



CITY COUNCIL

Agenda

August 20, 2019 5 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 required 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: 5 p.m.

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

ANNOUNCEMENT OF CONCURRENT MEETINGS: None.

INVOCATION: None.

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was led by Council Member Hamilton.

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held June 25, 2019.

Minutes of the Special Meeting held July 9, 2019.

Minutes of the Regular Meeting held July 9, 2019.

Minutes of the Regular Meeting held July 16, 2019.

Minutes of the Special Meeting held July 23, 2019.

Minutes of the Regular Meeting held July 23, 2019.

ACTION: Adopted Minutes as presented – 4/0 (Hall – Absent).

PRESENTATION: None.

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

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** – Acceptance of report on City Investments as of June 30, 2019. (Staff contact: Craig Lindholm, City Treasurer; Laura Rocha, Administrative Services)

ACTION: City Council received the Report – 4/0 (Hall – Absent).

2. AWARD OF CONTRACT FOR TRANSPORTATION DEMAND MANAGEMENT SERVICES – Adoption of a Resolution approving a Professional Services Agreement with UrbanTrans North America to provide Professional Transportation Demand Management Consulting Services in an amount not to exceed \$199,000 annually for a term of two years. (Staff contact: Claudia Huerta, Community & Economic Development)
ACTION: Adopted Resolution No. 2019-138 – 4/0 (Hall - Absent).

3. SB 2 PLANNING GRANTS PROGRAM FUNDS – Adoption of a Resolution authorizing the city to apply for SB 2 Planning Grants Program Funds from the State of California, to accept any award, and authorizing the Deputy City Manager of Administrative Services to appropriate any funds received. (Staff contact: Melanie Saucier, Community & Economic Development)
ACTION: Adopted Resolution No. 2019-139 – 4/0 (Hall - Absent).

4. ACCEPTANCE OF A DONATION FROM CARLSBAD FRIENDS OF THE ARTS – Adoption of a Resolution accepting a donation of \$6,775 from the Carlsbad Friends of the Arts as a reimbursement in support of the FY 2018-19 Starring Artists Program. (Staff contact: Richard Schultz, Library & Cultural Arts)
ACTION: Adopted Resolution No. 2019-140 – 4/0 (Hall - Absent).

5. AWARD OF CONTRACT TO BLUE PACIFIC ENGINEERING AND CONSTRUCTION – Adoption of a Resolution accepting bids and awarding a contract to Blue Pacific Engineering and Construction for construction of the City Hall Exterior Refurbishment and Northwest Quadrant Storm Drain Improvement Program, Capital Improvement Program (CIP) Project Nos. 4725 and 6608, in an amount not to exceed \$1,849,713. (Staff contact: Brandon Miles, Public Works Transportation)
ACTION: Adopted Resolution No. 2019-141 – 4/0 (Hall - Absent).

6. AWARD OF CONTRACT TO MIKHAIL OGAWA ENGINEERING, INC. – Adoption of a Resolution awarding a contract to Mikhail Ogawa Engineering Inc., to provide professional services for the Carlsbad Watershed Management Area (CMWA) Program in an amount not to exceed \$117,000. (Staff contact: James Wood, Public Works Environmental Management)
ACTION: Adopted Resolution No. 2019-142 – 4/0 (Hall - Absent).

7. APPROVAL OF MASTER LICENSE AGREEMENT WITH VERIZON WIRELESS (VAW), LLC – Adoption of a Resolution authorizing a Master License Agreement with Verizon Wireless (VAW), 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, City Manager Department)
ACTION: Adopted Resolution No. 2019-143 – 4/0 (Hall - Absent).

ORDINANCES FOR INTRODUCTION:

8. AMENDING TITLE 2, CHAPTER 2.28, SECTIONS 2.15.050 and 2.12.125 OF THE CARLSBAD MUNICIPAL CODE TO UPDATE THE TRAFFIC SAFETY COMMISSION’S NAME AND DUTIES – Introduction of an Ordinance amending Carlsbad Municipal Code Chapter 2.28, Sections 2.15.050 and 2.12.125 to update the Traffic Safety Commissions’ name and duties. (Staff contact: Doug Bilse, Public Works)

City Manager’s Recommendation: Introduce the Ordinance by title only and schedule the second reading and adoption of the ordinance for a future meeting.

ACTION: Introduced Ordinance No. CS-356 – 4/0 (Hall - Absent).

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARINGS:

9. VILLAGE AND BARRIO MASTER PLAN – ACCEPTANCE OF THE CALIFORNIA COASTAL COMMISSION’S SUGGESTED MODIFICATIONS – Introduction of an Ordinance acknowledging receipt of the California Coastal Commission’s Resolution of Certification including suggested modifications for LCPA 14-01, and approving the associated suggested modifications to the Village and Barrio Master Plan and Local Coastal Program. Case Name: Village and Barrio Master Plan. Case No.: MP 14-01/LCPA 04-01 (DEV08014) (Staff contact: Scott Donnell, Community & Economic Development)

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

ACTION: Introduced Ordinance No. CS-357 – 4/0 (Hall – Absent). Minute Motion by Council Member Hamilton directing staff to bring back for council consideration in two months, a workplan in that includes a timeline to address the following amendment package for the Village and Barrio Master Plan: 1) Decision making authority for the entire Village and Barrio Master Plan to council; 2) Permitted uses vital to a live, work, play community; 3) Parking-in-lieu fees to be directed to a specific area for parking and the potential for public/private partnerships for a specific zoned parking structure; 4) Traffic impact analysis and mitigation fees specific to the Village and Barrio Master Plan area and roadway conditions outside of the coastal zone; 5) Objective architectural, historical and design standards within the Village and Barrio Master Plan area; 6) Solutions and options to avoid housing-in-lieu payments in the village and barrio area; 7) Village barrio specific inclusionary policy; and to allow for general conversation regarding additional components of the plan. – 4/0 (Hall – Absent). (See Minutes for Details).

10. PURE PROJECT BREWERY AND TASTING ROOM – Adoption of a Resolution approving a Minor Site Development Plan and Conditional Use Permit for a 2,206-square-foot brewery and tasting room located at 2825 State Street in the Village Center District of the Village and Barrio Master Plan and within Local Facilities Management Zone 1; and, Adoption of a Resolution approving a Parking In-Lieu Fee Program Participation Agreement between the City of Carlsbad and Russell Satterly, Susan Satterly and Lindo Mino, property owners, for the project known as Pure Project Brewery and Tasting Room located at 2825 State Street in the Village Center District of the Village and Barrio Master Plan and within Local Facilities Management Zone 1. Case Name: Pure Project Brewery and Tasting Room. Case No.: SDP 2019-0002/CUP 2018-0021 (DEV2018-0196). (Staff contact: Shannon Harker, Community & Economic Development)

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

ACTION: This item was continued to August 27, 2019.

11. OCEAN VIEW POINT – Introduction of an Ordinance approving amendments to the citywide zoning and Local Coastal Program zoning maps to allow a change from one-family residential 30,000 square foot minimum lot area (R-1 30,000) to one-family residential (R-1) for a 5.4-acre portion of a 21.9-acre previously subdivided property generally located south of the terminus of Twain Avenue within the Mello II Segment of the Local Coastal Program and Local Facilities Management Zone 8. Case Name: Ocean View Point. Case No.: ZC15-03/LCPA 15-05 (DEV15043); and,

Adoption of a Resolution adopting a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and Addendum; Approving a General Plan Amendment to Amend the Land Use Element of the General Plan from Residential (R-1.5) to Residential (R-4) and a Local Coastal Program Amendment to reflect the proposed General Plan Land Use; and approving a Tentative Tract Map, Planned Development Permit, Coastal Development Permit, Hillside Development Permit, and Habitat Management Plan Permit to allow for the subdivision and development of 18 lots (13 single-family residential, one private street, and four open space), all of which is contained within a 21.9-acre previously subdivided property generally located south of the terminus of Twain Avenue within the Mello II Segment of the Local Coastal Program and Local Facilities Management Zone 8. Case Name: Ocean View Point. Case No.: GPA 15-02/LCPA 15-05/CT 15-07/PUD 15-15/CDP 15-53/HDP 15-03/HMP 15-05 (DEV15043). (Staff contact: Jason Goff, 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-358 and adopted Resolution No. 2019-144 – 4/0 (Hall – Absent).

DEPARTMENTAL AND CITY MANAGER REPORTS:

12. CITYWIDE ANNUAL FINANCIAL AUDIT AND INTERNAL AUDIT PROGRAM OVERVIEW – Receive a presentation on the City's annual financial audit and internal audit program. (Staff Contact: Kevin Branca, Administrative Services)

City Manager's Recommendation: Receive the report.

ACTION: City Council received the Presentation.

13. PRESENTATION FROM CALIFORNIA'S DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) – Receive an informational presentation from CalRecycle staff on the state of recycling and current and future regulations affecting organic waste and diversion requirements. (Staff contact: James Wood, Public Works)

City Manager's Recommendation: Receive the presentation.

ACTION: City Council received the Presentation.

14. SUSTAINABLE MATERIALS MANAGEMENT PLAN – Adoption of a Resolution accepting the Sustainable Materials Management Plan. (Staff Contact: James Wood, Public Works)

City Manager's Recommendation: Adopt the Resolution.

ACTION: Adopted Resolution No. 2019-145 – 4/0 (Hall - Absent).

15. COMMUNITY CHOICE ENERGY PROGRAM GOVERNANCE ANALYSIS REPORT AND JOINT POWERS AUTHORITY FORMATION – Receive a Community Choice Energy Program Governance Analysis Report prepared for the Cities of Carlsbad, Del Mar and Encinitas; and, Receive a City Council Ad-Hoc Subcommittee recommendation to negotiate and enter into a Community Choice Energy Authority Joint Powers Agreement with the Cities of Del Mar and Encinitas, subject to certain conditions; and, Direct staff to: A.) Initiate negotiations with the Cities of Del Mar, Encinitas and other potential partner agencies to prepare a Community Choice Energy Authority Joint Powers Agreement, subject to the

conditions outlined in the recommendations of the City Council Ad-Hoc Subcommittee on Community Choice Energy; B.) Prepare an ordinance implementing a City of Carlsbad Community Choice Energy program through a Joint Powers Authority, and C.) Return to City Council to obtain approvals and appropriations needed to establish and convene a Community Choice Energy Joint Powers Authority Board of Directors in time to approve and submit a Community Choice Energy Implementation Plan to the California Public Utilities Commission by December 31, 2019 and launch a Community Choice Energy program in 2021. (Staff Contact: Jason Haber, City Manager Department)

City Manager’s Recommendation: Receive the report and provide direction to staff.

ACTION: City Council received the Report and provided direction to staff 4/0 (Hall – Absent) Minute Motion by Council Member Schumacher to approve the recommended action of the community choice energy subcommittee with the addition of a third party review of the feasibility study, and with inclusion of the recommended actions of Carlsbad City Council agenda item no. 15. – 4/0 (Hall – Absent) (See Minutes for Details).

16. CONSIDERATION OF COMMENTS ON THE SAN DIEGO ASSOCIATION OF GOVERNMENTS’ DRAFT 6TH CYCLE REGIONAL HOUSING NEEDS ASSESSMENT METHODOLOGY – Discuss and consider a minute motion to provide written or verbal comments to the San Diego Association of Governments’ (SANDAG) draft 6th Cycle Regional Housing Needs Assessment (RHNA) Methodology. (Staff Contact: Debbie Fountain, Community & Economic Development)

City Manager’s Recommendation: Receive the report, discuss and consider a minute motion to provide written or verbal comments to SANDAG.

ACTION: City Council received the Report. Minute Motion by Mayor Pro Tem Bhat-Patel to submit the letter regarding the draft regional housing needs assessment methodology to SANDAG. – 4/0 (Hall – Absent).

17. DESIGNATION OF VOTING DELEGATE AND ALTERNATES FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – Adoption of a Resolution designating a voting delegate and alternates for the League of California Cities Annual Conference in Long Beach, CA, October 16 – 18, 2019 (Staff Contact: Sheila Cobian, City Clerk Services)

City Manager’s Recommendation: Adopt the Resolution.

ACTION: Adopted Resolution No. 2019-146 designating Mayor Pro Tem Bhat-Patel voting delegate and Council Member Schumacher as voting alternate. – 4/0 (Hall - Absent).

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

City Council Regional Assignments (Revised 1/08/19)

Matt Hall Mayor	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
----------------------------------	--

Keith Blackburn Council Member	Buena Vista Lagoon JPC Encina Wastewater Authority/Joint Powers Board of Directors
---	---

North County Dispatch Joint Powers Authority
Chamber of Commerce Liaison (alternate)

Priya Bhat-Patel
Mayor Pro Tem

SANDAG (2nd alternate)
North County Transit District (primary)
City/School Committee
League of California Cities – SD Division

Cori Schumacher
Council Member

SANDAG (primary)
Buena Vista Lagoon JPC
Encina Wastewater Authority Board of Directors (alternate)

Barbara Hamilton
Council Member

SANDAG (1st alternate)
Encina Wastewater Authority/Joint Powers Board of Directors
North County Dispatch Joint Powers Authority (alternate)
North County Transit District (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: 10:16 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 August 20, 2019 will approve the following final map:

Carlsbad Tract CT 2018-0003, located generally at 1534 Magnolia Avenue.

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. A resolution may be introduced and adopted at the same meeting. 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.