development Commission (CDC)/Oceanside
Public Financing Authority (OPFA) Regular Business**
6:00 p.m. Commence Public Hearings, if applicable

Mayor
HDB President
CDC Chairman
OPFA Chairman
Jim Wood

Deputy Mayor
HDB Vice President
CDC Vice Chair
OPFA Vice Chair
Chuck Lowery

Councilmembers
HDB Directors
CDC Commissioners
OPFA Directors
Jack Feller
Jerome M. Kern
Esther Sanchez

City Clerk
HDB Secretary
CDC Secretary
OPFA Secretary
Zack Beck

Treasurer
Gary Ernst

City Manager
HDB Administrative Officer
CDC Executive Director
OPFA Executive Director
Michelle Skaggs Lawrence

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.

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 6:00 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., 6:00 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.

3:30 p.m.	City Council/HDB/CDC/OPFA Closed Session
5:00 p.m.	City Council/HDB/CDC/OPFA Regular Business
6:00 p.m.	City Council/HDB/CDC/OPFA Public Hearings, if applicable

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.

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

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, 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

October 21, 2015

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
Chuck Lowery

Councilmembers
HDB Directors
CDC Commissioners
OPFA Directors
Jack Feller
Jerome M. Kern
Esther Sanchez

City Clerk
HDB Secretary
CDC Secretary
OPFA Secretary
Zack Beck

Treasurer
Gary Ernst

3:30 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. **LITIGATION OR OTHER ADVERSARY PROCEEDING (E.G., ADMINISTRATIVE HEARING, ARBITRATION) (SECTION 54956.9(a))**

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

- a. San Diegans for Open Government v. City of Oceanside et al.
Superior Court Case No. 37-2014-00039463-CU-WM-NC

5:00 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.

- 3. 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 following meetings:

January 7, 2015	3:30 p.m.	Regular Meeting
January 14, 2015	2:00 p.m.	Adjourned Meeting

- 4. 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)
- 5. City Council: Approval of Change Order 1 to Canyon Springs Enterprises dba RSH Construction in the amount of \$47,159 and Change Order 2 in the amount of \$319,838, for a total of \$366,977 for additional authorized work for the Fire Mountain and Guajome Reservoir Repairs Project; and authorization for the City Engineer to execute the change orders
- 6. City Council: Approval of a purchase order in the amount of \$120,000 to Rockwell Solutions, Inc. of Newport Beach for the purchase of four spare chopper pumps and as-needed repair parts for various wastewater facilities; approval of the purchase order as a sole-source procurement; and authorization for the Financial Services Director, or designee, to execute the purchase order
- 7. Harbor: Approval of two Professional Services Agreements, one with Service Electric in an amount not to exceed \$57,000 for electrical service upgrades; one with Moffatt & Nichol in an amount not to exceed \$52,750 for dock serviceability inspections; for a total of \$109,750; and authorization for the City Manager to execute the agreements
- 8. Harbor: Adoption of a resolution accepting \$19,200 in grant funds from the California Department of Parks and Recreation, Division of Boating and Waterways awarded to the City, Harbor District, for the replacement of a boat sewage-pumpout station located at the Coast Guard Dock; approval to appropriate the funds to the Harbor Division; approval of a grant contract in the amount of \$19,200 with the California Department of Parks and Recreation, Division of Boating and Waterways for the project; and authorization for the City Manager to execute all associated documents

9. Harbor: Adoption of a resolution accepting \$7,900 in grant funds from the California Department of Parks and Recreation, Division of Boating and Waterways awarded to the Small Craft Harbor District for the removal and disposal of abandoned, wrecked or dismantled vessels or parts thereof, or any other partially submerged objects; approval to appropriate the funds to the Harbor Division; approval of the grant agreement; and authorization for the Administrative Officer to execute all associated documents
10. City Council: Approval of a time extension amendment to the 2012 SAFER Grant extending the Period of Performance six months from October 4, 2015, to April 4, 2016; approval to accept \$822,017 in grant funds; approval to appropriate the funds to the Fire Department SAFER Grant account 817133100273; approval to de-obligate the use of \$523,330 in Unallocated General Fund Reserves; and authorization for the City Manager, or designee, to execute all necessary documents regarding the amendment
11. City Council: Approval of Amendment 1 in the amount of \$277,740 to the Professional Services Agreement with Michael Baker International, formerly known as RBF Consulting, to provide final engineering and landscape plans and specifications for the First Phase of the Pilgrim Creek Vector Habitat Remediation Project; and authorization for the City Manager to execute the amendment
12. City Council: Approval of plans and specifications for the ADA Ramp Replacement/Sidewalk In-Fill project for the replacement of deteriorated and damaged sidewalks and other concrete-related items throughout the City; and authorization for the City Engineer to call for bids
13. City Council: Approval of a Deferred Improvement Agreement and parcel map for The Cove, Canyon Strand project, a 3-lot subdivision located at 1852 Ivy Road; and authorization for the City Clerk to record the Deferred Improvement Agreement and parcel map with the San Diego County Recorder
14. City Council: Approval of a Deferred Improvement Agreement and parcel map for Taylor Subdivision, a 4-lot subdivision located at 1763 Yucca Road; and authorization for the City Clerk to record the Deferred Improvement Agreement and parcel map with the San Diego County Recorder
15. City Council: Adoption of a resolution to summarily vacate a 15-foot waterline easement located at Broadway Street and Coast Highway, adjacent to Buena Vista Lagoon, granted by document No. 81-313927, recorded October 2, 1981, and re-recorded on October 26, 1981 as document No. 81-338320; approval of a quitclaim deed to MacHutchin Development and MacHutchin Development 401(K) Profit Sharing Plan, reserving a public easement over a previously vacated portion of Broadway Street; and authorization for the City Clerk to file a certified copy of the resolution and the quitclaim deed with the San Diego County Recorder
16. City Council: Adoption of a resolution to summarily vacate the following four easements located on Panorama Ridge Road (Vista Unified School District): **1)** A 10-foot wide sewer easement per Map No. 8882; **2)** the sewer easement as described on document No. 2003-003003, recorded on January 9, 2003; **3)** the sewer easement described on document No. 2009-0190199, recorded on April 14, 2009; **4)** a 20-foot wide access and public utility easement as shown on Map No. 8882; and authorization for the City Clerk to file a certified copy of the resolution with the San Diego County Recorder
17. City Council: Approval of the Economic Development Commission's 2016-2017 Work Plan

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.

None

CITY COUNCIL REPORTS

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

6:00 P.M. – INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

Proclamation – National Friends of the Library Week

Presentation – Mayor’s Business Member Spotlight

CLOSED SESSION REPORT

23. 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.

24. Advance written request to reserve time to speak by Ms. Cathy Nykiel regarding Sunset Market – Haunted Market and Artwalk
25. Communications from the public regarding items not on this agenda

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: Adoption of a resolution updating the City's Public Facility, Park, Thoroughfare, Traffic Signal, and Drainage Development Impact Fees by 26.5 percent based on the Construction Cost Index
 - 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 Gary Kellison, Senior Civil Engineer
 - E) Recommendation – adopt the resolution

MAYOR AND/OR COUNCILMEMBER ITEMS

27. City Council: Request by Councilmember Sanchez for a vote and letter signed by the Mayor against the Gregory Canyon Landfill to be submitted to the Army Corps of Engineers prior to October 24, 2015; direction to staff to submit written comments in opposition to the Landfill on the application currently before the Army Corps of Engineers prior to October 24, 2015; direction to staff to submit written comments on applications to/with other public agencies, such comments to be in opposition to the landfill; and direction to staff to appear at such hearings to speak in opposition to the Landfill
28. City Council: Request by Deputy Mayor Lowery to direct staff, in coordination with the Utilities Commission, to begin the process of discussing and implementing the existing Single-Use, Carry-Out Bag ordinance as found in Appendix Q of the Oceanside Zero Waste Strategic Resource Management Plan

CITY MANAGER ITEMS

29. City Council: Oral presentation regarding the Harbor's new Marina Trash Skimmer
 - A) Report by Paul C. Lawrence, Harbor Manager
 - B) Discussion
 - C) Recommendation – information only item

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.

30. City Council: Adoption of an ordinance amending Chapter 6 of the Oceanside Municipal Code by the addition of Article XIV to implement a process for expedited permit processing of small residential rooftop solar energy systems *(Introduced 10/7/2015 – 4-0, Lowery absent)*

31. City Council: Adoption of an ordinance introducing Article 3043 (Reasonable Accommodation) to the 1992 Oceanside Zoning Ordinance Amendment (ZA12-00005) and establishing the amended text as part of the Implementing Document of the City's Local Coastal Program; and adoption of a resolution amending the Local Coastal Program Amendment (LCPA12-00003) for the purpose of adopting provisions for Reasonable Accommodation consistent with Federal and State Fair Housing Law and requesting California Coastal Commission Certification of said amendment *(Introduced 10/7/2015 – 4-0, Lowery absent)*

ADJOURNMENT

The next regularly scheduled meeting is at 3:30 p.m. on Wednesday, November 4, 2015