



# 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, May 3, 2017**

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

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

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

**Treasurer**  
Rafe Edward Trickey, Jr.

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

**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](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 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 in the 6:00 p.m. session.

- 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](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 in the kiosk near the Library. 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**

**May 3, 2017**

## **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**  
Rafe Edward Trickey, Jr.

### **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(c))**

A) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (SECTION 54956.9)

- i. Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: One case

**5:00 P.M. – ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS AND PRESENTATIONS**

Presentation – “Pet of the Month” presented by the San Diego Humane Society & SPCA

Presentation – Employee Service Awards

Proclamation – American Legion Auxiliary Poppy Month

**CLOSED SESSION REPORT**

3. Closed Session report by City Attorney

**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.*

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 following meetings:

|                   |           |                   |
|-------------------|-----------|-------------------|
| April 4, 2017     | 2:00 p.m. | Adjourned Meeting |
| April 5, 2017     | 3:30 p.m. | Regular Meeting   |
| April 19, 2017    | 3:30 p.m. | Regular Meeting   |
| February 8, 2006  | 4:00 p.m. | Regular Meeting   |
| February 13, 2006 | 7:30 a.m. | Adjourned Meeting |
| February 22, 2006 | 4:00 p.m. | Regular Meeting   |
| March 1, 2006     | 4:00 p.m. | Regular Meeting   |
| March 8, 2006     | 4:00 p.m. | Regular Meeting   |

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)
6. City Council: Approval of a purchase order in an amount not to exceed \$120,000 to Air Purification Systems (APS) of San Diego for the purchase of as-needed repair and replacement of fire station Plymovent diesel exhaust systems; and authorization for the Financial Services Director, or designee, to execute the purchase order

7. HDB: Approval of a two-year Percentage Property Lease Agreement between the Oceanside Small Craft Harbor District and Monte C. Yearley, dba Yearley Sailboats for the premises at 1850 Harbor Drive North, Suite B, and adjacent concrete slab, for a two-year minimum revenue of \$16,161; and authorization for the Administrative Officer to execute the agreement
8. City Council: Approval of a three-year Professional Services Agreement with Helix Environmental Planning, Inc. of La Mesa in an amount not to exceed \$350,000 for as-needed environmental planning and consulting services for water and sewer Capital Improvement Projects; and authorization for the City Manager to execute the agreement
9. City Council: Approval of the Second Addendum to the Program Environmental Impact Report (PEIR), as modified by the First Addendum, for the North San Diego Water Reuse Coalition Regional Recycled Water Project; and authorization for staff to file a Notice of Determination to maintain eligibility for potential Federal grant funding for the San Luis Rey Water Reclamation Facility Recycled Water Treatment Plant Design Build Project
10. City Council: Adoption of a resolution establishing a "No Parking Zone" between 6:00 a.m. and 4:30 p.m. Monday through Friday on the south side of Center Avenue beginning 95 feet east of, and ending 135 feet east of the centerline of Division Street
11. City Council: Adoption of a resolution approving Final Map No. T13-00008 for the Morse Street Townhomes Subdivision Project, a condominium project consisting of 38 multifamily units located on approximately 2.3 acres of land at the northeast intersection of South Coast Highway and Morse Street; and authorization for the city Clerk to record the Final Map with the San Diego County Recorder
12. City Council: Acceptance of one-year Supportive Housing Program renewal grant funds in the amount of \$145,091 from the U.S. Department of Housing and Urban Development; approval to appropriate the funds to the Neighborhood Services Department-Housing and Code Enforcement Division; approval of an agreement with the Women's Resource Center to use the funds for the operation of the 21-unit Transition House; and authorization for the City Manager to execute the grant documents and the agreement
13. City Council: Approval of the FY 2017-18 Annual Action Plan of the Consolidated Plan for Housing and Community Development; authorization for the City Manager to submit the Plan to the U.S. Department of Housing and Urban Development; authorization for the City Manager to execute required documents for grant funds; and authorization for the Neighborhood Services Director to sign agreements with subrecipients of grant funds
14. City Council: Approval of the revised Bylaws and the 2017-18 Work Plan for the Planning Commission
15. City Council: Approval of revisions to Council Policy 100-02, as directed by Council on 4/19/2017, to require Councilmember Items to be submitted with the written concurrence of at least one other Councilmember

## **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**

## **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.*

16. City Council: Adoption of a resolution upholding Planning Commission Resolution No. 2016-P49 adopting the Final Mitigated Negative Declaration and associated Mitigation, Monitoring, and Reporting Program (MMRP); and adoption of a resolution upholding Planning Commission Resolution No. 2016-P50 approving Tentative Tract Map (T15-00003), Development Plan (D15-00003), and Conditional Use Permit (CUP15-00002) to allow a thirteen (13) lot subdivision and development of ten (10) single-family homes on a 4.10 acre vacant parcel (APN 149-010-28) located on the west side of Loma Alta Drive between Walsh Street and Mesa Drive – Loma Alta Tract – Applicant: Emerald Hills, LLC; Appellant: D. Link Ladutko
  - 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 Sergio Madera, Senior Planner
  - E) Testimony by Applicant, Emerald Hills, LLC
  - F) Testimony by Appellant, D. Link Ladutko
  - G) Recommendation – adopt the resolutions
  
17. City Council: Consideration of a resolution expressing the City Council's intent pursuant to Elections Code Section 10010 to initiate proceedings for establishing by-district elections for City Councilmembers, approving a proposed timeline, adopting criteria for drawing district boundaries, and providing the public an opportunity for input on the composition of the districts
  - 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 P. Mullen, City Attorney
  - E) Recommendation – conduct the public hearing and adopt the resolution



## **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.*

18. Advance written request to reserve time to speak: None
19. Communications from the public regarding items not on this agenda.

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

20. Request by Councilmember Sanchez to set a Council Workshop to discuss district elections, campaign contribution limits and term limits; direction to staff (*continued from April 19, 2017*)

## **GENERAL COUNCILMEMBER COMMENTS**

### **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.*

21. City Council: Adoption of three ordinances to amend Oceanside City Code pertaining to delinquency and penalties: 1) Section 13.24 to remove the interest and penalty provisions for Solid Waste charges, 2) Section 29.20 to decrease the time period between a utility bill due date and a penalty assessment for Wastewater charges, and 3) Sections 37.40 and 37.41 to decrease the time period between a utility bill due date and a penalty assessment for Water charges (*Introduced 4/19/2017, 4-1, Sanchez – No*)

### **ADJOURNMENT**

The next regularly scheduled meeting is at 3:30 p.m. on Wednesday, May 17, 2017