



CITY COUNCIL Agenda

Nov. 19, 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 p.m.

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

ANNOUNCEMENT OF CONCURRENT MEETINGS: City Council is serving as the Carlsbad Municipal Water District Board of Directors on Public Hearing Item No. 16.

INVOCATION: None.

PLEDGE OF ALLEGIANCE: Council Member Blackburn led the Pledge of Allegiance.

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held Oct. 8, 2019

Minutes of the Special Meeting held Nov. 8, 2019

ACTION: Approved Minutes as presented – 4/0.

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** – Report on City Investments as of Sept. 30, 2019. (Staff contact: Craig Lindholm, City Treasurer, Laura Rocha, Administrative Services)
ACTION: Council received the report.
2. **SETTLEMENT OF THE WORKERS' COMPENSATION CLAIM OF PATRICK FANENE FOR \$58,290** – Adoption of a Resolution authorizing settlement of the Workers' Compensation Claim of Patrick Fanene for \$58,290. (Staff contact: Donna Hernandez, Human Resources)
ACTION: Adopted Resolution No. 2019-231 – 4/0.
3. **MASTER LICENSE AGREEMENT WITH COMMON NETWORKS, INC. TO ALLOW THE USE OF CITY-OWNED FACILITIES TO INSTALL AND OPERATE WIRELESS DATA COMMUNICATION FACILITIES** – Adoption of a Resolution authorizing a Master License Agreement with Common Networks, Inc. to allow the use of city-owned properties to install and operate affordable high-speed wireless internet service 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. 2019-232 – 4/0.

4. CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS FOR THE AVIARA AND HIDDEN CANYON COMMUNITY PARKS PLAYGROUND SAFETY RESURFACING PROJECT – Adoption of a Resolution approving the contract documents, plans and specifications for the Aviara and Hidden Canyon Community Parks Playground Safety Resurfacing Project, CIP Project No. 4745, and authorizing the city clerk to advertise the project for public bids. (Staff contact: Kyle Lancaster, Parks & Recreation)

ACTION: Adopted Resolution No. 2019-233 – 4/0.

5. AGREEMENT WITH SILLMAN WRIGHT ARCHITECTS TO COMPLETE DESIGN WORK FOR PUBLIC SAFETY AND SERVICE CENTER IMPROVEMENTS – Adoption of a Resolution authorizing an agreement with Sillman Wright Architects to complete the design work for the City of Carlsbad Public Safety and Service Center Improvements, Capital Improvement Program Project No. 4715 in an amount not to exceed \$611,214. (Staff contact: Steven Stewart, Public Works; Mickey Williams, Police)

ACTION: Adopted Resolution No. 2019-234 – 4/0.

6. AMENDMENT NO. 2 TO REIMBURSEMENT AGREEMENT WITH WESTERN PACIFIC HOUSING – Adoption of a Resolution approving Amendment No. 2 to the Reimbursement Agreement with Western Pacific Housing – El Camino, LLC for the design and construction of Poinsettia Lane Reaches F and G. (Staff contact: Hossein Ajideh, Public Works)

ACTION: Adopted Resolution No. 2019-235 – 4/0.

7. CONTRACT WITH COMMERCIAL WATERPROOFING SYSTEMS, INC. FOR THE FARADAY CENTER ROOF REPLACEMENT – Adoption of a Resolution authorizing execution of a contract with Commercial Waterproofing Systems, Inc. for the Faraday Center roof refurbishment, Capital Improvement Program Project No. 4720, for an amount not to exceed \$521,355. (Staff contact: Steven Stewart and John Maashoff, Public Works)

ACTION: Adopted Resolution No. 2019-236 – 4/0.

8. APPROPRIATION OF ADDITIONAL FUNDS FOR PALOMAR AIRPORT ROAD WIDENING – Adoption of a Resolution approving appropriation of additional Gas Tax Funds in the amount of \$125,000 for the Palomar Airport Road Widening Project, Capital Improvement Program (CIP) Project Nos. 6043 and 6044. (Staff contact: Daniel Zimny, Public Works)

ACTION: Adopted Resolution No. 2019-237 – 4/0.

9. AGREEMENT WITH CHEN RYAN ASSOCIATES, INC. – Adoption of a Resolution authorizing execution of an agreement with Chen Ryan Associates, Inc. for engineering design of the Village and Barrio Traffic Circles, Capital Improvement Program Project No. 4015, in an amount not to exceed \$475,314. (Staff contact: Jonathan Schauble, Public Works)

ACTION: Adopted Resolution No. 2019-238 – 4/0.

10. ADVERTISE FOR BIDS FOR TRAFFIC SIGNAL AT POINSETTIA LAND AND CASSIA ROAD THE TRAFFIC SIGNAL AT POINSETTIA LANE AND ORIOLE COURT/SKIMMER COURT, CIP PROJECT NOS. 6329 AND 6330 – Adoption of a Resolution approving the plans and specifications and authorizing the city clerk to advertise for bids for the traffic signal at Poinsettia Lane and Cassia Road and the traffic signal at Poinsettia Lane and Oriole Court/Skimmer Court, CIP Project Nos. 6329 and 6330. (Staff contact: Jonathan Schauble, Public Works)
ACTION: Adopted Resolution No. 2019-239 – 4/0.

11. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH NORTH COUNTY TRANSIT DISTRICT – Adoption of a Resolution approving of a Memorandum of Understanding with the North County Transit District (NCTD) to assist in the enforcement of parking and vehicular access at NCTD properties located in Carlsbad. (Staff contact: Cindy Anderson, Police)
ACTION: Adopted Resolution No. 2019-240 – 4/0.

12. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH CARLSBAD UNIFIED SCHOOL DISTRICT – Adoption of a Resolution approving a Memorandum of Understanding between the City of Carlsbad and Carlsbad Unified School District for the School Resource Officer Program for the 2019-20 School Year. (Staff contact: Cindy Anderson, Police)
ACTION: Adopted Resolution No. 2019-241 – 4/0.

13. APPROPRIATE FUNDS THROUGH THE FY 2019 OFFICE OF TRAFFIC SAFETY SELECTIVE TRAFFIC ENFORCEMENT PROGRAM – Adoption of a Resolution authorizing the City Manager to accept the Fiscal Year 2019 Office of Traffic Safety Selective Traffic Enforcement Program (STEP) and authorizing the deputy city manager of Administrative Services to appropriate the funds for STEP expenses in the amount of \$90,000. (Staff contact: Cindy Anderson, Police)
ACTION: Adopted Resolution No. 2019-242 – 4/0.

14. EXTENSION OF THE AD-HOC CITY COUNCIL NORTH COUNTY HOMELESS ACTION PLAN SUBCOMMITTEE Adoption of a Resolution to extend the Ad-Hoc City Council North County Homeless Action Plan Subcommittee comprised of Mayor Hall and Mayor Pro Tem Bhat-Patel, to continue engaging neighboring cities and determine whether there is support for participating in collaborative effort to develop a North County Homeless Action Plan. (Staff contact: David de Cordova, Community & Economic Development)
ACTION: Adopted Resolution No. 2019-243 – 4/0.

ORDINANCES FOR INTRODUCTION:

15. EXPRESSIVE ACTIVITIES ORDINANCE – Introduction of an Ordinance amending Carlsbad Municipal Code Title 8, Chapter 8.17 regarding Special Events, adding Chapter 8.18 regarding Expressive Activity Events and waiving applicable park user fees.

City Manager’s Recommendation: Introduce the Ordinance.

ACTION: Introduced Ordinance No. CS-365 as amended (see Minutes for details) – Motion Carried 3/1 (Hall – No).

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARING:

16. WATER RATES PUBLIC HEARING – Adoption of a City Council Resolution approving two-year rates for wastewater services; and
Adoption of a Resolution of the Board of Directors of the Carlsbad Municipal Water District approving a potable water rate structure modification and two-year rates for potable water and recycled water services. (Staff contact: Ligeia Heagy and Vicki Quiram, Public Works)

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

ACTION: Adopted Resolution No. 2019-244 and CMWD Resolution No. 1624 – 4/0.

DEPARTMENTAL AND CITY MANAGER REPORTS:

This item was continued from the Nov. 12, 2019 City Council Meeting.

17. UPDATE ON THE CITY’S DIGITAL INFORMATION NETWORK – Receive an informational presentation on the city’s current digital information network and its deficiencies, in preparation for a later presentation offering a proposed new and more robust network. (Staff contact: Maria Callander, Information Technology)

City Manager’s Recommendation: Receive the report.

ACTION: Council received the report.

18. REGIONAL TRAFFIC CALMING PRACTICES – Receive an informational presentation providing an overview of traffic calming in the region including best practices, standards and programs. (Staff contact: John Kim, Public Works)

City Manager’s Recommendation: Receive the report.

ACTION: Council received the report.

ACTION: Minute Motion by Council Member Schumacher to provide the presentation at a meeting of the Traffic & Mobility Commission and provide memo to City Council of comments received at the Traffic & Mobility Commission meeting – Motion carried, 4/0.

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 (2 nd alternate) North County Transit District (primary) City/School Committee

**Cori Schumacher
Council Member**

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

**Vacant – District No. 1
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: None.

CITY ATTORNEY COMMENTS: None.

ADJOURNMENT: 7:51 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.