



CITY COUNCIL Agenda

July 9, 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

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 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: 6:01 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 June 11, 2019 City Council Meeting.

ACTION: Adopted Minutes as presented – 5/0.

PRESENTATIONS:

Recognition of donation from Friends of the Library.

Proclamation in Recognition of Parks & Recreation 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. **ANNUAL LEVY OF BENEFIT ASSESSMENTS FOR THE BUENA VISTA CHANNEL MAINTENANCE DISTRICT BENEFIT AREA NO. 1 FOR FISCAL YEAR 2019-20** – Adoption of a Resolution authorizing the annual levy of benefit assessments for the Buena Vista Channel Maintenance District Benefit Area No. 1 for Fiscal Year 2019-20. (Staff contact: Jill Moya, Administrative Services)
ACTION: Adopted Resolution No. 2019-113 – 5/0.
2. **LEASE AGREEMENT WITH BAKER PARKING, LLC** – Adoption of a Resolution authorizing the execution of a lease agreement with Baker Parking, LLC for the property located at 2065 Camino Vida Roble, commonly known as the Hawthorne Property. (Staff contact: Curtis Jackson, Real Estate)
ACTION: Adopted Resolution No. 2019-114 – 5/0.
3. **ACQUISITION OF 2636 HANCOCK CIRCLE AND APPROPRIATION OF CDBG FUNDS** – Adoption of a Resolution authorizing the City Manager to execute all required documents to complete acquisition of 2636 Hancock Circle, Carlsbad, California, an affordable housing resale unit, and appropriating Community Development Block Grant funds in the amount of \$275,000 and authorizing the Deputy City Manager Administrative Services to appropriate funds to complete purchase of real property. (Staff contact: Debbie Fountain, Community and Economic Development)
ACTION: Adopted Resolution No. 2019-115 – 5/0.

4. ACCEPTANCE OF DONATION FROM FRIENDS OF THE LIBRARY – Adoption of a Resolution accepting a Fiscal Year 2019-20 donation of \$99,040 and a pledge of \$38,185 in additional support from the Friends of the Carlsbad Library to the City of Carlsbad Library & Cultural Arts Department. (Staff contact: Heather Pizzuto, Library & Cultural Arts)
ACTION: Adopted Resolution No. 2019-116 – 5/0.

5. AWARD A CONTRACT TO RAMONA PAVING AND CONSTRUCTION FOR THE 2018 PAVEMENT OVERLAY PROJECT – Adoption of a Resolution accepting bids and awarding a contract to Ramona Paving and Construction for the construction of the 2018 Pavement Overlay, Capital Improvement Program (CIP) Project No. 6001-18OL in an amount not to exceed \$2,243,236. (Staff contact: Emad Elias, Public Works)
ACTION: Adopted Resolution No. 2019-117 – 4/1 (Hamilton – No).

6. ADVERTISE FOR BIDS FOR THE FISCAL YEAR 2019-20 SLURRY SEAL PROJECT – Adoption of a Resolution approving the plans and specifications and authorizing the City Clerk to advertise for bids for the FY 2019-20 Slurry Seal, Capital Improvement Program (CIP) Project No. 6001-19SS. (Staff contact: Emad Elias, Public Works)
ACTION: Adopted Resolution No. 2019-118 – 4/0/1 (Bhat-Patel – Abstain).

7. AWARD OF CONTRACT FOR CONSTRUCTION OF THE STREET LIGHTING REPLACEMENT PROGRAM PHASE I – Adoption of a Resolution accepting bids and awarding a contract to International Line Builders, Inc., for construction of the Street Lighting Replacement Program Phase I, Capital Improvement Program (CIP) Project No. 6062, in an amount not to exceed \$675,808. (Staff contact: John Maashoff, Public Works)
ACTION: Adopted Resolution No. 2019-119 – 5/0.

8. AWARD OF CONTRACT TO SELECT ELECTRIC, INC. FOR CONSTRUCTION OF RECTANGULAR RAPID FLASHING BEACONS PROJECT – Adoption of a Resolution accepting bids and awarding a contract to Select Electric, Inc. for construction of rectangular rapid flashing beacons, Capital Improvement Program (CIP) Project No. 6070, in an amount not to exceed \$209,779. (Staff contact: John Kim, Public Works)
ACTION: Adopted Resolution No. 2019-120 – 5/0.

9. AUTHORIZE MEMORANDUM OF UNDERSTANDING WITH NORTH COUNTY TRANSIT DISTRICT FOR TEMPORARY USE OF RIGHT-OF-WAY – Adoption of a Resolution authorizing execution of a Memorandum of Understanding between the City of Carlsbad and North County Transit District (NCTD) for temporary use of the NCTD right-of-way to construct the Agua Hedionda Sewer Lift Station, Capital Improvement Program (CIP) Project No. 3886. (Staff contact: David Hull, Public Works)
ACTION: Adopted Resolution No. 2019-121 – 5/0.

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION:

10. ADOPTION OF ORDINANCE NO. CS-355 – CARLSBAD RACEWAY SPECIFIC PLAN / TESLA – SALES AND SERVICE CENTER – Adoption of Ordinance No. CS-355 adopting the Carlsbad Raceway Specific Plan (SP 2018-0001) 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. (Staff contact: Sheila Cobian, City Clerk Services)

City Manager’s Recommendation: Adopt Ordinance No. CS-355

ACTION: Adopted Ordinance No. CS-355 – 5/0.

PUBLIC HEARINGS:

- 11. STREET LIGHTING AND LANDSCAPING DISTRICT NO. 1 – Adoption of a Resolution confirming the diagram and assessment and providing for the levy of the annual assessment for Fiscal Year 2019-20 for Street Lighting and Landscaping District No. 1, a Special Assessment District. (Staff contact: Jill Moya, Administrative Services)

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

ACTION: Adopted Resolution No. 2019-122 – 5/0.

- 12. STREET LIGHTING AND LANDSCAPING DISTRICT NO. 2 – Adoption of a Resolution confirming the diagram and assessment and providing for the levy of the annual assessment for Fiscal Year 2019-20 for Street Lighting and Landscaping District No. 2, a Special Assessment District. (Staff contact: Jill Moya, Administrative Services)

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

ACTION: Adopted Resolution No. 2019-123 – 5/0.

DEPARTMENTAL AND CITY MANAGER REPORTS:

- 13. 2019 CARLSBAD BIENNIAL BUSINESS SURVEY RESULTS – Receive a report on the results of the Carlsbad Biennial Business Survey and an update on the city’s major industry clusters. (Staff contact: Joe Stewart, Community & Economic Development)

City Manager’s Recommendation: Receive the report.

ACTION: City Council received the report.

- 14. TRAFFIC IMPACT ANALYSIS METHODOLOGIES – Receive an informational report on the Growth Management Plan (GMP) and circulation performance standard, the 2015 General Plan Mobility Element adoption, and traffic impact analysis methodologies. (Staff contact: Sean Haeri, Public Works)

City Manager’s Recommendation: Receive the report.

ACTION: City Council received the report.

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

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

Matt Hall North County Mayors and Managers
Mayor City/School Committee
 Chamber of Commerce Liaison (primary)
 San Diego County Water Authority
 San Diego Regional Economic Development Corporation Board of Directors

Keith Blackburn Buena Vista Lagoon JPC
Council Member Encina Wastewater Authority/JAC Board of Directors
 North County Dispatch Joint Powers Authority
 Chamber of Commerce Liaison (alternate)

Priya Bhat-Patel Mayor Pro Tem	SANDAG (2 nd alternate) North County Transit District (primary) City/School Committee League of California Cities – SD Division SANDAG Shoreline Preservation Working Group (primary)
Cori Schumacher Council Member	SANDAG (primary) Buena Vista Lagoon JPC Encina Wastewater Authority/JAC Board of Directors (alternate)
Barbara Hamilton Council Member	SANDAG (1 st 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: None.

CITY ATTORNEY COMMENTS: None.

ADJOURNMENT: 8:44 p.m.

In accordance with Carlsbad Municipal Code (CMC) Section 20.20.20, notice is hereby given that the City Engineer has reviewed and, immediately following this City Council Meeting of **July 9, 2019** will approve the following final map:

Carlsbad Tract CT 2017-0002 (MAP2017-0013), located generally at 3337 Tyler Street.

Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- 1) The map substantially conforms to the approved tentative map, and approved alterations thereof and any conditions of approval imposed with said tentative map.
- 2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- 3) The map is technically correct.

Said map will be finalized and recorded, unless an interested party files a valid appeal of the City Engineer’s action to City Council no later than 10 calendar days from the date of the City Engineer’s action. The appeal shall specifically state the reason(s) for the appeal; see CMC Section 20.20.165 and 21.54.150.

If you have any question about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact the City Clerk’s Office at (760) 434-2808.

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 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.