



CITY COUNCIL Agenda

Dec. 17, 2019, 6 p.m.

Amended 12-12-19

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:

ROLL CALL:

ANNOUNCEMENT OF CONCURRENT MEETINGS: City Council is serving as the Carlsbad Municipal Water District Board of Directors on Item Nos. 12, 13, 14, 17, and 21.

INVOCATION: None.

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

Minutes of the Special Meeting held Dec. 10, 2019

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. **ANNUAL FINANCIAL INFORMATION REPORT ON CAPITAL PROJECT FUNDS AND SPECIAL TAXES** – Adoption of a resolution accepting the Annual Financial Information Report on Capital Project Funds and Special Taxes pursuant to California Government Code Sections 50075, 66001 and 66006. (Staff contact: Ryan Green, Administrative Services)
2. **REPORT ON CITY INVESTMENTS AS OF OCT. 31, 2019** – Accept and file the Report on City Investments as of Oct. 31, 2019. (Staff contact: Craig Lindholm, City Treasurer and Laura Rocha, Administrative Services)
3. **REVISIONS TO THE CITY'S INVESTMENT POLICY** – Adoption of a resolution approving the City's Investment Policy dated Dec. 17, 2019, which includes two revisions. (Staff contact: Craig Lindholm, City Treasurer)
4. **REVISIONS TO THE PART-TIME SALARY SCHEDULE** – Adoption of a resolution approving revisions to the City of Carlsbad Part-Time Salary Schedule and authorizing pay increases effective Jan. 1, 2020 for

part-time employees who are below the new minimum wage. (Staff contact: Silvano Rodriguez, Human Resources)

5. APPROVAL OF CITY COUNCIL WORKSHOP MEETING RULES – Adoption of a resolution approving meeting rules for City Council Workshops. (Staff contact: Sheila Cobian, City Clerk Services)
6. RECEIVE AND FILE BOARDS, COMMISSIONS AND COMMITTEES LOCAL APPOINTMENTS LIST FOR 2020 Receive and file the Boards, Commissions and Committees Local Appointments List for 2020. (Staff contact: Mia De Marzo, City Clerk Services)
7. APPROVAL OF CONTRACT WITH WESTERN SENIOR HOUSING – Adoption of a resolution approving a professional services agreement for Property Management Services with Western Senior Housing Management for Tyler Court Senior Apartments. (Staff contact: Laureen Ryan, Community & Economic Development)
8. APPROVAL OF COOPERATIVE AGREEMENT WITH HF&H CONSULTANTS, LLC – Adoption of a resolution authorizing execution of a Cooperative Professional Services Agreement with HF&H Consultants, LLC, for Solid Waste, Recycling and Organics Consulting Services in an amount not to exceed \$800,000; and authorizing appropriation of funds from the Solid Waste Enterprise Fund in an amount not to exceed \$800,000 to fund the agreement. (Staff contact: James Wood, Public Works)
9. AWARD OF CONTRACT TO TPA CONSTRUCTION FOR CONSTRUCTION OF THE FISCAL YEAR 2019-20 BRIDGE PREVENTIVE MAINTENANCE – Adoption of a resolution accepting bids and awarding a contract to TPA Construction for construction of the Fiscal Year 2019-20 Bridge Preventive Maintenance, Capital Improvement Program Project No. 6066-19, in an amount not to exceed \$295,580, waiving a minor irregularity in their bid, and approving an appropriation of additional Infrastructure Replacement Funds in an amount of \$37,511 to fund necessary construction support services for the project. (Staff contact: Emad Elias, Public Works)
10. ADVERTISE FOR BIDS FOR THE NORTHWEST QUADRANT STORM DRAIN IMPROVEMENT PROGRAM – STATE STREET DRAINAGE IMPROVEMENTS – Adoption of a resolution approving plans and specifications and authorizing the city clerk to advertise for bids for the Northwest Quadrant Storm Drain Improvement Program – State Street Drainage Improvements, Capital Improvement Program Project No. 6608. (Staff contact: Daniel Zimny, Public Works)
11. ADVERTISE FOR BIDS FOR THE STORM DRAIN SYSTEM REHABILITATION AND REPAIR PROGRAM, CORRUGATED METAL PIPE REPLACEMENT PHASE II – Adoption of a resolution approving plans and specifications and authorizing the city clerk to advertise for bids for the Storm Drain System Rehabilitation and Repair Program, Corrugated Metal Pipe Replacement Phase II, Capital Improvement Program Project No. 6607. (Staff contact: Farhad Bolourchi, Public Works)
12. AUTHORIZATION TO PURCHASE ONE 2020 HV44 WET/DRY HYDRO-EXCAVATOR – Adoption of a Carlsbad Municipal Water District resolution authorizing the purchase of one 2020 HV44 wet/dry hydro-excavator from GAPVAX, Inc., Sourcewell Contract No. 122017-GPV, in an amount not to exceed \$475,712. (Staff contact: Matt Jacobs and Vicki Quiram, Public Works)
13. AMENDMENTS TO AGREEMENTS WITH VALLEY CM, INC. FOR RECYCLED WATER PHASE III PIPELINE EXPANSION SEGMENT 5 – Adoption of a Carlsbad Municipal Water District (CMWD) resolution

authorizing a change order in the amount of \$2,165,004, approving an increase to the contingency amount by \$672,993, and authorizing an additional appropriation of \$3,141,697 for the contract with Ferreira Coastal Construction Company for construction of the Recycled Water Phase III Pipeline Expansion Segment 5, Capital Improvement Program Project No. 5208-B and the miscellaneous pipeline replacements, CIP Project No. 3904. (Staff contact: Valerie Airey and Ken Knatz, Public Works)

14. CONFIRMATION OF A DECLARATION OF A LOCAL EMERGENCY FOR REPAIR OF A POTABLE WATER MAIN LOCATED IN THE NORTH COUNTY TRANSIT DISTRICT RAILROAD RIGHT-OF-WAY – Adoption of a Carlsbad Municipal Water District (CMWD) resolution confirming the executive manager’s Declaration of a Local Emergency for repair of a potable water main located on Avenida Encinas and crossing under the North County Transit District Railroad tracks. (Staff contact: Vicki Quiram, Public Works)

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION:

15. AMENDMENT TO CMC CHAPTER 8.45 – CONSUMPTION OF ALCOHOL OR CONTROLLED SUBSTANCES BY MINORS AT PARTIES, EVENTS OR GATHERINGS – Adoption of Ordinance No. CS-366 amending Carlsbad Municipal Code Chapter 8.45 Consumption of Alcohol or Controlled Substances by Minors at Parties, Events or Gatherings. (Staff contact: Sheila Cobian, City Clerk Services)

City Manager’s Recommendation: Adopt Ordinance No. CS-366

16. PLANNING COMMISSION WORK PLAN AND ORDINANCE AMENDMENTS – Adoption of Ordinance No. CS-367 amending Carlsbad Municipal Code Chapter 2.24 regarding the Planning Commission to be consistent with Chapter 1.20 Meetings and Chapter 2.15 Boards and Commissions. (Staff contact: Sheila Cobian, City Clerk Services)

City Manager’s Recommendation: Adopt Ordinance No. CS-367

17. AMENDMENT TO CARLSBAD MUNICIPAL WATER DISTRICT ORDINANCE NO. 47 – IMPLEMENT CALIFORNIA SENATE BILL NO. 998 – Adoption of Carlsbad Municipal Water District (CMWD) Ordinance No. 47, to define and establish prices and conditions of water delivery; to provide a method of establishing and fixing rates and charges for water delivered; to provide a method for extension of CMWD facilities; regulating the issuance of water meters; establishing process and fees for engineering services related to land development; defining meters and fire hydrants, water efficient landscaping; cross connection control program; establishing procedures for work in CMWD right-of-way. (Staff contact: Sheila Cobian, City Clerk Services)

City Manager’s Recommendation: Adopt CMWD Ordinance No. 47.

PUBLIC HEARING:

18. INCLUSIONARY HOUSING AND DENSITY BONUS AMENDMENTS – Introduce an ordinance approving a Zone Code Amendment and Local Coastal Program Amendment to update the City’s Inclusionary Housing and Density Bonus Zoning Ordinances to reflect changes in State Law (Case Name: Inclusionary Housing and Density Bonus Zoning Ordinances to Reflect Changes in State Law, Case No. ZCA 2017-0001/LCPA 2017-0001 (PUB17Y-0004); and,

Adoption of a resolution approving a General Plan Amendment, a Zone Code Amendment and a Local Coastal Program Amendment to update the City's Inclusionary Housing and Density Bonus Zoning Ordinances to reflect changes in State Law. (Staff contact: Melanie Saucier, Community & Economic Development)

City Manager's Recommendation: Take public input, close the public hearing, introduce the ordinance and adopt the resolution.

19. AMENDMENT TO THE CONDITIONS OF THE TENTATIVE TRACT MAP AND SITE DEVELOPMENT PLAN FOR PROJECT LOCATED AT 2646 STATE STREET - THE SEAGLASS – Adoption of a resolution approving Amendment No. Amend 2019-0006 and Amendment No. Amend 2019-009, amendments to Tentative Tract Map No. CT 2018-0004 and Site Development Plan No. SDP 2018-0021, to satisfy the inclusionary requirement with the purchase of one inclusionary housing credit from Tavarua for an eight-unit, residential air-space condominium project located at 2646 State Street. Case No. Amend 2019-006/SDP 2019-0009 (DEV2017-0236). (Staff contact: Shannon Harker, Community & Economic Development)

City Manager's Recommendation: Take public input, close the public hearing and adopt the resolution.

20. SAN DIEGO COUNTY ACQUISITION OF PROPERTY WITHIN THE MCCLELLAN-PALOMAR AIRPORT RUNWAY PROTECTION ZONE – Adoption of a resolution pursuant to California Government Code Section 65402 determining that San Diego County's acquisition of 5817 Dryden Place is consistent with the Carlsbad General Plan and the McClellan-Palomar Airport Land Use Compatibility Plan; and adoption of a resolution pursuant to California Public Utilities Code Section 21661.6 approving San Diego County's acquisition and plan for the use of 5817 Dryden Place for runway protection zone purposes for the existing runway at McClellan-Palomar Airport. (Staff contact: Jason Haber, City Manager Department)

City Manager's Recommendation: Take public input, close the public hearing and adopt the resolutions.

DEPARTMENTAL AND CITY MANAGER REPORTS:

21. DIGITAL INFORMATION NETWORKS PRESENTATION AND APPROVAL OF AGREEMENTS – Adoption of resolutions authorizing the city manager to execute various license agreements with Crown Castle Fiber LLC, Magellan Advisors LLC, and Logicalis Inc., and order forms for the digital information network. (Staff contact: Maria Callander, Information Technology)

City Manager's Recommendation: Adopt the resolutions.

22. DETERMINATION OF FOUR DEFICIENT STREET FACILITIES ACCORDING TO THE GROWTH MANAGEMENT PLAN AND ADOPTION OF MEASURES TO ADDRESS DEFICIENCIES – Adoption of a resolution to:
- A. Determine the following street facilities to be deficient because they do not meet the level of service (LOS) performance standard required by the city's Growth Management Plan (GMP):
 - Southbound El Camino Real from the Oceanside city limits to Marron Road
 - Northbound El Camino Real from Marron Road to the Oceanside city limits

- Southbound College Boulevard from Aston Avenue to Palomar Airport Road
 Southbound Melrose Drive from the Vista city limits to Palomar Airport Road
- B. Exempt the following street facilities from the LOS performance standard, in accordance with the General Plan Mobility Element criteria:
 1. Southbound El Camino Real from the Oceanside city limits to Marron Road
 2. Northbound El Camino Real from Marron Road to the Oceanside city limits
 3. Southbound Melrose Drive from Vista city limits to Palomar Airport Road
 - C. Expedite Capital Improvement Program (CIP) Project No. 6028, to address the deficiency southbound College Boulevard from Aston Avenue to Palomar Airport Road, and waive the right-of-way open space boundary adjustment requirement under General Plan Open Space Element Policy 4-P.6
 - D. Expedite CIP Project No. 6034, to improve traffic operations southbound Melrose Drive from the Vista city limits to Palomar Airport Road, and waive the right-of-way open space boundary adjustment requirement under General Plan Open Space Element Policy 4-P.6 (Staff contact: Hossein Ajideh, Public Works)

City Manager’s Recommendation: Adopt the resolution.

23. APPOINT FIVE MEMBERS TO THE HOUSING ELEMENT ADVISORY COMMITTEE – Adoption of resolutions appointing five members to the Housing Element Advisory Committee. (Staff contact: Tammy McMinn, City Clerk Services)

City Manager’s Recommendation: Adopt the resolutions.

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 League of California Cities – SD Division
Cori Schumacher Council Member	SANDAG (primary) Buena Vista Lagoon JPC Encina Wastewater Authority Board of Directors (alternate)
Vacant – District No. 1 Council Member	SANDAG (1 st 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:

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.