



CITY COUNCIL

Agenda

August 22, 2017, 6 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

We Welcome Your Participation

Addressing the Council

If you would like to provide comments to the City Council, please:

1. Fill out a "speaker card" located in the foyer.
2. Submit to the City Clerk or City Clerk Services Manager.
3. Speakers will be provided a maximum of three minutes, which may be shortened at the discretion of the Mayor, depending on the number of people wishing to speak.
4. Groups: Group representatives will be permitted **only** for items listed on the agenda. Group speakers will speak first. Groups of six or more speakers may appoint one person to speak on their behalf. All members of the group must be present and fill out a speaker card. The group's representative will be given 10 minutes to speak. Depending on the number of people wishing to speak, time may be reduced at the discretion of the Mayor

Written Materials

Written agenda related items provided to the city's legislative leaders after distribution of the agenda packet will be available for inspection during normal business hours at the City Clerk's Office, 1200 Carlsbad Village Drive, Carlsbad, CA 92008. All agenda related items will also be available at the meeting. Please see the City Clerk to review.

Decorum

Carlsbad Municipal Code sections 1.20.320 and 1.20.330 require members of the public to observe order and decorum at this meeting and to conduct themselves in a courteous manner. California Penal Code section 403 makes it a misdemeanor for any person to willfully disturb or break up any assembly or meeting with lawful authority. The ordinances were adopted to allow for public input and to facilitate city business without disruption of the meeting. The Mayor, as presiding officer, has the authority to run the meeting. This includes the authority to issue warnings, call for recesses or even clear the Council Chamber in the event of disruptive behavior, such as applause or heckling. Applause is appropriate for items listed under the Presentation portion of the agenda only.

Future Agendas

Members of the public may have an item listed on a future agenda by submitting a letter to the City Manager. Unless the Mayor, with the consent of the Council, otherwise directs, such presentations shall be limited to 10 minutes. No action may be taken on public presentation items.

Visual Materials

Please coordinate with the City Manager's Office regarding submission of visual materials for Council meetings. All visual materials must be submitted to the City Manager's office by noon the Monday prior to the Council meeting. Visual materials will only be permitted for items listed on the agenda, not as part of the Public Comment portion of the agenda. Please label all materials with the related agenda item number and observe stated time limits. Visual materials are considered part of the maximum time limit provided to speakers. All materials exhibited to the Council during the meeting (slides, maps, etc.) are part of the public record. Your materials will be returned upon written request. **Video cannot be accommodated.**

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 preceding the meeting to make arrangements.

CALL TO ORDER: 6 p.m.

ROLL CALL: M. Hall, K. Blackburn, M. Schumacher, C. Schumacher, M. Packard

INVOCATION: None.

PLEDGE OF ALLEGIANCE: Led by Mayor Pro Tem Blackburn

APPROVAL OF MINUTES:

ACTION: Approved 5/0.

Minutes of the Regular Meeting held June 13, 2017.

Minutes of the Joint Special Meeting held July 11, 2017.

Minutes of the Regular Meeting held July 18, 2017.

PRESENTATIONS:

Presentation from San Diego County Tax Collector

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed. There will be no separate discussion on these items prior to the vote, unless an item is removed.*

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 CONTRACT, PLANS AND SPECIFICATIONS FOR OCEAN STREET BEACH ACCESS IMPROVEMENTS** – Adoption of a resolution approving the contract, plans and specifications for the Ocean Street Beach Access Improvements Project (CIP No. 6057), and authorizing the City Clerk to advertise the project for public bids. (Staff contact: Kyle Lancaster, Parks & Recreation)

ACTION: Adopted Resolution No. 2017- 160. – 5/0

2. **CONTRACT WITH TOVEY-SCHULTZ FOR LEO CARRILLO RANCH PROJECT (CIP NO. 4602)** – Adoption of a resolution awarding a contract for the Leo Carrillo Ranch Stables Restoration and Chicken Coop/New Restroom Construction Project (CIP No. 4602) to Tovey-Schultz Construction, Inc., in an amount not to exceed \$2,053,976. (Staff contact: Kyle Lancaster, Parks & Recreation)

ACTION: Adopted Resolution No. 2017-161. – 5/0

3. **MASTER LICENSE AGREEMENT WITH CROWN CASTLE NG WEST LLC** – Adoption of a resolution authorizing a Master License Agreement with Crown Castle NG West 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. 2017-162. – 5/0

4. AUTHORIZING WAY-FINDING SIGNS FOR CARLSBAD PREMIUM OUTLETS – Adoption of a resolution authorizing way-finding signs in the City’s right-of-way for the Carlsbad Premium Outlets – Case No. PS 16-50/DEV 2017-0081. (Staff contact: Chris Sexton, Community & Economic Development)
ACTION: Adopted Resolution No. 2017-163. – 4/1 (C. Schumacher – No)

5. APPROVAL OF AN EASEMENT TO SDG&E FOR SHOPPES AT CARLSBAD (CASE NO. SDP 09-04) – Adoption of a resolution granting an easement to San Diego Gas and Electric over a portion of Lot 9 of Map 8956, generally described as the parking lot for the Shoppes at Carlsbad Shopping Center. (Staff contact: Jeremy Riddle, Community & Economic Development)
ACTION: Adopted Resolution No. 2017-164. – 5/0

6. APPROVAL OF VILLAGE MASTER PLAN AMENDMENT TO ALLOW RESTAURANTS IN DISTRICT 6 – Adoption of a resolution approving an amendment to the Village Master Plan and Design Manual to allow restaurants as “a provisional use within Land Use District 6 (outside the Coastal Zone) of the Village Review Zone for property generally located in the City’s downtown area and zoned “Village Review” (V-R) in Local Facilities Management Zone 1. (Staff contact: Teri Delcamp, Community & Economic Development)
ACTION: Adopted Resolution No. 2017-165. – 4/1 (Hall – Absent)

7. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH CARLSBAD UNIFIED SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER PROGRAM – Adoption of a resolution approving a Memorandum of Understanding between the City of Carlsbad and Carlsbad Unified School District for the Fiscal Year 2017-18 School Resource Officer Program. (Staff contact: Cindy Anderson, Police)
ACTION: Adopted Resolution No. 2017-166. – 5/0

8. AMENDMENT TO AN AGREEMENT WITH PATROL MASTERS, INC. FOR ADULT CROSSING GUARD SERVICES – Adoption of a resolution approving Fourth Amendment of an Agreement between the City of Carlsbad and Patrol Masters, Inc., for additional school crossing guard services and an extension for one year. (Staff contact: Cindy Anderson, Community & Economic Development)
ACTION: Adopted Resolution No. 2017-167. – 5/0

9. CONTRACT WITH PALM ENGINEERING CONSTRUCTION COMPANY FOR CARLSBAD BOULEVARD BRIDGE IMPROVEMENTS – Adoption of a resolution accepting bids and awarding a contract to Palm Construction Engineering Company, Inc. for an amount not to exceed \$990,472 for the construction of the Carlsbad Boulevard Bridge Improvements over the Encina Power Station Discharge Channel, Project Nos. 6014 and 6053. (Staff contact: Brandon Miles, Public Works)
ACTION: Adopted Resolution No. 2017-168. – 5/0

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION: None.

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.

PUBLIC HEARINGS:

This item was continued from the meeting of July 18, 2017 at the request of the appellant.

10. APPEAL OF NOTICE AND ORDER TO REPAIR PROPERTY AT 3745 ADAMS STREET – Adoption of a resolution denying the appeal of Catherine Bryan of the Notice and Order to Repair the property at 3745 Adams Street and upholding the Notice and Order to Repair. (Staff contact: Mike Peterson, Community & Economic Development and Heather Stroud, City Attorney Department)

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

ACTION: Adopted Resolution No. 2017- 169. – 4/1 (C. Schumacher – No)

This item was continued from the meeting of July 25, 2017 at the request of the applicant.

11. APPEAL OF AMEND 2017-0002–K1 SPEED INDOOR KART RACING - 6212 CORTE DEL ABETO – Adoption of a resolution denying the appeal and upholding the decision of the Planning Commission to approve an amendment to Conditional Use Permit CUP 04-02AX1 to allow K1 Speed Indoor Kart Racing to operate a restaurant and serve beer and wine at their facility located at 6212 Corte Del Abeto in Local Facilities Management Zone 5. (Case No.: Amend 2017-0002). (Staff contact: Teri Delcamp, Community & Economic Development)

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

ACTION: Council granted the appeal and directed staff to return with a resolution to modify the CUP allowing operation of a restaurant without beer and wine service. – 4/1 (M. Hall – No)

12. AMEND THE GROWTH MANAGEMENT PERFORMANCE STANDARD FOR PARKS – Adoption of a resolution approving amendments to the General Plan Open Space, Conservation, and Recreation Element and the Citywide Facilities and Improvement Plan to amend the Growth Management Performance Standard for Parks, pursuant to the General Plan Lawsuit Settlement Agreement dated March 14, 2017 – Case No. GPA 2017-0002/OAJ 17-0004/PUB17Y-0011). (Staff contact: Corey Funk, Community & Economic Development)

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

ACTION: Adopted Resolution No. 2017-170. – 5/0

**ADJOURNMENT TO THE JOINT SPECIAL MEETING OF THE
CITY COUNCIL, CARLSBAD MUNICIPAL WATER DISTRICT, PUBLIC FINANCING AUTHORITY AND
COMMUNITY DEVELOPMENT COMMISSION**



JOINT MEETING

of the City Council, Carlsbad Municipal Water District, Public Financing Authority, Community Development Commission and City Council as Successor Agency to the Redevelopment Agency

Agenda

August 22, 2017, 6 p.m.

CALL TO ORDER: 8:59 p.m.

ROLL CALL: M. Hall, K. Blackburn, M. Schumacher, C. Schumacher, M. Packard

APPROVAL OF MINUTES:

ACTION: Approved 5/0.

Minutes of the Special Meeting held April 11, 2017 (Commission Only)

Minutes of the Joint Special Meeting held June 13, 2017 (Commission Only)

Minutes of the Joint Special Meeting held June 13, 2017 (Public Financing Authority Only)

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed. There will be no separate discussion on these items prior to the vote, unless an item is removed.*

WAIVER OF ORDINANCE TEXT READING:

This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.

13. **LOCAL CONFLICT OF INTEREST CODE UPDATE** – Adoption of a City Council resolution amending the Local Conflict of Interest Code of the City of Carlsbad; and, Adoption of a Carlsbad Municipal Water District Board of Directors resolution amending the Local Conflict of Interest Code of the Carlsbad Municipal Water District; and, Adoption of a Community Development Commission resolution amending the Local Conflict of Interest Code of the Carlsbad Community Development Commission; and, Adoption of a Public Financing Authority resolution amending the Local Conflict of Interest Code of the Carlsbad Public Financing Authority. (Staff contact: Sheila Cobian, City Clerk Department)

ACTION: Adopted City Council Resolution No. 2017- 171, CMWD Resolution No. 1579, Community Development Commission Resolution No. 539, and Public Financing Authority Resolution No. 74 as amended to add Beach Preservation Commission and Historic Preservation Commission to the Conflict of Interest Code. – 5/0

**ADJOURNMENT TO THE SPECIAL MEETING OF THE
CARLSBAD MUNICIPAL WATER DISTRICT**



CMWD SPECIAL MEETING
Agenda

August 22, 2017, 6 p.m.

CALL TO ORDER: 9:05 p.m.

ROLL CALL: M. Hall, K. Blackburn, M. Schumacher, C. Schumacher, M. Packard

APPROVAL OF MINUTES:

ACTION: Approved 5/0.

Minutes of the Joint Special Meeting held May 23, 2017

Minutes of the Joint Special Meeting held June 13, 2017

Minutes of the Joint Special Meeting held July 11, 2017

Minutes of the Special Meeting held July 11, 2017

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed. There will be no separate discussion on these items prior to the vote, unless an item is removed.*

WAIVER OF ORDINANCE TEXT READING:

This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.

14. ADVERTISE FOR BIDS FOR THE VALVE REPLACEMENT: PHASE I, PROJECT NO. 5019-A – Adoption of a resolution approving plans and specifications and authorizing the Secretary to advertise and receive bids for the Valve Replacement: Phase I. (Staff contact: Lindsey Stephenson, Public Works)

ACTION: Adopted Resolution No. 1580. – 5/0

15. AGREEMENT WITH CABRILLO POWER I, LLC FOR RECYCLED WATER PIPELINE EASEMENT, PROJECT NO. 5027 – Adoption of a resolution accepting an easement agreement with Cabrillo Power I, LLC for a recycled water pipeline easement for the Avenida Encinas Recycled Water Pipeline. (Staff contact: Mark Biskup, Public Works)

ACTION: Adopted Resolution No. 1581. – 5/0

16. ADVERTISE FOR BIDS FOR C AND D3 STEEL WATER TANKS COATING AND STRUCTURAL REPAIRS, PROJECT NO. 5024 – Adoption of a resolution approving plans and specifications and authorizing the Secretary to advertise and receive bids for the C and D3 Water Tanks Coating and Structural Repairs. (Staff contact: Mark Biskup, Public Works)

ACTION: Adopted Resolution No. 1582. – 5/0

17. CALIFORNIA DEPARTMENT OF WATER RESOURCES WATER DESALINATION GRANT PROGRAM ROUND 4, PROJECT NO. 5038 – Adoption of a resolution authorizing an application to the California Department of Water Resources Water Desalination Grant Program Round 4, for construction of the Carlsbad 5 Flow Control Facility. (Staff contact: Terry Smith, Public Works)

ACTION: Adopted Resolution No. 1583. – 5/0

ADJOURNMENT TO THE CONTINUATION OF THE CITY COUNCIL MEETING

DEPARTMENTAL AND CITY MANAGER REPORTS:

18. VILLAGE, BARRIO AND BEACH AREA PARKING MANAGEMENT PLAN – Receive a presentation on the draft parking management plan, hear public testimony and provide City Council comment regarding the plan. (Staff contact: Pam Drew, Community & Economic Development)

City Manager’s Recommendation: Receive the presentation, hear public testimony and provide City Council comment regarding the plan.

ACTION: Received report 4/1 (Hall – Absent)

19. FEASIBILITY REPORT FOR OUTDOOR ADVENTURE PARK AND MULTIGENERATIONAL RECREATION CENTER – Adoption of a resolution accepting the findings of the Parks & Recreation Department Feasibility Studies for a multigenerational community recreation center and an outdoor adventure park. (Staff contact: Mick Calarco, Parks & Recreation)

City Manager’s Recommendation: Adopt the resolution.

ACTION: Adopted Resolution No. 2017- 172. – 5/0

20. PARKS & RECREATION COMMISSION APPOINTMENTS - Adoption of resolutions appointing two members to the Parks & Recreation Commission. (Staff contact: Tammy McMinn, City Clerk Department)

City Manager’s Recommendation: Adopt the resolutions.

ACTION: Adopted Resolution No. 2017-173 reappointing Matt Simons to the Parks & Recreation Commission – 5/0

Adopted Resolution No. 2017-174 appointing Brad Thorp to the Parks & Recreation Commission. – 4/1 (C. Schumacher – No)

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.

COUNCIL REPORTS AND COMMENTS: (Revised 1/24/17)

PACKARD

Chamber of Commerce Liaison (alternate)
City/School Committee
North County Transit District Board of Directors
NCTD Performance, Administration and Finance Committee
North County Dispatch Joint Powers Authority (alternate)

C. SCHUMACHER Buena Vista Lagoon JPC
League of California Cities - SD Division
North County Transit District Board of Directors (alternate)
SANDAG Board of Directors (2nd Alternate)
SANDAG Regional Planning Committee (alternate)
SANDAG Shoreline Preservation Working Group

M. SCHUMACHER Chamber of Commerce Liaison
City/School Committee
Encina Joint Powers (JAC)
Encina Wastewater Authority Board of Directors
Encina Wastewater Authority Policy & Finance Committee
San Diego County Regional Airport Authority Board of Directors

BLACKBURN Buena Vista Lagoon JPC
Encina Joint Powers (JAC)
Encina Wastewater Authority Board of Directors
Encina Wastewater Authority Capital Improvement Committee
North County Dispatch Joint Powers Authority
SANDAG Board of Directors (1st Alternate)
SANDAG Public Safety Committee

HALL North County Mayors and Managers
San Diego County Water Authority (SDCWA) Board of Directors
SDCWA Legislation & Public Outreach Committee
SDCWA Administrative & Finance Committee
SANDAG Board of Directors

CITY MANAGER COMMENTS:

CITY ATTORNEY COMMENTS:

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.

ADJOURNMENT.

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 22, 2017 will approve the following final map:

Carlsbad Tract CT 14-04, Miles Buena Vista (Robert Miles Subdivision), located at 1833 Buena Vista Way.

And

Carlsbad Tract CT 16-05, Quarry Creek Planning Area R-4B West, generally located on the north side of Marron Road and adjacent to the western terminus of Adobe Springs Road.

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.