



# CITY COUNCIL Agenda

June 25, 2019 6 p.m.

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

## Welcome to Your City Council Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the City Council and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website and in the Office of the City Clerk. The City Clerk is also available to answer any questions you have about City Council meeting procedures.

## How to Watch

The City of Carlsbad provides three ways to watch a City Council meeting:

### In Person



Most City Council meetings take place at City Hall, 1200 Carlsbad Village Drive

### On TV



Watch live and replays of meetings on Charter Spectrum channel 24 and AT&T U-verse channel 99

### Online



Watch the livestream and replay past meetings on the city website, [www.carlsbadca.gov](http://www.carlsbadca.gov)

## How to Participate

If you would like to provide comments to the City Council, please:

- Fill out a speaker request form, located in the foyer.
- Submit the form to the City Clerk before the item begins.
- When it's your turn, the City Clerk will call your name and invite you to the podium.
- Speakers have three minutes, unless the presiding officer (usually the mayor) changes that time.
- You may not give your time to another person, but groups can select a single speaker as long as three other members of your group are present. Group representatives have 10 minutes unless that time is changed by the presiding officer or the City Council.

## Reasonable Accommodations

Persons with a disability may request an agenda packet in appropriate alternative formats as require by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 760-434-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or [manager@carlsbadca.gov](mailto:manager@carlsbadca.gov) by noon on the Monday before the meeting to make arrangements.

**More information about City Council meeting procedures can be found at the end of this agenda and in the Carlsbad Municipal Code chapter 1.20.**

*The City Council also sits as the Carlsbad Municipal Water District Board, Public Financing Authority Board, Community Development Commission and Successor Agency to the Redevelopment Agency. When considering items presented to the Carlsbad Municipal Water District Board, each member receives an additional \$100 per meeting (max \$300/month). When considering items presented to the Community Development Commission each member receives an additional \$75 per meeting (max \$150/month).*

**CALL TO ORDER:** 6 p.m.

**ROLL CALL:** Hall, Blackburn, Bhat-Patel, Schumacher, Hamilton.

**ANNOUNCEMENT OF CONCURRENT MEETINGS:** None.

**PLEDGE OF ALLEGIANCE:** Pledge of Allegiance was led by Mayor Pro Tem Bhat-Patel.

**INVOCATION:** None.

**APPROVAL OF MINUTES:**

Minutes of the Special Meeting held May 21, 2019

Minutes of the Regular Meeting held May 21, 2019

Minutes of the Special Meeting held June 11, 2019

**ACTION: Adopted Minutes as presented – 5/0.**

**PRESENTATIONS:**

Proclamation in recognition of Pride Month.

**PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:** None.

**PUBLIC COMMENT:** *In conformance with the Brown Act, no Council action can occur on items presented during Public Comment. A total of 15 minutes is provided so members of the public can address the Council on items that are not listed on the Agenda. Speakers are limited to three (3) minutes each. If you desire to speak during Public Comment, fill out a SPEAKER CARD and submit it to the City Clerk. If there are more than five (5) speakers, the remaining speakers will be heard at the end of the agenda just prior to Council Reports. When you are called to speak, please come forward to the podium and state your name.*

**CONSENT CALENDAR:** *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed below. There will be no separate discussion on these items prior to the time the Council votes on the motion unless members of the Council, the City Manager, or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. A request from the public to discuss an item must be filed with the City Clerk in writing prior to Council consideration of the Consent Calendar.*

**WAIVER OF ORDINANCE TEXT READING:**

This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.

1. **REPORT ON CITY INVESTMENTS AS OF APRIL 30, 2019** – Acceptance of report on City Investments as of April 30, 2019. (Staff contact: Craig Lindholm, City Treasurer and Laura Rocha, Administrative Services)

**ACTION: City Council accepted the report.**

2. **ESTABLISH FISCAL YEAR 2019-20 SPECIAL TAXES FOR COMMUNITY FACILITIES DISTRICT NO. 1** – Adoption of a Resolution establishing the Fiscal Year 2019-20 Special Taxes for Community Facilities District No. 1. (Staff contact: Aaron Beanan, Administrative Services)

**ACTION: Item continued to July 23, 2019. 3/2 (Hall, Blackburn – No).**

3. **FISCAL YEAR 2019-20 PRELIMINARY ENGINEER'S REPORT FOR LEVY OF ASSESSMENTS WITHIN LIGHTING AND LANDSCAPING DISTRICT NO. 1** – Adoption of a Resolution initiating the proceedings, approving the Preliminary Engineer's Report for Fiscal Year 2019-20 and setting a Public Hearing for July 9, 2019 for the Annual Levy of Assessments within Lighting and Landscaping District No. 1, a Special Assessment District. (Staff contact: Jill Moya, Administrative Services)

**ACTION: Adopted Resolution No. 2019-100– 5/0.**

4. FISCAL YEAR 2019-20 PRELIMINARY ENGINEER'S REPORT FOR LEVY OF ASSESSMENTS WITHIN LIGHTING AND LANDSCAPING DISTRICT NO. 2 – Adoption of a Resolution initiating the proceedings, approving the Preliminary Engineer's Report for Fiscal Year 2019-20 and setting a Public Hearing for July 9, 2019 for the Annual Levy of Assessments within Lighting and Landscaping District No. 2, a Special Assessment District. (Staff contact: Jill Moya, Administrative Services)  
**ACTION: Adopted Resolution No. 2019-101 – 5/0.**
5. APPROVAL OF AMENDMENT NO. 1 TO CITYWIDE AUDIO-VISUAL SUPPORT AGREEMENT – Adoption of a Resolution authorizing the City Manager to execute Amendment No. 1 to the Citywide audio-visual support agreement with AVI Systems, Inc. to provide full service, support and maintenance for all currently existing audio-visual equipment in city facilities, in an amount not to exceed \$778,612 for a three-year period. (Staff contact: Maria Callander, Administrative Services)  
**ACTION: Adopted Resolution No. 2019-102 – 5/0.**
6. DECLARING JUNE OF EACH YEAR LESBIAN, GAY, BISEXUAL, TRANSGENDER AND QUEER (LGBTQ+) PRIDE MONTH IN THE CITY OF CARLSBAD – Adoption of a Resolution declaring every June to be Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) Pride Month in the City of Carlsbad. (Staff contact: Jason Haber, City Manager)  
**ACTION: Adopted Resolution No. 2019-103 – 3/2 (Hall, Blackburn – No).**
7. MASTER LICENSE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC – Adoption of a Resolution authorizing a Master License Agreement with New Cingular Wireless PCS, LLC to allow the use of city-owned street light and traffic signal poles within the city's right-of-way for small cell facilities, and authorizing the City Manager to act on behalf of the city in all future decisions and actions necessary to implement the Master License Agreement. (Staff contact: Curtis Jackson, Real Estate)  
**ACTION: Adopted Resolution No. 2019-104 – 5/0.**
8. LEASE AGREEMENT WITH MAAC PROJECT – Adoption of a Resolution authorizing execution of a lease agreement with Metropolitan Area Advisory Committee on Anti-Poverty in San Diego County, Inc. dba MAAC Project to operate a preschool at the city-owned property located at 3368 Eureka Place. (Staff contact: Curtis Jackson, Real Estate)  
**ACTION: Adopted Resolution No. 2019-105 – 5/0.**
9. ACQUISITION OF 2645 HANCOCK CIRCLE AND APPROPRIATION OF CDBG FUNDS – Adoption of a Resolution authorizing the City Manager to execute all required documents to complete acquisition of 2645 Hancock Circle, Carlsbad, California, an affordable housing resale unit, appropriating Community Development Block Grant funds in the amount of \$235,500 and authorizing the Deputy City Manager Administrative Services to appropriate funds to complete acquisition of real property. (Staff contact: Debbie Fountain, Community and Economic Development)  
**ACTION: Adopted Resolution No. 2019-106 – 5/0.**
10. FOURTH AMENDED NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM SAN DIEGO REGIONAL STORMWATER COPERMITTEES MEMORANDUM OF UNDERSTANDING 2019 – Adoption of a Resolution authorizing the Mayor to execute the fourth amended National Pollutant Discharge Elimination System San Diego Regional Stormwater Copermittees Memorandum of Understanding 2019. (Staff contact: James Wood, Public Works)  
**ACTION: Adopted Resolution No. 2019-107 – 5/0.**

**ORDINANCES FOR INTRODUCTION:** None.

**ORDINANCES FOR ADOPTION:** None.

## PUBLIC HEARINGS:

11. CARLSBAD RACEWAY SPECIFIC PLAN/TESLA - SALES AND SERVICE CENTER – Introduce an Ordinance adopting the Carlsbad Raceway Specific Plan (SP2018-0001) on property generally located north and south of Lionshead Avenue between Melrose Drive and the eastern City boundary within the Carlsbad Raceway Business Park in Local Facilities Management Zone 18. Case Name: Carlsbad Raceway Specific Plan. Case No.: SP 2018-0001 (DEV2018-0077); and, Adopt a Resolution approving a Conditional Use Permit to allow electric vehicle sales and service in an existing industrial building located at 3248 Lionshead Avenue in Local Facilities Management Zone 18. Case Name: Tesla – Sales and Service Center. Case No.: CUP 2018-0017 (DEV2018-0155). (Staff contact: Chris Garcia, Community & Economic Development)

**City Manager’s Recommendation:** Take public input, close the public hearing, introduce the Ordinance and adopt the Resolution.

**ACTION: Introduced Ordinance No. CS-355 and Adopted Resolution No. 2019-108 as amended (see Minutes for details) – 5/0.**

12. THE SEAGLASS CT 2018-0004 – Adopt a Resolution approving a Tentative Tract Map and Site Development Plan to construct an eight-unit, residential air-space condominium project on a 0.25-acre site located at 2646 State Street in the Village Center (VC) District of the Village and Barrio Master Plan and within Local Facilities Management Zone 1. Case Name: The Seaglass. Case No.: CT 2018-0004/SDP 2018-0021 (DEV2017-0236) (Staff contact: Shannon Harker, Community & Economic Development)

**City Manager’s Recommendation:** Take public input, close the public hearing and adopt the Resolution.

**ACTION: Adopted Resolution No. 2019-109 as amended (see Minutes for details) – 5/0.**

## DEPARTMENTAL AND CITY MANAGER REPORTS:

13. DISCUSSION ON POTENTIAL TIME-BOUND DEVELOPMENT MORATORIUM FOR THE VILLAGE BARRIO MASTER PLAN AREA – Council discussion on potential action regarding a time-bound development moratorium for Village Barrio Master Plan area and provide direction to city staff as appropriate. (Staff contact: Debbie Fountain, Community & Economic Development)

**City Manager’s Recommendation:** Engage in discussion and provide direction to staff as appropriate.

**ACTION: Council engaged in discussion and provided direction to staff (see Minutes for details).**

14. NORTH COUNTY TRANSIT DISTRICT QUARTERLY REPORT – Receive an informational report from North County Transit District (NCTD) staff on NCTD’s regional activities and performance. (Staff contact: Jason Haber, City Manager Department)

**City Manager’s Recommendation:** Receive the report.

**ACTION: Council received the report.**

15. MIRACOSTA TECHNOLOGY CAREER INSTITUTE ANNUAL UPDATE – Receive a presentation on the MiraCosta Technology Career Institute Annual Update. (Staff contact: Christie Marcella, Community & Economic Development)

**City Manager’s Recommendation:** Receive the update.

**ACTION:** Item continued to a date uncertain.

16. VILLAGE DECORATIVE LIGHTING STUDY REPORT – Adopt a Resolution approving a comprehensive decorative lighting plan for the Village to help advance the health and vitality in the area. (Staff contact: Claudia Huerta, Community & Economic Development)

**City Manager’s Recommendation:** Adopt the Resolution.

**ACTION:** Adopted Resolution No. 2019-110 as amended (see Minutes for details) – 4/0/1 (Hall – Absent).

17. FORMATION OF CITY COUNCIL AD-HOC SUBCOMMITTEE FOR REVIEW OF CITY MANAGER AND CITY ATTORNEY – Adopt a Resolution authorizing the formation of a City Council Ad-Hoc Subcommittee comprised of two City Council Members to review, negotiate and recommend salary changes with the City Manager and City Attorney. (Staff contact: Sheila Cobian, City Clerk Services)

**City Manager’s Recommendation:** Adopt the Resolution.

**ACTION:** Adopted Resolution No. 2019-111 appointing Council Members Blackburn and Hamilton to the subcommittee – 3/2 (Blackburn, Schumacher – No).

18. FORMATION OF CITY COUNCIL AD-HOC SUBCOMMITTEE ON COMMUNITY CHOICE ENERGY – Adopt a Resolution authorizing the formation of a City Council Ad-Hoc Subcommittee comprised of two City Council Members to receive information and advise the City Council on Community Choice Energy. (Staff contact: Jason Haber, City Manager Department)

**City Manager’s Recommendation:** Adopt the Resolution.

**ACTION:** Adopted Resolution No. 2019-112 appointing Mayor Hall and Council Member Schumacher to the subcommittee – 5/0.

**COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:**

**City Council Regional Assignments (Revised 1/8/19)**

<b>Matt Hall</b> <b>Mayor</b>	North County Mayors and Managers City/School Committee Chamber of Commerce Liaison (primary) San Diego County Water Authority San Diego Regional Economic Development Corporation Board of Directors
<b>Keith Blackburn</b> <b>Council Member</b>	Buena Vista Lagoon JPC Encina Wastewater Authority/JAC Board of Directors North County Dispatch Joint Powers Authority Chamber of Commerce Liaison (alternate)
<b>Priya Bhat-Patel</b> <b>Mayor Pro Tem</b>	SANDAG (2 <sup>nd</sup> alternate) North County Transit District (primary) City/School Committee League of California Cities – SD Division SANDAG Shoreline Preservation Working Group (primary)
<b>Cori Schumacher</b> <b>Council Member</b>	SANDAG (primary) Buena Vista Lagoon JPC

**Barbara Hamilton**  
**Council Member**

SANDAG (1<sup>st</sup> alternate)  
Encina Wastewater Authority/JAC Board of Directors  
North County Transit District (alternate)  
North County Dispatch Joint Powers Authority (alternate)  
SANDAG Shoreline Preservation Working Group (alternate)

**PUBLIC COMMENT:** Continuation of the Public Comments

*This portion of the agenda is set aside for continuation of public comments, if necessary, due to exceeding the total time allotted in the first public comments section. When you are called to speak, please come forward to the podium and state your name. The remainder of the categories are for reporting purposes. In conformance with the Brown Act, no public testimony and no Council action can occur on these items.*

**ANNOUNCEMENTS:**

This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

**CITY MANAGER COMMENTS:**

**CITY ATTORNEY COMMENTS:**

**ADJOURNMENT: 11:04 p.m.**

**City Council Meeting Procedures (continued from page 1)**

**Written Materials**

Written materials related to the agenda that are submitted to the City Council after the agenda packet has been published will be available for review prior to the meeting during normal business hours at the City Clerk's office, 1200 Carlsbad Village Drive and on the city website. To review these materials during the meeting, please see the City Clerk

**Visual Materials**

Visual materials, such as pictures, charts, maps or slides are allowed for comments on agenda items, not general public comment. Please contact the City Manager's Office at 760-434-2820 or [manager@carlsbadca.gov](mailto:manager@carlsbadca.gov) to make arrangements in advance. All materials must be received by the City Manager's Office no later than noon the day before the meeting. The time spent presenting visual materials is included in the maximum time limit provided to speakers. All materials exhibited to the City Council during the meeting are part of the public record. **Please note that video presentations are not allowed.**

**Decorum**

All participants are expected to conduct themselves with mutual respect. Loud, boisterous and unruly behavior can interfere with the ability of the City Council to conduct the people's business. That's why it is illegal to disrupt a City Council meeting. Following a warning from the presiding officer, those engaging in disruptive behavior are subject to law enforcement action.

**City Council Agenda**

The City Council follows a regular order of business that is specified in the Carlsbad Municipal Code. The City Council may only make decisions about topics listed on the agenda.

**Presentations**

The City Council often recognizes individuals and groups for achievements and contributions to the community. Well-wishers often fill the chamber during presentations to show their support and perhaps get a photo. If you don't see an open seat when you arrive, there will likely be one once the presentations are over.

**Consent Items**

Consent items are considered routine and may be enacted together by one motion and vote. Any City Council member may remove or "pull" an item from the "consent calendar" for a separate vote. Members of the public may pull an item

from the consent calendar by requesting to speak about that item. A speaker request form must be submitted to the clerk prior to the start of the consent portion of the agenda.

### **Public Comment**

Members of the public may speak on any city related item that does not appear on the agenda. State law prohibits the City Council from taking action on items not listed on the agenda. Comments requiring follow up will be referred to staff and, if appropriate, considered at a future City Council meeting. Members of the public are also welcome to provide comments on agenda items during the portions of the meeting when those items are being discussed. In both cases, a request to speak form must be submitted to the clerk in advance of that portion of the meeting beginning.

### **Public Hearing**

Certain actions by the City Council require a “public hearing,” which is a time within the regular meeting that has been set aside and noticed according to different rules.

### **Departmental Reports**

This part of the agenda is for items that are not considered routine and do not require a public hearing. These items are usually presented to the City Council by city staff and can be informational in nature or require action. The staff report about each item indicates the purpose of the item and whether or not action is requested.

### **Other Reports**

At the end of each meeting, City Council members and the city manager, city attorney and city clerk are given an opportunity to share information. This usually includes reports about recent meetings, regional issues, and recent or upcoming meetings and events.

### **City Council Actions**

#### **Resolution**

A resolution is an official statement of City Council policy that directs administrative or legal action or embodies a public City Council statement. Once adopted, it remains City Council policy until changed by subsequent City Council resolution.

#### **Ordinance**

Ordinances are city laws contained in the Carlsbad Municipal Code. Enacting a new city law or changing an existing one is a two-step process. First, the ordinance is “introduced” by city staff to the City Council. If the City Council votes in favor of the introduction, the ordinance will be placed on a subsequent City Council meeting agenda for “adoption.” If the City Council votes to adopt the ordinance, it will usually go into effect 30 days later.

#### **Motion**

A motion is used to propose City Council direction related to an item on the agenda. Any City Council member may make a motion. A motion must receive a “second” from another City Council member to be eligible for a City Council vote.