



CITY COUNCIL Agenda

Oct. 8, 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 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: 6:00 p.m.

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

ANNOUNCEMENT OF CONCURRENT MEETINGS: The City Council will be serving as the Public Financing Authority on Consent Calendar Item No. 3.

INVOCATION: None.

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

APPROVAL OF MINUTES:

Minutes of the Regular Meeting of Sept. 10, 2019

Minutes of the Regular Meeting of Sept. 17, 2019

ACTION: Approved Sept. 10, 2019 Minutes as presented – 5/0.

Returned Sept. 17, 2019 Minutes to staff to add verbatim transcript of Council Member Hamilton’s comments under Council Commentary.

PRESENTATION:

Presentation of proclamation in recognition of Public Safety 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 FOR A WARD’S WEED ERADICATION PROGRAM AND AN AGREEMENT WITH ACS HABITAT MANAGEMENT FOR IMPLEMENTATION OF THE PROGRAM**
Adoption of a Resolution approving the Memorandum of Understanding for a Ward’s Weed Eradication Program between the City of Carlsbad, Nature Collective, County of San Diego, and Center for Natural Lands Management and taking related actions to implement the program. (Staff contact: Rosanne Humphrey, Public Works)
ACTION: Adopted Resolution No. 2019-194 – 5/0.

2. AGREEMENT WITH PROS CONSULTING FOR PARKS & RECREATION DEPARTMENT MASTER AND STRATEGIC PLANNING SERVICES – Adoption of a Resolution awarding a professional services agreement to PROS Consulting for Parks & Recreation Master and Strategic Planning Services, in an amount not to exceed \$199,000; and, approving a carry-over of \$250,000 from the Fiscal Year 2018-19 General Fund Budget Surplus to the Fiscal Year 2019-20 Parks & Recreation Administration Operating Budget. (Staff Contact: Mick Calarco, Parks & Recreation)

ACTION: Adopted Resolution No. 2019-195 – 5/0.

3. AWARD OF CONTRACT FOR THE CROSSINGS GOLF COURSE LAKE LINER REFURBISHMENT PROJECT – Adoption of a Public Financing Authority Resolution awarding a construction contract to Canyon Springs Enterprises for the Crossings at Carlsbad Municipal Golf Course Lake Refurbishment Project (Contract No. PWS 19-807 PKS) in an amount not to exceed \$625,000 and appropriating \$835,500 to the Golf Course Lake Refurbishment Project, CIP Project No. 4084, and \$94,500 to the Golf Course Operation Budget from the Golf Course Fund. (Staff contact: Kyle Lancaster, Parks & Recreation)

ACTION: Adopted PFA Resolution No. 80 – 5/0.

ORDINANCES FOR INTRODUCTION:

4. AMENDMENT TO THE CARLSBAD MUNICIPAL CODE TO UPDATE STAFF ROLES FOR REVIEWING AND APPROVING PLANS AND SPECIFICATIONS FOR TRAFFIC CONTROL DEVICES AND CONSTRUCTION PROJECTS – Introduce an Ordinance amending Carlsbad Municipal Code Chapter 3.28, and Sections 5.29.040 and 10.08.060 regarding review and approval of plans and specifications for traffic control devices and construction projects; and,

Adopt a Resolution delegating authority to additional positions to review and approve plans and specifications for traffic control devices and construction projects. (Staff contact: Paz Gomez, Public Works)

City Manager’s Recommendation: Introduce the Ordinance and adopt the Resolution.

ACTION: Introduced Ordinance No. CS-361 – 5/0.

ACTION: Adopted Resolution No. 2019-196 – 5/0.

5. RESOLUTION TO ESTABLISH THE CLEAN ENERGY ALLIANCE THROUGH A JOINT EXERCISE OF POWERS AGREEMENT AND INTRODUCTION OF AN ORDINANCE TO IMPLEMENT A COMMUNITY CHOICE AGGREGATION PROGRAM – Adopt a Resolution approving and authorizing the execution of the Joint Exercise of Powers Agreement creating the Clean Energy Alliance, a Community Choice Aggregation Joint Powers Authority; and,

Introduce an Ordinance authorizing the implementation of a Community Choice Aggregation Program; and,

Appoint two City Council Members to the Clean Energy Alliance Board of Directors (primary/alternate), representing the City of Carlsbad, in accordance with Section 4.1 of the Clean Energy Alliance Joint Powers Agreement. (Staff contact: Jason Haber, City Manager Department)

City Manager’s Recommendation: Introduce the Ordinance, adopt the Resolution and appoint two City Council Members to the Clean Energy Alliance Board of Directors.

ACTION: Adopted Resolution No. 2019-197 – 5/0.

ACTION: Introduced Ordinance No. CS-362 – 5/0.

ACTION: On a Minute Motion by Council Member Blackburn, seconded by Council Member Schumacher appointed City Council Member Schumacher as the primary and Mayor Hall as the alternate to serve on the Clean Energy Alliance Board of Directors. 4/1 (Bhat-Patel – No)

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARINGS: None.

DEPARTMENTAL AND CITY MANAGER REPORTS:

This item was continued from the Meeting of June 25, 2019.

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

City Manager’s Recommendation: Receive the presentation.

ACTION: Council received the presentation.

7. APPROVE AGREEMENT WITH PATROL MASTERS, INC. – Adoption of a Resolution approving a one-year contract with Patrol Masters, Inc. in an amount not to exceed \$368,352 for adult crossing guard services. (Staff contact: Cindy Anderson, Police)

City Manager’s Recommendation: Adopt the Resolution.

ACTION: Adopted Resolution No. 2019-198 – 5/0.

8. CITY COUNCIL MEMBER REQUEST TO APPOINT COMMUNITY MEMBER TO FILL UPCOMING CITY COUNCIL VACANCY AND FOR PREPARATION OF AN ORDINANCE AMENDING CARLSBAD MUNICIPAL CODE SECTION 2.04.030 – Consider Council Member Hamilton’s request to fill the upcoming City Council vacancy (Gov. Code, §36512, subd. (e)) and for preparation of an Ordinance amending Carlsbad Municipal Code (CMC) Section 2.04.030 to give the City Council the ability to fill a City Council vacancy by both appointing an interim replacement and calling for a special election. (Staff contact: Celia Brewer and Cindie McMahon, City Attorney Department)

City Manager’s Recommendation: Consider the request.

ACTION: Minute Motion by Council Member Hamilton, seconded by Mayor Pro Tem Bhat-Patel to make an appointment for District 1 at the October 22, 2019 Council Meeting – Motion Failed 2/2/1. (Hall, Blackburn – No, Schumacher - Absent)

ACTION: Minute Motion by Council Member Hamilton, seconded by Mayor Pro Tem Bhat-Patel to direct staff to bring back options to amend the Carlsbad Municipal Code relating to City Council Vacancies (see Minutes for details) – Motion Carried 3/1/1. (Hall – No, Schumacher - Absent)

9. APPOINT THREE MEMBERS TO THE PARKS & RECREATION COMMISSION – Adoption of Resolutions appointing three members to the Parks & Recreation Commission. (Staff contact: Tammy McMinn, City Clerk Services)

City Manager’s Recommendation: Adopt the Resolutions.

ACTION: Adopted Resolution No. 2019-199 appointing Nikole Pearson – 5/0.

ACTION: Adopted Resolution No. 2019-200 appointing Amy Allemann – 5/0.

ACTION: Adopted Resolution No. 2019-201 appointing Brad Thorp – 5/0.

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

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

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

Priya Bhat-Patel SANDAG (2nd alternate)
Mayor Pro Tem North County Transit District (primary)
City/School Committee
League of California Cities – SD Division

Cori Schumacher SANDAG (primary)
Council Member Buena Vista Lagoon JPC
Encina Wastewater Authority Board of Directors (alternate)

Barbara Hamilton SANDAG (1st alternate)
Council Member 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 Manager Scott Chadwick congratulated the City of Carlsbad’s I.T. Department for earning the 2019 award for Excellence in Information Technology Practices from the

Municipal Information Systems Association of California. He also congratulated City Clerk Services Manager Sheila Cobian on earning her Master Municipal Clerk Certification from the International Institute of Municipal Clerks.

CITY ATTORNEY COMMENTS: None.

ADJOURNMENT: 9:24 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 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.