



CITY COUNCIL

# Agenda

Sept. 10, 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 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](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:** 6:00 p.m.

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

**ANNOUNCEMENT OF CONCURRENT MEETINGS:** None.

**INVOCATION:** None.

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

**APPROVAL OF MINUTES:**

Minutes of the Special Meeting held Aug. 26, 2019

Minutes of the Special Meeting held Aug. 27, 2019

Minutes of the Special Meeting held Aug. 29, 2019

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

**PRESENTATION:**

Proclamation in recognition of National Preparedness Month.

**PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:** No reportable action.

**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. **APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE CARLSBAD POLICE OFFICERS' ASSOCIATION** – Adoption of a Resolution approving a Memorandum of Understanding between the City of Carlsbad and the Carlsbad Police Officers' Association (CPOA) and approving the associated CPOA Salary Schedule, revised Police Corporal classification specification and revised Administrative Order No. 64, and approving \$1,537,500 in carry-forward funds from Fiscal Year 2018-19 to Fiscal Year 2019-20. (Staff contact: Judy von Kalinowski, Human Resources)

**ACTION: Adopted Resolution No. 2019-159 – 5/0.**

2. APPROVAL OF FOUR PROFESSIONAL SERVICES MASTER AGREEMENTS FOR INFORMATION TECHNOLOGY SERVICES WITH PUBLIC CONSULTING GROUP AND CLIENTFIRST – Adoption of a Resolution authorizing the City Manager to execute a Professional Service Master Agreement for Information Technology Project Management Services with Public Consulting Group, Inc. for an amount not to exceed \$1,500,000 for a three-year period;  
Adoption of a Resolution authorizing the City Manager to execute a Professional Service Master Agreement for Information Technology Change Management Services with Public Consulting Group, Inc. for an amount not to exceed \$900,000 for a three-year period;  
Adoption of a Resolution authorizing the City Manager to execute a Professional Service Master Agreement for Information Technology Selection of Project Portfolio Management System Services with Public Consulting Group, Inc. for an amount not to exceed \$200,000 for a one year period;  
Adoption of a Resolution authorizing the City Manager to execute a Professional Service Master Agreement for Information Technology Management Services with ClientFirst, Inc. for an amount not to exceed \$1,500,000 for a three-year period. (Staff contact: Maria Callander, Information Technology)  
**ACTION: Adopted Resolution Nos. 2019-160 through 2019-163 – 5/0.**
3. ADVERTISE FOR BIDS FOR REPLACEMENT OF THE RUBY G. SCHULMAN AUDITORIUM SOUND SYSTEM  
Adoption of a Resolution approving the plans and specifications and authorizing the City Clerk to advertise for bids for replacement of the Ruby G. Schulman Auditorium sound system. (Heather Pizzuto, Library & Cultural Arts)  
**ACTION: Adopted Resolution No. 2019-164 – 5/0.**
4. RESOLUTION IN SUPPORT OF H.R. 763 – ENERGY INNOVATION AND CARBON DIVIDEND ACT OF 2019  
Adoption of a Resolution supporting H.R. 763 – Energy Innovation and Carbon Dividend Act of 2019. (Staff contact: Jason Haber, City Manager Department)  
**ACTION: Adopted Resolution No. 2019-165 – 5/0.**
5. DECOMMISSIONING OF SAN ONOFRE NUCLEAR GENERATING STATION – Adoption of a Resolution requesting the California State Legislature and California Governor address concerns regarding the safe handling and storage of nuclear waste generated at the decommissioned San Onofre Nuclear Generating Station. (Staff contact: Jason Haber, City Attorney Department)  
**ACTION: Adopted Resolution No. 2019-166 – 5/0.**
6. AGREEMENT WITH SCOTT CHADWICK, CITY MANAGER – Adoption of a Resolution approving the amended and restated City Manager Employment Agreement with Scott Chadwick with an annual fiscal impact of \$11,232. (Staff contact: Walter Chung, City Attorney Department)  
**ACTION: Adopted Resolution No. 2019-167 – 4/1 (Hall – No).**
7. AGREEMENT WITH CELIA BREWER, CITY ATTORNEY – Adoption of a Resolution approving the amended and restated City Attorney Employment Agreement with Celia Brewer with an annual fiscal impact of \$14,400. (Staff contact: Walter Chung, City Attorney Department)  
**ACTION: Adopted Resolution No. 2019-168 – 4/1 (Hall – No).**

## ORDINANCE FOR INTRODUCTION:

8. SOLID WASTE MUNICIPAL CODE UPDATES – Introduction of an Ordinance amending Chapter 6.08 of the Carlsbad Municipal Code regulating solid waste. (Staff contact: James Wood, Public Works)

**City Manager’s Recommendation:** Introduce the ordinance.

**ACTION:** Introduced Ordinance No. CS-359 – 5/0.

## ORDINANCES FOR ADOPTION: None.

## PUBLIC HEARINGS:

9. LAGUNA DRIVE SUBDIVISION – Adoption of a Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and approving a Tentative Tract Map, Major Review Permit, Coastal Development Permit, Hillside Development Permit and Habitat Management Permit to allow for the demolition of an existing medical office building and single-family dwelling; the subdivision of an approximately 0.75-acre parcel into two lots and 13 airspace residential condominium units; and the development of 13 detached single-family condominiums with exclusive use areas on property located at 570-580 Laguna Drive within the Residential Support Area (Land Use District 4) of the Village Review (V-R) Zone, Mello II Segment of the Local Coastal Program and Local Facilities Management Zone 1. Case Name: Laguna Drive Subdivision. Case No.: CT 2018-0006 / RP 2018-0008 / CDP 2018-0032 / HDP 2018-0003 / HMP 2018-0003 (DEV2017-0237). (Staff contact: Jason Goff, Community & Economic Development)

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

**ACTION:** Adopted Resolution No. 2019-169 as amended (see Minutes for details) – 4/0/1 (Schumacher – Absent).

## DEPARTMENTAL AND CITY MANAGER REPORTS:

10. PRESENTATION FROM SANDAG REGARDING THE CARLSBAD VILLAGE RAILROAD TRENCH ALTERNATIVES – Receive a presentation from the San Diego Association of Governments (SANDAG) regarding the short trench and long trench alternatives of putting the railroad tracks in a trench in the city’s Village and Barrio areas. (Staff contact: Hossein Ajideh, Public Works)

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

**ACTION:** Council received the report.

11. PRESENTATION FROM SANDAG REGARDING BUENA VISTA LAGOON ENHANCEMENT – Receive a presentation from the San Diego Association of Governments (SANDAG) regarding the Buena Vista Lagoon Enhancement Project. (Staff contact: Hossein Ajideh, Public Works)

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

**ACTION:** Council received the report.

12. GENERAL PLAN HOUSING ELEMENT UPDATE PROJECT – Adoption of a Resolution approving (1) a Work Plan for the General Plan Housing Element update, (2) a charter for a Housing Element Citizen Advisory Committee, and (3) a carry-over of \$335,000 from Fiscal Year 2018-19 General Fund budget surplus for Housing Element update costs. (Staff contact: David de Cordova and Scott Donnell, Community & Economic Development)

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

**ACTION: Adopted Resolution No. 2019-170 as amended (see Minutes for details) – 5/0**

13. LETTER OF COMMITMENT TO JOIN THE AARP NETWORK OF AGE FRIENDLY STATES AND COMMUNITIES – Adoption of a Resolution authorizing the submittal of a letter of commitment to support the application for membership in the AARP Network of Age-Friendly States and Communities. (Staff contact: David Graham, City Manager Department and Mike Pacheco, Parks & Recreation Department)

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

**ACTION: Adopted Resolution No. 2019-171 – 5/0.**

14. APPOINT ONE MEMBER TO THE LIBRARY BOARD OF TRUSTEES – Adoption of a Resolution appointing one member to the Library Board of Trustees. (Staff contact: Tammy McMinn, City Clerk Services)

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

**ACTION: Adopted Resolution No. 2019-172 appointing Gina McBride to the Library Board of Trustees – 5/0.**

15. APPOINT TWO MEMBERS TO THE HOUSING COMMISSION AT-LARGE CATEGORY – Adoption of Resolutions appointing two members to the Housing Commission At-Large Category. (Staff contact: Tammy McMinn, City Clerk Services)

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

**ACTION: Adopted Resolution No. 2019-173 appointing Shirley Cole to the Housing Commission At-Large Category and Resolution No. 2019-174 appointing John Nguyen-Cleary to the Housing Commission At-Large Category – 5/0.**

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

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

|                         |  |
|-------------------------|--|
| <b>Matt Hall</b>        | North County Mayors and Managers                                       |
| <b>Mayor</b>            | 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>  | Buena Vista Lagoon JPC   |
| <b>Council Member</b>   | Encina Wastewater Authority/Joint Powers Board of Directors            |
|                         | North County Dispatch Joint Powers Authority                           |
|                         | Chamber of Commerce Liaison (alternate)                                |
| <b>Priya Bhat-Patel</b> | SANDAG (2 <sup>nd</sup> alternate)                                     |
| <b>Mayor Pro Tem</b>    | 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 (1<sup>st</sup> 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:** 9:48 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. 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.