



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, March 10, 2021

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

[Zoom Meeting ID: 869 9204 0137](#)

[Zoom Phone Number: 669-900-6833](#)

Please see instructions on following page

- 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
Esther Sanchez

City Clerk
HDB Secretary
CDC Secretary
OPFA Secretary
Zeb Navarro

Deputy Mayor
HDB Vice President
CDC Vice Chair
OPFA Vice Chair
Ryan Keim

City Treasurer/HDB/CDC/OPFA Treasurer
Victor Roy

Councilmembers
HDB Directors
CDC Commissioners
OPFA Directors
Kori Jensen
Christopher Rodriguez
Peter Weiss

City Manager
HDB Administrative Officer
CDC Executive Director
OPFA Executive Director
Deanna Lorson

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



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

Special Advisory for the March 10, 2021 City Council Meeting

Notwithstanding anything in the General Instructions on pages ii-iv to the contrary, this meeting will be conducted in accordance with Governor Newsom's Executive Order 29-20 relating to the COVID-19 virus. That order suspends several provisions of the Brown Act related to telephonic participation by the City Council, staff members and the public. Due to applicable Public Health Orders issued by the County Health Officer, the City Council chambers will not be open to the public and City Council members have the option of participating by Zoom teleconferencing. Members of the public are strongly encouraged to watch the meeting on KOCT Cox Channel 19 (live streaming service available at www.koct.org/channel-19).

Zoom Participation:

Members of the public can watch or participate in the meeting through Zoom. To join the meeting from a PC, Mac, iPad, iPhone, or Android device, please click this URL: <https://us02web.zoom.us/j/86992040137>
Please make sure you are muted and your video is turned off when you join the meeting.

Phone Participation:

To join the meeting by phone, dial **669-900-6833**.

Webinar ID: **869 9204 0137**

Please make sure you are muted when you join the meeting.

If you would like to speak on an agenda item during a City Council meeting, you must email the City Clerk (CityClerk@OceansideCA.org) by 4 PM on March 10, 2021. Please provide the City Clerk your name and the item number you wish to comment on. *If you plan to call into the meeting, you must also provide the telephone number you will be using.* You must be logged on to the Zoom meeting by phone or online to speak. When it is your turn to comment, the City Clerk will call you by name or phone number.

If you wish to provide a comment to the City Council, but are not interested in speaking during the meeting, you may email your comments to the City Clerk (CityClerk@OceansideCA.org). All comments must be sent via email by 4 PM on the day of the meeting. All timely received comments will be provided to the City Council prior to the meeting and made a part of the record of the meeting. ***Please note that these comments will not be read aloud during the meeting.***

If you have special needs because of a disability which makes it difficult for you to submit comments telephonically or through use of Zoom, please contact the City Clerk at (760) 435-3001 by noon Monday, March 8, 2021, to make arrangements to accommodate your disability.

MEETING AGENDA

March 10, 2021

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
Esther Sanchez

Deputy Mayor
HDB Vice President
CDC Vice Chair
OPFA Vice Chair
Ryan Keim

Councilmembers
HDB Directors
CDC Commissioners
OPFA Directors
Kori Jensen
Christopher Rodriguez
Peter Weiss

City Clerk
HDB Secretary
CDC Secretary
OPFA Secretary
Zeb Navarro

City Treasurer
HDB/CDC/OPFA Treasurer
Victor Roy

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 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

2. **LITIGATION OR OTHER ADVERSARY PROCEEDINGS (E.G., ADMINISTRATIVE HEARING, ARBITRATION) (SECTION 54956.9(c))**
 - (A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (SECTION 54956.9(a))
 1. City of Oceanside and Fallbrook Public Utility District v. State Water Resources Control Board
Real Parties in Interest: San Diego Regional Water Quality Control Board
Sacramento Superior Court Case No.: 34-2020-80003519-CU-WM-GDS
 - (B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (SECTION 54956.9)
 1. Significant exposure to litigation pursuant to Subdivision (b) or Section 54956.9:
Claimant: Ava Karas, Inc.; Waleid Hanna (AM/PM Gas Station);
Claim Number: GC2021000013

3. **CONFERENCE WITH REAL ESTATE NEGOTIATOR (SECTION 54956.8)**
 - (A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Property: 3.30 acres of vacant land located at 1315 Sleeping Indian Road (A portion of APN: 121-150-20); Negotiating Parties: City of Oceanside and Robert Richter, Trustee of the Dustin Campbell and Kirsten Campbell Separate Share Trust dated February 14, 1994, and Don B. Hart Revocable Trust dated September 13, 2014; Negotiator for the City: Vicki Gutierrez, Real Estate Manager; Under Negotiations: Price and terms for the purchase of real property
 - (B) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Property: 3.02 acres of City owned vacant land located on Morro Heights Road (APN: 122-170-42); Negotiating Parties: City of Oceanside; Negotiator for the City: Vicki Gutierrez, Real Estate Manager; Under Negotiations: Price and terms for the sale of real property

5:00 P.M. – ROLL CALL

INVOCATION – Rev. Reynald P. Evangelista, St. Mary Star of the Sea Catholic Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

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

Proclamation – Honoring Women's History Month with League of Women Voters of North County San Diego, Jennifer White, Secretary; North County African American Women's Association, Linda Berry, President; MANA de North County San Diego, Gabriela Hooshmand, Founding Member; Soroptimist International of Oceanside-Carlsbad, Denise Mueller-Korenek, President; North County LGBTQ Resource Center, Jeri Nicolas; North County Justice Allies, Lisa Nava, President; Women's Club of Oceanside, Inc., Rose Orbon Teding, President; Women's Resource Center, Marina Araiza, Executive Director

CLOSED SESSION REPORT

4. 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.

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 February 24, 2021 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. [City Council](#): Approval of two purchase orders: 1) in an amount not to exceed \$96,504 to BMW Motorcycles of Escondido for three BMW R1250 RT-P Police Motorcycles; 2) in an amount not to exceed \$14,400 to Motorola Solutions of Chicago for three 800 MHz radios; and authorization for the Financial Services Director, or designee, to execute the purchase orders
8. [City Council](#): Approval of a purchase order in an amount not to exceed \$57,335 to Bauer Compressors for the purchase of a self-contained breathing apparatus filling station for the Fire Department; and authorization for the Financial Services Director, or designee, to execute the purchase order
9. [City Council](#): Approval of a purchase order in the amount of \$52,525 to Industrial Design Research, Inc. of Santa Ana for the purchase of one beach lifeguard tower; and authorization for the Financial Services Director, or designee, to execute the purchase order
10. [City Council](#): Approval of Amendment 1 to the Professional Services Agreement with LPA and McClaren, Wilson & Lawrie in the amount of \$128,250, for a revised contract amount not to exceed \$149,825, to complete the Oceanside Police Department Needs Assessment Study; approval of a budget appropriation of \$49,825 from Measure X; authorization for the City Manager to execute the agreement
11. [City Council](#): Approval of a reimbursement agreement with NLA Oceanside, LLC in an amount not to exceed \$500,745 for the repair and replacement of eight-inch gravity sewer pipelines; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents
12. [City Council](#): Approval of a Professional Services Agreement with Moffatt & Nichol, Inc. in an amount not to exceed \$563,463 for Task 1 Schematic Design of the Pier View Way Bridge and Lifeguard Headquarters Restoration/Replacement Project; and authorization for the City Manager to execute the agreement
13. [City Council](#): Approval of a Public Works Agreement with Southcoast Heating and Air of Vista in the amount of \$96,500 for the installation and replacement of an air conditioning unit at the Melba Bishop Recreation Center; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents

14. [City Council](#): Approval of a Memorandum of Agreement with the United States Army Corps of Engineers, Los Angeles District in an amount not to exceed \$600,000 for additional dredging of the Oceanside Harbor entrance for beach nourishment; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents
15. [City Council](#): Adoption of a resolution authorizing the City to submit an application for the Shoreline Erosion Control Grant for FY 2022-23 through the State of California Department of Parks and Recreation, Division of Boating and Waterways for the Beach Sand Replenishment and Retention Device Project; and authorization for the City Manager to execute all necessary grant documents
16. [City Council](#): Adoption of a resolution to change and confirm the designation of the Olivenhain Municipal Water District representative to the San Diego County Water Authority Board of Directors as a proxy to vote in the absence of the City of Oceanside's duly appointed representative
17. [City Council](#): Approval of the new Facilities Maintenance Scheduler and Senior Mechanical Technologist classifications; approval to amend the Salary Schedule to include the new salaries; and approval to add the classifications to the Oceanside City Employees Association (OCEA) bargaining group
18. [City Council](#): Acceptance of the City Treasurer's Report for the quarter ended December 31, 2020

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.

19. [City Council](#): Approval of a Professional Services Agreement with West Yost Associates of Davis for design services for the San Luis Rey Water Reclamation Facility Major Upgrades Project – Phase II in an amount not to exceed \$1,099,056; approve an appropriation from the Sewer Fixed Asset Replacement fund in the amount of \$1.2 million; and authorization for the City Manager to execute the agreement
 - A) Report by Lindsay Leahy, Principal Water Engineer
 - B) Discussion
 - C) Recommendation – approve the agreement

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.

20. [City Council](#): Adoption of a resolution approving two Conditional Use Permits (CUP19-00023 and CUP19-00024) and a waiver of location requirements for a regulated use to allow a cannabis cultivation and nursery facility within four greenhouses at 5712 North River Road – Zenleaf Cannabis Facility – Applicant: Zenleaf, LLC
- 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 Rob Dmohowski, Senior Planner
 - E) Recommendation – 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. The presiding officer may hear non-agenda items at any time after the 5:00 p.m. meeting is called to order.

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

MAYOR AND/OR COUNCILMEMBER ITEMS

23. [Request by Mayor Sanchez](#) to make appointments to or motions for removal from some or all of the City's advisory groups
24. [Request by Councilmembers Rodriguez and Jensen](#) to discuss Oceanside's growing homeless crisis and direction to staff to take emergency action to bring relief to impacted communities
25. [Request by Councilmembers Jensen and Rodriguez](#) to discuss Alex Road Skate Park health and safety improvements, to include running water, sewer, and electricity, and direction to staff

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.

None

ADJOURNMENT

Adjourn to a Mayor/Council Workshop at 2:00 p.m. on March 17, 2021.

**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 Submittals – Individuals wishing to address the City Council/HDB/CDC/OPFA on matters on the agenda other than Public Hearing items must sign up to speak at the Speaker Kiosk (iPad) or submit a “Request to Speak” form in person to the City Clerk.

You may request to speak at any time following the start of the meeting, but the request 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 which will also appear on the screen. As your name is called and appears on the screen, please approach either of the public podiums.

- B. Addressing the City Council/HDB/CDC/OPFA – The presiding officer may request that each person addressing the City Council/HDB/CDC/OPFA state their name for the record and state if they represent 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 (slides and photographs, etc.) may be used as part of your presentation but must be confined within the time allowed per speaker. Hard copies of the presentation materials may be provided to the Council at the meeting.

No flash drives may be utilized on City-owned devices. PowerPoint presentations and other materials to be presented electronically must be emailed to the City by 10:00 a.m. the Wednesday one week prior to the Council meeting. The file size may not exceed 5mb and should be emailed to: Presentation@oceansideca.org

- 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. The presiding officer may hear non-agenda items at any time after the 5:00 p.m. meeting is called to order.

- A. Advance Written Request to Speak must be received by the City Manager's office no later than 10:00 a.m., the Wednesday 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 must be submitted **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 at 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 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.