



MEETING AGENDA

March 2, 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 discussed; no reportable action

2. **LITIGATION OR OTHER ADVERSARY PROCEEDING (E.G., ADMINISTRATIVE HEARING,
ARBITRATION) (SECTION 54956.9(c))**

A) CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION (SECTION 54956.9)

i. Initiation of litigation by City pursuant to Subdivision (c) of Section 54956.9: One case

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

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

Item discussed; no reportable action

5:00 P.M. – ROLL CALL – All present

CONSENT CALENDAR ITEMS [Items 3 – 10]

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:

April 22, 2015, 3:30 p.m. Regular Meeting

April 29, 2015, 2:00 p.m. Adjourned Meeting

Approved 5-0

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)

Approved 5-0

5. City Council: Approval of a four-year Property Use Agreement effective February 17, 2016, to February 17, 2020, with the Oceanside Historical Society, Inc., a California nonprofit corporation, at no charge to the Society for its use of City-owned property at 305 North Nevada Street as a public historical center; and authorization for the City Manager to execute the agreement
Document No. 16-D0105-1
Approved 5-0
6. City Council: Approval of Amendment 1 in an amount not to exceed \$100,000 to the Professional Services Agreement with Carollo Engineers for a revised agreement amount of \$200,000 for on-call water and wastewater financial services for the Water Utilities Department; and authorization for the City Manager to execute the amendment
Document No. 16-D0106-1
Approved 5-0
7. City Council: Approval of plans and specifications for the Fixture Replacement Project to retrofit existing fixtures such as toilets, urinals, sinks, and showers at 20 City sites at an estimated cost of \$104,000 (without rebates); and authorization for the City Engineer to call for bids
Approved 5-0
8. City Council: Authorization to award a contract in the amount of \$194,590 to Roberts Concrete Creations of Escondido, for the ADA Ramp Replacement/Sidewalk In-fill Project for the replacement of deteriorated and damaged sidewalk and other concrete-related repairs throughout the City; and authorization for the City Manager to execute the agreement upon receipt of all supporting documents
Document No. 16-D0107-1
Approved 5-0
9. City Council: Adoption of resolutions declaring certain City-owned real property for **1)** public street and **2)** public utility purposes in connection with the affordable housing and mixed-use development project commonly referred to as Mission Cove, and for designating those property interests on the Final Map
1) Resolution No. 16-R0108-1
2) Resolution No. 16-R0109-1
Approved 5-0
10. City Council: Adoption of a resolution approving Final Map No. T12-00001 for the Mission Cove affordable housing and mixed-use development located in the 3200 block of Mission Avenue, along the south side, between Carolyn Circle and Foussat Road; and authorization for the City Clerk to record the Final Map with the San Diego County Recorder
Resolution No. 16-R0110-1
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.

11. City Council: Review and consideration of the proposed ordinance amending Article XIII to Chapter 7 of the Oceanside City Code to regulate medical cannabis deliveries originating from legal dispensaries operating outside of Oceanside

- A) Report by John Mullen, City Attorney
- B) Discussion
- C) Recommendation – review and consider the ordinance

Ordinance Introduced with modifications

Approved 3-2 (Wood, Feller – No)

12. City Council: Adoption of a resolution amending Oceanside’s TransNet Program of Projects to add \$5,700,000 in construction-phase funding for the Railroad Crossing Safety Improvement Project; and approval of a Memorandum of Agreement (MOA) authorizing \$5,000,000 in pass-through commercial paper borrowing through SANDAG

- A) Report by Gary Kellison, Senior Civil Engineer
- B) Discussion
- C) Recommendation – adopt the resolution

Resolution No. 16-R0111-1

Document No. 16-D0112-1

Approved 5-0

CITY COUNCIL REPORTS

13. 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

14. 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

15. 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
16. Councilmember Jerome M. Kern
Police and Fire Commission; League of California Cities – Executive Committee; Buena Vista Lagoon JPC – Alternate
Commented on items
17. 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 – OPD Explorer Melissa Flores

PROCLAMATIONS AND PRESENTATIONS

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

Presentation – Introduction of Involved Men of Oceanside

Presentations made

CLOSED SESSION REPORT

18. Closed Session report by City Attorney
Report given; see above Items 1 and 2

PUBLIC COMMUNICATIONS ON OFF-AGENDA ITEMS

No action will be taken by the City Council/HDB/CDC/OPFA on matters in this category unless it is determined that an emergency exists or that there is a need to take action that became known subsequent to the posting of the agenda.

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

19. Communications from the public regarding items not on this agenda
3 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.

20. City Council: Hear public testimony regarding the proposed formation of the Rancho Del Oro Street Lighting District 2016-1 ("Lighting District 2016-1"); receive ballots from affected property owners; authorize the City Clerk to initiate the counting of the ballots and continue the public hearing to March 2, 2016, if necessary; in the event the property owners approve the formation of Lighting District 2016-1, consider adopting resolutions to 1) declare intention to order the construction of the improvements, 2) form Lighting District 2016-1, 3) approve the Engineer's Report confirming the diagram and assessments, and 4) order the assessments to be levied for Lighting District 2016-1; alternatively, in the event the property owners do not approve the formation of Lighting District 2016-1, adopt a resolution to declare the abandonment of the proceedings to form Lighting District 2016-1

(Continued from February 17, 2016)

- A) City Clerk presents results of affected property owner ballots
- B) Council discussion
- C) Recommendation – adopt a resolution to declare the abandonment of the proceedings to form Lighting District 2016-1

Resolution No. 16-R0113-1

Approved 5-0

21. City Council: Introduction of an ordinance approving Zone Amendment (ZA15-00003) to change the zoning designation of a 10.15-acre commercial center generally located at the southeast corner of Mission Avenue and Canyon Drive (APN 145-150-07, 148-170-06, and 148-170-07) from Neighborhood Commercial (CN) to General Commercial-Planned Block Development (CG-PBD); and adoption of a resolution approving Development Plan (D15-00027) for a Planned Block Development (PBD) Overlay which will regulate uses at the project site – Oceanside Plaza PBD – Applicant: Heslin Holdings

- A) Mayor opens the 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, Associate Planner
- E) Recommendation – introduce the ordinance and adopt the resolution

Ordinance Introduced

Resolution No. 16-R0114-1

Approved 5-0

22. City Council: Consideration of an appeal filed by the Rio Vista Landscape Maintenance Association to a Notice and Order issued by the Code Enforcement Division requiring corrective actions on the landscaped center medians adjacent to the Rio Vista subdivision located along Douglas Drive; consideration of all relevant information and testimony from interested parties; approval to deny the appeal; and adoption of a resolution setting forth findings and ordering the responsible party to correct the violation

- A) Mayor opens the 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 David L. Manley, Neighborhood Services Division Manager
- E) Recommendation – adopt the resolution

Resolution No. 16-R0115-1

Approved 5-0

MAYOR AND/OR COUNCILMEMBER ITEMS

None

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.

- 23. City Council: Adoption of an ordinance to amend the Oceanside City Code by adding Article VI to Chapter 20, prohibiting the display, sale, distribution, possession, and use of synthetic drugs, including psychoactive cannabinoids, cathinones, and other novel intoxicating synthetic drugs, and any derivative or analogue thereof, as well as mislabeled/misbranded products containing psychoactive substances within the City of Oceanside (*Introduced 2/17/2016; 4-0, Sanchez absent*)

Ordinance No. 16-OR0116-1

Approved 5-0

ADJOURNMENT

Adjourn to a Mayor/Council Workshop at 2:00 p.m. on Wednesday, March 9, 2016, regarding single-use bags

Adjourned at 7:24 p.m. after a moment of silence for Dixie Bales