



CITY COUNCIL  
**Agenda**  
Jan. 9, 2018, 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 publication of the agenda packet will be distributed and posted to the City’s website each business day up to 2 p.m. on Tuesday for 6 p.m. meetings and up to 4 p.m. on Monday for 9 a.m. Tuesday meetings. Materials will also 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](mailto:manager@carlsbadca.gov) by noon on the Monday preceding the meeting to make arrangements.*

**CALL TO ORDER:** 6:00 p.m.

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

**INVOCATION:** None.

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Keith Blackburn led the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

**ACTION: Approved, 5/0.**

Minutes of the Regular Meeting held November 14, 2017.

**PRESENTATION:** None.

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

**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** – Acceptance of report on City Investments as of November 30, 2017. (Staff contact: Nancy Sullivan, Administrative Services)  
**ACTION: Accepted the report. – 5/0**
2. **FIRST AMENDMENT TO THE LEASE AGREEMENT WITH BIO, TECH, AND BEYOND, LLC** – Adoption of a resolution approving the first amendment to the lease agreement with Bio, Tech, and Beyond, LLC at 2351 Faraday Avenue and authorizing the City Manager to execute the first amendment. (Staff contact: Curtis Jackson, City Manager Department)  
**ACTION: Adopted Resolution No. 2018-001. – 4/1 (C. Schumacher – No)**
3. **APPROVAL OF AGREEMENT FOR BEACH ACCESS REPAIRS** – Adoption of a resolution approving a professional services agreement for the preparation of construction plans, specifications, cost estimates, and environmental permits with GHD, Inc., for an amount not to exceed \$500,000 for the Carlsbad Boulevard Beach Access Repairs from Pine Avenue to Tamarack Avenue, Project No. 3896. (Staff contact: Emad Elias, Public Works)  
**ACTION: Adopted Resolution No. 2018-002. – 5/0**
4. **AWARD OF CONTRACT FOR CONSTRUCTION OF BRIDGE PREVENTATIVE MAINTENANCE PROGRAM** – Adoption of a resolution accepting bids and awarding a contract to Leonida Builders, Inc. for an amount not to exceed \$434,420 for the construction of the Bridge Preventative Maintenance Program (2017), Project No. 6066-17. (Staff contact: Emad Elias, Public Works)  
**ACTION: Adopted Resolution No. 2018-003. – 5/0**

5. CONTRACT FOR CONSTRUCTION OF THE ADA IMPROVEMENT PROGRAM – Adoption of a resolution accepting bids and awarding a contract to Ramona Paving & Construction Corp. for an amount not to exceed \$620,266 for the construction of the ADA Improvement Program, Project No. 6049-17. (Staff contact: Emad Elias, Public Works)

**ACTION: Adopted Resolution No. 2018-004. – 5/0**

6. CREATION OF THE ROAD MAINTENANCE AND REHABILITATION ACCOUNT FUND AND APPROPRIATION OF FUNDS TO THE PAVEMENT MANAGEMENT PROGRAM – Adoption of a resolution creating the Road Maintenance and Rehabilitation Account Fund and appropriating Road Maintenance Rehabilitation Account Funds to the Pavement Management Program, Project No. 6001, and the Concrete Repair Program, Project No. 6013. (Staff contact: Marshall Plantz, Public Works)

**ACTION: Adopted Resolution No. 2018-005. – 5/0**

**ORDINANCES FOR INTRODUCTION:**

7. AMENDING CARLSBAD MUNICIPAL CODE CHAPTER 1.20– Introduction of an ordinance repealing Chapter 1.20 – City Council Procedure and replacing it with Chapter 1.20 - Meetings. (Staff contact: Celia Brewer, City Attorney)

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

**ACTION: Introduced Ordinance No. CS-329. – 5/0**

**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:** None.

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



CMWD SPECIAL MEETING  
**Agenda**

Jan. 9, 2018, 6 p.m.

**CALL TO ORDER:** 6:36 p.m.

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

**APPROVAL OF MINUTES:** None.

**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 Board votes on the motion unless members of the Board, 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 Board 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.

8. **CARLSBAD 5 FLOW CONTROL FACILITY APPLICATION FOR FUNDING** – Adoption of a resolution authorizing an application to the San Diego County Water Authority and Metropolitan Water District of Southern California for incentive funding under the local resources program for the Carlsbad 5 Flow Control Facility, Project No. 5038. (Staff contact: Terry Smith, Public Works)

**ACTION: Adopted Resolution No. 1590. – 5/0**

9. **QUITCLAIM A PORTION OF A PIPELINE EASEMENT OVER LOT 4 OF MAP NO. 15902, VAC 2017-0009** – Adoption of a resolution approving the quitclaim of a portion of a pipeline easement over Lot 4 of Map No. 15902, located at the Southwest corner of College Boulevard and Palomar Pointe Way. (Staff contact: Jeremy Riddle, Public Works)

**ACTION: Adopted Resolution No. 1591. – 5/0**

**PUBLIC HEARING:** None.

**DEPARTMENTAL AND EXECUTIVE MANAGER REPORT:** None.

**ADJOURNMENT TO THE SPECIAL MEETING OF THE  
PUBLIC FINANCING AUTHORITY**



PUBLIC FINANCING AUTHORITY  
SPECIAL MEETING

# Agenda

Jan. 9, 2018, 6 p.m.

**CALL TO ORDER:** 6:36 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 August 22, 2017.

**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 Board votes on the motion unless members of the Board, 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 Board 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.

10. **AGREEMENT FOR GOLF COURSE MANAGEMENT AND OPERATIONS** – Adopt a resolution authorizing the Chairman to execute a five-year agreement for golf course management and operations with JC Management, in an amount not to exceed \$270,000 per agreement year. (Staff contact: Kyle Lancaster, Parks & Recreation)

**ACTION: Per staff's request, item was continued to a date uncertain. – 5/0**

**ADJOURNMENT TO THE CONTINUATION OF THE CITY COUNCIL MEETING**

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

11. TRAFFIC SAFETY COMMISSION APPOINTMENT – Adoption of a resolution appointing one member to the Traffic Safety Commission. (Staff contact: Tammy McMinn, City Clerk Department)

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

**ACTION: Adopted Resolution No. 2018-006 appointing Bill Fowler to the Traffic Safety Commission. – 4/1 (C. Schumacher – No)**

12. COUNCIL REORGANIZATION, ELECTION OF MAYOR PRO TEMPORE AND REGIONAL COMMITTEE ASSIGNMENTS – Discuss Council reorganization by election of one member as Mayor Pro Tempore and appoint members of the City Council as liaisons/alternatives to various regional committees. (Staff contact: Faviola Medina, City Clerk Department)

**City Manager’s Recommendation:** Elect one member as Mayor Pro Tempore and appoint members as liaisons/alternatives to various regional committees.

**ACTION: Selected Keith Blackburn as Mayor Pro Tempore and appointed members as liaisons/alternatives to various regional committees (see minutes for details).**

**PUBLIC COMMENT:** Continuation of 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 (2<sup>nd</sup> 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 (1<sup>st</sup> 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:** 6:45 p.m.

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.

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 January 9, 2018 will approve the following final map:

**Carlsbad Tract CT 15-04 located at 725 Grand Avenue.**

**and,**

**Carlsbad Tract CT 16-04 located at 3794 Highland Drive.**

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.