



## **MEETING AGENDA**

**September 21, 2016**

**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

**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 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 not discussed**

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))

- i. Yvon v. City of Oceanside  
USDC Case No.: 16CV1640 AJB WVG

**Item discussed; no reportable action**

3. **CONFERENCE WITH REAL ESTATE NEGOTIATOR (SECTION 54956.8)**

A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Property: 315 Harbor Drive South (portion of APN 143-010-31); Negotiating Parties: Oceanside Small Craft Harbor District, Helgren’s Oceanside Sportfishing, and Oceanside Sea Center; Negotiators for the Harbor District: Paul Lawrence, Harbor Manager and Douglas Eddow, Real Estate Manager; Under Negotiations: Price and terms for the lease of real property

**Item discussed; no reportable action**

### **5:00 P.M. – ROLL CALL – All Present**

#### **Changes to the agenda – Item 19 removed from the consent calendar by public**

#### **CONSENT CALENDAR ITEMS – [Items 4 – 18]**

*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.*

**Motion to Approve Consent Calendar Items: Sanchez  
Second: Kern**

4. 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 September 7, 2016, 3:30 p.m. Regular Meeting  
**Approved 5-0**
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)  
**Approved 5-0**
6. City Council/HDB: Approval of a request by Mr. Mark Diederich to add four additional terms extending the sublease of his Harbor slip from October 1, 2016, to September 30, 2017, as the slip holder is out of the country  
**Approved 5-0**
7. City Council: Approval of three purchase orders: 1) in an amount not to exceed \$36,158 to Downtown Ford of Sacramento for one Ford F150 pickup, 2) in an amount not to exceed \$128,118 to Hawthorne Machinery of San Diego for one Caterpillar Asphalt Roller and one Caterpillar Skip Loader, 3) in an amount not to exceed \$46,780 to Cherrington Beach Cleaners of Jamestown, North Dakota, for one Beach Cleaner, for a total amount of \$211,056 for the Public Works Division; and authorization for the Financial Services Director, or designee, to execute the purchase orders  
**Approved 5-0**
8. City Council: Approval of two purchase orders: 1) in an amount not to exceed \$84,154 to Mossy Nissan of Oceanside for two sedans and one half-ton pickup, 2) in an amount not to exceed \$69,336 to Downtown Ford of Sacramento for two Transit vans, for a total amount of \$153,490 for the Police Department; and authorization for the Financial Services Director, or designee, to execute the purchase order  
**Approved 5-0**
9. City Council: Approval of a purchase order in the amount of \$501,808 to Five Star Filtration, LLC of Conroe, Texas for the purchase of recycled water treatment equipment and an associated five-year maintenance agreement; and authorization for the Financial Services Director, or designee, to execute the purchase order  
**Approved 5-0**
10. City Council: Approval of Amendment 2 in the amount of \$158,280 to the Professional Services Agreement with AAC Utility Partners, LLC for a revised contract amount of \$543,340 for consulting services to assist with the implementation of a Customer Information System (CIS) that will allow for billing and collection of utility services for the Water Utilities Department; and authorization for the City Manager to execute the amendment  
**Document No. 16-D0637-1**  
**Approved 5-0**

11. City Council: Approval of Amendment 1 in an amount not to exceed \$769,544 to the Professional Services Agreement with Infrastructure Engineering Corporation for a revised contract amount of \$1,319,544 for as-needed Capital Improvement Program (CIP) project management, construction management, and Supervisory Control and Data Acquisition (SCADA) consulting services; and authorization for the City Manager to execute the amendment  
**Document No. 16-D0638-1**  
**Approved 5-0**
12. City Council: Approval of Amendment 2 in the amount of \$104,730 to the Professional Services Agreement with Infrastructure Engineering Corporation for a revised contract amount of \$714,116 for professional engineering design services on the Oceanside Boulevard Lift Station Relocation Project; and authorization for the City Manager to execute the amendment  
**Document No. 16-D0639-1**  
**Approved 5-0**
13. City Council: Approval of a Professional Services Agreement with Dean and Associates of Encinitas in the amount of \$48,615 to assist City staff in educational outreach efforts toward Zero Waste and the proper disposal of used oil and other household hazardous waste; and authorization for the City Manager to execute the agreement  
**Document No. 16-D0640-1**  
**Approved 5-0**
14. HDB: Approval of a two-year Professional Services Agreement beginning October 1, 2016, through September 30, 2018, followed by two one-year options with Prizm Janitorial Services Inc., of Escondido in an amount not to exceed \$251,636 for the first two years for Harbor janitorial services; and authorization for the City Manager to execute the agreement  
**Document No. 16-D0641-2**  
**Approved 5-0**
15. City Council: Adoption of a resolution authorizing the release of community SDG&E data in order to participate in the feasibility study for a Community Choice Aggregation Program  
**Resolution No. 16-R0642-1**  
**Approved 5-0**
16. City Council: Adoption of a resolution to summarily vacate a 33-square-foot portion of a water line easement dedicated on Parcel 2 of Parcel Map No. 20841 and generally located at 3178 Vista Way, recorded as Instrument No. 2010-0677085; and authorization for the City Clerk to file a certified copy of the resolution with the San Diego County Recorder  
**Resolution No. 16-R0643-1**  
**Document No. 16-D0644-1**  
**Approved 5-0**

17. City Council: Adoption of a resolution to summarily vacate all of the following easements: access and public utility, water line, sewer line, vehicular access rights, and open space easements on lots A, B, and C as dedicated on Map No. 10178 and generally located at the northeast corner of Mesa Drive and Foussat Road, and recorded as Instrument No. 81-271572, on August 25, 1981; and authorization for the City Clerk to file a certified copy of the resolution with the San Diego County Recorder  
**Resolution No. 16-R0645-1**  
**Document No. 16-D0646-1**  
**Approved 5-0**
18. City Council: Acceptance of the Treasurer's Report for the quarter and year ended June 30, 2016  
**Document No. 16-D0647-1**  
**Approved 5-0**
19. City Council: Adoption of revised City Council Policy 100-29 concerning the Retention of Recorded Tapes of Official Meetings  
**Removed from Consent Calendar for discussion by the public**  
**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.*

***None***

## **CITY COUNCIL REPORTS**

20. Mayor Jim Wood  
 Economic Development Commission; Housing Commission; SANDAG Board; North County Dispatch–JPA/Fire; North County Transit District Board – Alternate; Washington, DC, Appropriation Visit—Legislative Delegate – 1st Alternate  
**Commented on items**
21. Deputy Mayor Chuck Lowery  
 Utilities Commission; Historical Preservation Advisory Commission; Library Board of Trustees; City/OUSD/VUSD Committee; League of California Cities-Legislative Delegates (voting) – Alternate; SANDAG Board – 2nd Alternate; SANDAG Shoreline Preservation Committee – Alternate; North County Transit District Board; Washington, DC, Appropriation Visit—Legislative Delegate  
**Commented on items**
22. Councilmember Jack Feller  
 Arts Commission; Parks and Recreation Commission; League of California Cities Executive Committee – Alternate; North County Dispatch – JPA/Fire – Alternate  
**Commented on items**

23. Councilmember Jerome M. Kern  
Police and Fire Commission; League of California Cities – Executive Committee; Buena Vista Lagoon JPC – Alternate

**Commented on items**

24. Councilmember Esther Sanchez  
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

**Commented on items**

**6:00 P.M. – INVOCATION – Zack Beck**

**PLEDGE OF ALLEGIANCE – Zack Beck**

**PROCLAMATIONS AND PRESENTATIONS**

Presentation – Introduction of North County Model Railroad Society Board Members

Proclamation – National Diversity Awareness Month

Presentation – Mayor’s Business Member Spotlight: 828 Urgent Care – Dr. Kari Knowles and Dr. Jeff Knowles, Owners, and Shelby Rowe, Marketing and Events Manager

**Presentations made**

**CLOSED SESSION REPORT**

25. Closed Session report by City Attorney

**Report given; see above Items 1 through 3**

**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.*

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

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

**6 Speakers**

## **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.*

28. City Council: Adoption of a resolution upholding Planning Commission Resolution No. 2016-P28 approving a Development Plan (D16-00003) and Regular Coastal Permit (RC16-00004) to allow modifications of an approved 38-unit condominium development in order to incorporate individual rooftop decks for each townhome located at 514 Morse Street – Pacific Terrace Roof Deck - Applicant: TSG Morse Oceanside L.P.

- 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 Scott Nightingale, Senior Planner
- E) Recommendation – adopt the resolution

### **Resolution No. 16-R0648-1**

**Motion: Kern**

**Second: Feller**

**Approved 4-1 (Sanchez, No)**

29. City Council: Adoption of a resolution upholding Planning Commission Resolution No. 2016-P29 approving a Time Extension of a previously approved Tentative Map (T13-00008), Development Plan (D13-00004), Conditional Use Permit (CUP13-00009), and Regular Coastal Permit (RC13-00003) to allow a 38-unit townhome development on a 2.3-acre site located at the northeast corner of Morse Street and South Coast Highway – Pacific Terrace Time Extension – Applicant: TSG Morse Oceanside L.P.

- 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 Scott Nightingale, Senior Planner
- E) Recommendation – adopt the resolution

### **Resolution No. 16-R0649-1**

**Motion: Kern**

**Second: Feller**

**Approved 5-0**

30. CDC: Adoption of a resolution approving Regular Coastal Permit (RRP15-00004) for the demolition of a three-unit apartment to enable the development of a three-story single-family residence located at 206 South Pacific Street – Applicant: Thomas Aldrich

- 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 Scott Nightingale, Senior Planner
- E) Recommendation – adopt the resolution

### **Resolution No. 16-R0650-3**

**Motion: Kern**

**Second: Feller**

**Approved 4-1 (Sanchez, No)**

31. City Council/CDC: Introduction of an ordinance to amend Article 11 of the 1986 Zoning Ordinance, Articles 4, 11, 13, 36, and 41/41C of the 1992 Zoning Ordinance, and Articles 4a and 12 of the Downtown D-District Zoning related to adult-oriented and tattoo establishments – Applicant: City of Oceanside
- 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 John Mullen, City Attorney
  - E) Recommendation – introduce the ordinance

**Ordinance Introduced**

**Motion: Sanchez**

**Second: Feller**

**Approved 5-0**

**MAYOR AND/OR COUNCILMEMBER ITEMS**

*None*

**CITY MANAGER ITEMS**

32. City Council: Quarterly Budget Update and Approval of Budget Adjustments and Transfers
- A) Report by Jane M. McPherson, Financial Services Director
  - B) Discussion
  - C) Recommendation – approve the adjustments and transfers

**Motion: Sanchez**

**Second: Kern**

**Approved: 5-0**

**CITY ATTORNEY ITEMS**

33. City Council: Adoption of a resolution opposing Proposition 64 known as The Adult Use of Marijuana Initiative
- A) Report by John Mullen, City Attorney
  - B) Discussion
  - C) Recommendation – adopt the resolution

**Resolution No. 16-R0651-1**

**Motion: Feller**

**Second: Sanchez**

**Approved 4-1 (Lowery, No)**

**Notes: Councilmember Feller requested that a press release be sent out to inform the public that the Oceanside City Council voted to oppose Proposition 64**



## **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.*

34. City Council: Adoption of an ordinance approving **1)** Subdivision Amendment (SA16-00001) and **2)** Zone Amendment (ZA16-00003) amending Articles IV and VI of the Subdivision Ordinance and Articles 41 and 43 of the Zoning Ordinance to grant a 12-month automatic time extension of discretionary approval that 1) were approved on or after November 1, 2007, 2) benefited from the previous automatic time extensions approved by the State of California and City of Oceanside, and 3) unexpired as of the effective date of this ordinance; projects benefiting from this automatic extension shall be limited to future time extension requests not to exceed a total period of two years (*Introduced September 7, 2016, 5-0*)

**1) Ordinance No. 16-OR0652-1**

**2) Ordinance No. 16-OR0653-1**

**Motion: Sanchez**

**Second: Kern**

**Approved 5-0**

## **ADJOURNMENT**

The next regularly scheduled meeting is at 3:30 p.m. on Wednesday, October 12, 2016

**Adjourned at 9:47 p.m.**