



CITY COUNCIL  
**Agenda**  
Feb. 13, 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 Blackburn led the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

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

Minutes of the Special Meeting held November 9, 2017.

Minutes of the Regular Meeting held December 5, 2017.

Minutes of the Regular Meeting held December 12, 2017.

Minutes of the Regular Meeting held January 9, 2018.

Minutes of the Regular Meeting held January 23, 2018.

Minutes of the Special Meeting held January 23, 2018.

**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. **ACCEPT BIDS & AWARD A CONTRACT FOR DRAINAGE MASTER PLAN** – Adoption of a resolution accepting bids and awarding a contract to Orion Construction Corporation for an amount not to exceed \$1,859,895 for the construction of the Drainage Master Plan Project: BCA – Tamarack Avenue, Park Drive and Monroe Street, Project Nos. 6001, 6608 and 6617. (Staff contact: Daniel Zimny, Public Works)  
**ACTION: Adopted Resolution No. 2018-014. – 5/0**
2. **AUTHORIZATION TO NEGOTIATE NEW LEASE TERMS FOR THE LEASE OF THE DOVE CAFÉ** – Adoption of a resolution authorizing city staff to negotiate a lease agreement with Lisa Martel to operate a café within the property located at 1775 Dove Lane, commonly known as the Dove Library Café. (Staff contact: Curtis M. Jackson, City Manager Department)  
**ACTION: Adopted Resolution No. 2018-015. – 5/0**
3. **ACCEPT AND APPROPRIATE FUNDS FOR INTERIM LIFEGUARD SERVICES** – Adoption of a resolution authorizing the 2018 North Beach Lifeguard Program to operate from March 1 to October 31, 2018, and appropriating program funds in an amount not to exceed \$360,000. (Staff contact: Mike Calderwood, Fire Department)  
**ACTION: Adopted Resolution No. 2018-016. – 5/0**

4. APPROVAL OF SIDE LETTER WITH CPMA – Adoption of a resolution approving a side letter with the Carlsbad Police Management Association (CPMA) that amends Article 28, titled “Performance Management and Compensation System,” of the Memorandum of Understanding. (Staff contact: Julie Clark, Human Resources Department)  
**ACTION: Adopted Resolution No. 2018-017. – 5/0**
  
5. PROCESSING OF DISASTER CLAIMS RELATED TO THE LILAC FIRE – Adoption of a resolution designating and authorizing agent(s) to act on behalf of the city in the processing of disaster claims related to the Lilac Fire. (Staff contact: Jill Moya, Administrative Services)  
**ACTION: Adopted Resolution No. 2018-018. – 5/0**
  
6. APPROVAL OF BANKING SERVICES CONTRACT WITH WELLS FARGO BANK – Adoption of a resolution approving a five-year contract for general banking services, merchant banking services and custody services with Wells Fargo Bank. (Staff contact: Nancy Sullivan, Administrative Services)  
**ACTION: Adopted Resolution No. 2018-019. – 5/0**
  
7. PLANS & SPECIFICATIONS FOR AVIARA PARK PHASE II & POINSETTIA PARK PHASE III – Adoption of a resolution approving the revised plans, specifications and contract documents for the Aviara Community Park – Phase II and Poinsettia Community Park – Phase III construction projects, authorizing the City Clerk to advertise the projects for bids, and directing staff to pursue relocation of a dog park at Poinsettia Community Park. (Staff contact: Kyle Lancaster, Parks & Recreation)  
**ACTION: Adopted Resolution No. 2018-020. – 5/0**

**ORDINANCES FOR INTRODUCTION:** None.

**ORDINANCES FOR ADOPTION:**

8. SECOND DWELLING UNIT CODE AMENDMENT – Adoption of Ordinance No. CS-330 acknowledging receipt of the California Coastal Commission’s Resolution of Certification including suggested modifications for LCPA 2016-0001, and approving the associated suggested modifications to the Zoning Ordinance and the Local Coastal Program. (Staff contact: Sheila Cobian, City Clerk Department)

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

**ACTION: Adopted Ordinance No. CS-330. – 5/0**

**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 place it in the clear tray on the wall adjacent to the Deputy 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:**

9. Carlsbad Village Center – Adoption of a resolution approving a major review permit and coastal development permit for: 1) the removal of an existing retail use; and 2) the construction of a 25,631 square foot, four-story, mixed-use building consisting of a subterranean parking garage, ground floor retail, commercial office space and five (5) residential apartments located at 2995 State Street in Land Use District 1 of the Village Review Zone, the village segment of the Local Coastal Program and within Local Facilities Management Zone 1. Case Name: Carlsbad Village Center; Case No.: RP 16-13/CDP 16-35 (DEV16040); and  
Adoption of a resolution approving a Parking In-Lieu Fee Program Participation Agreement between the City Council and Leor Lakritz, property owner, for the project known as Carlsbad Village Center located at 2995 State Street in Land Use District 1 of the Village Review Zone and within Local Facilities Management Zone 1. Case Name: Carlsbad Village Center; Case No.: RP 16-13/CDP 16-35 (DEV16040) (Staff contact: Shannon Harker, Community & Economic Development)

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

**ACTION:** No action was taken due to tie vote. Item will be heard at the regular meeting of March 27. – 2/2/1 (K. Blackburn, C. Schumacher – No; M. Hall – Absent)

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

10. SANDAG PRESENTATION ON POINSETTIA STATION IMPROVEMENTS PROJECT – Receive a presentation from SANDAG regarding the Poinsettia Station Improvements Project, which is designed to enhance pedestrian safety, reduce train delays, and upgrade station amenities. (Staff contact: Jason Haber, City Manager Department)

**City Manager’s Recommendation:** Receive the presentation.

**ACTION:** Received the presentation.

11. PARKS & RECREATION DEPARTMENT OPEN PLAY FEES REPORT – Accept the Parks & Recreation Department open play fee report as presented by staff. (Staff contact: Mick Calarco, Parks & Recreation)

**City Manager’s Recommendation:** By minute motion, accept the report.

**ACTION:** Accepted the report.

**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 1/10/18)**

**PACKARD** Chamber of Commerce Liaison (primary)  
North County Transit District Board of Directors  
North County Dispatch Joint Powers Authority (alternate)  
SANDAG (2<sup>nd</sup> alternate)

**C. SCHUMACHER** Buena Vista Lagoon JPC  
League of California Cities - SD Division  
North County Transit District Board of Directors (alternate)  
City/School Committee

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

**BLACKBURN** Buena Vista Lagoon JPC  
Encina Joint Powers (JAC)  
Encina Wastewater Authority Board of Directors  
North County Dispatch Joint Powers Authority  
SANDAG Board of Directors (1<sup>st</sup> Alternate)

**HALL** North County Mayors and Managers  
San Diego County Water Authority (SDCWA) Board of Directors  
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:** 8:01 p.m.