



# CITY COUNCIL Agenda

July 24, 2018 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](http://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](mailto: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:** None.

**PLEDGE OF ALLEGIANCE:**

**INVOCATION:** Pastor JC Cooper, Carlsbad Community Church.

**APPROVAL OF MINUTES:** None.

**PRESENTATIONS:**

Proclamation in recognition of Fire Chief Davis.

Proclamation in recognition of Fred Vrabel.

**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. **APPROVAL OF LEASE WITH HOUSE MARTEL, LLC** – Adoption of a Resolution authorizing execution of a retail lease agreement with House Martel, LLC to operate a café at 1775 Dove Lane, commonly known as the Dove Library Café. (Staff contact: Curtis Jackson, City Manager Department)
2. **AUTHORIZE CITY MANAGER TO EXECUTE ACQUISITION DOCUMENTS FOR 2686 ALAMEDA CIRCLE** – Adoption of a Resolution authorizing the City Manager to execute all required documents to complete acquisition of 2686 Alameda Circle, Carlsbad, California, an affordable housing unit, and appropriating Community Development Block Grant Funds in the amount of \$220,000 and authorizing the City's Finance Director to disburse said funds to complete said purchase of real property. (Contact: Debbie Fountain, Community & Economic Development)
3. **EXTEND AGREEMENT WITH SANDAG FOR EXPEDITED SERVICES WITH CALIFORNIA COASTAL COMMISSION** – Adoption of a Resolution approving a six-month extension to an agreement with the San Diego Association of Governments Service Bureau for expedited services with the California Coastal Commission. (Staff contact: Don Neu, Community & Economic Development)

4. AWARD OF CONTRACT FOR SLURRY SEAL – Adoption of a Resolution accepting bids and awarding a contract to Roy Allan Slurry Seal, Inc. for an amount not to exceed \$984,292 for the construction of the 2018 Slurry Seal, Project No. 6001-18SS. (Staff Contact: Emad Elias, Public Works)
5. AWARD OF CONTRACT FOR PAVEMENT OVERLAY – Adoption of a Resolution accepting bids and awarding a contract to Pal General Engineering for an amount not to exceed \$2,177,318 for the construction of the 2018 Pavement Overlay, Project No. 6001-18OL. (Staff Contact: Emad Elias, Public Works)
6. ADVERTISE FOR BIDS FOR STATION 5 STORAGE BUILDING ROOF - Adoption of a Resolution approving the plans and specifications and authorizing advertisement to solicit bids for the Fire Station 5 Storage Building Roof, Project No. 4736. (Staff contact: Steven Stewart, Public Works)
7. APPROVAL OF BRIDGING DOCUMENTS AND ADVERTISE FOR DESIGN-BUILD PROPOSAL SOLICITATION FOR PUBLIC SAFETY AND SERVICE CENTER IMPROVEMENTS – Adoption of a Resolution approving the bridging documents for the City of Carlsbad Public Safety and Service Center Improvements, Project No. 4715, and authorizing the City Clerk to advertise for Design Build Proposal solicitation. (Staff contact: Steven Stewart, Public Works and Mickey Williams, Police)
8. AMENDMENT TO AGREEMENT WITH PACIFIC ARCHITECTURE & ENGINEERING, INC. – Adoption of a Resolution ratifying Amendment No. 2 to the Professional Services Agreement with Pacific Architecture & Engineering, Inc. to extend the term of the agreement for the Faraday Center Refurbishment, Project No. 4720. (Staff contact: Steven Stewart, Public Works)
9. AMENDMENT TO AGREEMENT WITH CITY OF VISTA FOR AGUA HEDIONDA SEWER PROJECT – Adoption of a Resolution authorizing execution of Amendment No. 2 to the agreement between the City of Carlsbad and the City of Vista for the construction of the Agua Hedionda Sewer Lift Station and Vista Carlsbad Interceptor Sewer, reaches VC11-VC15, Project Nos. 3492, 3886 and 3949. (Staff contact: Babaq Taj and Terry Smith, Public Works)
10. APPROVAL OF AGREEMENT FOR ADMINISTERING AGENCY-STATE AGREEMENTS FOR FEDERAL AID PROJECTS – Adoption of a Resolution authorizing the execution of the master agreement administering agency-state agreement for federal aid projects, Agreement No. 11-5308F15, with the California Department of Transportation and authorizing the City Manager, or designee, to execute program supplemental agreements. (Staff contact: Brandon Miles, Public Works)
11. APPROVAL OF AGREEMENT WITH CHEN RYAN ASSOCIATES, INC. – Adoption of a Resolution authorizing the execution of a professional services agreement with Chen Ryan Associates, Inc. for the preparation of a feasibility study in an amount not to exceed \$199,836 for the trail connectivity to Tamarack State Beach, Project No. 4063, and the ADA Beach Access Study, Project No. 6065. (Staff contact: Craig Williams, Public Works)

## ORDINANCES FOR INTRODUCTION:

12. AMENDMENTS TO SHORT TERM VACATION RENTAL ORDINANCE – Introduction of an Ordinance amending Carlsbad Municipal Code Chapter 5.60 Short-Term Vacation Rentals, clarifying and adding regulations governing short-term vacation rentals. (Staff contact: Kerry Jezisek, Housing & Neighborhood Services)

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

## ORDINANCES FOR ADOPTION:

13. VILLAGE & BARRIO MASTER PLAN AMENDMENTS – Adoption of Ordinance No. CS-333 amending Title 2, Chapter 2.24; Title 8, Chapter 8.09; Title 11, Chapter 11.44; Title 13, Chapter 13.10; and Title 18, Chapter 18.42 to recognize the Village and Barrio Master Plan, which would regulate development and land use for the Village and Barrio, an approximately 350-acre area west of Interstate 5 and generally between Laguna Drive and Tamarack Avenue in the City’s Northwest Quadrant. Case No.: MCA 16-01; and,  
Adoption of Ordinance No. 334 adopting a Zone Code Amendment, Zone Change, and Local Coastal Program Amendment to revise various sections of the Zoning Ordinance, including the Zoning Map, to recognize and implement the Village and Barrio Master Plan, which would regulate development and land use for the Village and Barrio, an approximately 350-acre area west of Interstate 5 and generally between Laguna Drive and Tamarack Avenue in the City’s Northwest Quadrant and in Local Facilities Management Zone 1. Case Name: Village and Barrio Master Plan. Case No.: ZCA 16-01/ZC 16-01/LCPA 14-01 (DEV08014); and,  
Adoption of Ordinance No. 335 repealing the Village Master Plan and Design Manual and approving the Village and Barrio Master Plan, MP 14-01, which would regulate development and land use for the Village and Barrio, an approximately 350-acre area west of Interstate 5 and generally between Laguna Drive and Tamarack Avenue in the City’s Northwest Quadrant and in Local Facilities Management Zone 1. Case Name: Village and Barrio Master Plan. Case No.: MP 14-01 (DEV08014) (Staff contact: Sheila Cobian, City Clerk Department)

**City Manager’s Recommendation:** Adopt Ordinance Nos. CS-333, CS-334 and CS-335.

14. AMENDMENT TO CARLSBAD MUNICIPAL CODE SECTION 2.44.020 PERSONNEL OFFICER – Adoption of Ordinance No. CS-336 amending Section 2.44.020 of the Carlsbad Municipal Code to grant the City Manager authority to make revisions to job descriptions for positions not in the classified service. (Staff contact: Sheila Cobian, City Clerk Department)

**City Manager’s Recommendation:** Adopt Ordinance No. CS-336.

15. AMENDMENT TO CARLSBAD MUNICIPAL CODE CHAPTER 2 RELATING TO BOARDS AND COMMISSIONS Adoption of Ordinance No. CS-337 repealing Sections 2.08.080, 2.08.090, 2.08.092, 2.08.094 and 2.08.110 of the Carlsbad Municipal Code and adding Chapter 2.15 Boards and Commissions. (Staff contact: Sheila Cobian, City Clerk Department)

**City Manager’s Recommendation:** Adopt Ordinance No. CS-337.

## PUBLIC HEARINGS:

16. WEED ABATEMENT PUBLIC HEARING – Adoption of a Resolution approving the cost assessments for weed abatement and directing the City Clerk to file a certified copy of the resolution with the San Diego County Assessor. (Staff contact: Randy Metz, Fire)

**City Manager’s Recommendation:** Take public input, close the Public Hearing and adopt the Resolution.

17. VISTA LAS FLORES BOND REFINANCING – Adoption of a Resolution authorizing issuance of Tax Exempt Revenue Bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$5,000,000 to refinance and rehabilitate a 28-unit multifamily rental affordable housing facility located at 6408 Halyard Place for the benefit of Vista Las Flores, L.P., or another entity created by Wakeland Housing and Development Corporation (or an affiliate). (Staff contact: Kerry Jezisek, Housing & Neighborhood Services)

**City Manager’s Recommendation:** Take public input, close the Public Hearing and adopt the Resolution.

18. ACKNOWLEDGEMENT OF CALIFORNIA COASTAL COMMISSION’S RESOLUTION OF CERTIFICATION FOR PROHIBITED USES CLARIFICATION – Introduction of an Ordinance acknowledging receipt of the California Coastal Commission’s Resolution of Certification including suggested modifications for LCPA 2017-0003, and approving associated suggested modifications to the zoning ordinance and Local Coastal Program. Case Name: Prohibited Uses Clarification Amendment. Case No.: ZCA 2017-0002/LCPA 2017-0003 (PUB17Y-0015)); and  
Adoption of a Resolution acknowledging receipt of the California Coastal Commission’s Resolution of Certification including suggested modifications for LCPA 2017-0003, and approving the associated suggested modifications to the Village Master Plan and Design Manual and Local Coastal Program. Case Name: Prohibited Uses Clarification Amendment. Case No.: Amend 2017-0006/LCPA 2017-0003 (PUB17Y-0015)) (Staff contact: Corey Funk, Community & Economic Development)

**City Manager’s Recommendation:** Take public input, close the Public Hearing and introduce the Ordinance and adopt the Resolution.

## DEPARTMENTAL AND CITY MANAGER REPORTS:

19. CARLSBAD PARKS UPDATE – Information report on the current and future Carlsbad Parks Inventory. (Staff contact: Kyle Lancaster, Parks & Recreation)

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

20. CITY HALL ELECTION DISCUSSION – Discussion on the issue of engaging voters in the site location decision for a new City Hall and Civic Center. (Staff contact: Gary Barberio, City Manager Department)

**City Manager’s Recommendation:** Discuss the issue.

21. HISTORIC PRESERVATION COMMITTEE APPOINTMENTS – Adoption of Resolutions appointing two members to the Historic Preservation Committee. (Staff contact: Tammy McMinn, City Clerk Department)

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

**COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:**

**City Council Regional Assignments (Revised 1/10/18)**

**Matt Hall** North County Mayors and Managers  
**Mayor** San Diego County Water Authority (SDCWA) Board of Directors  
SANDAG Board of Directors

**Keith Blackburn** Buena Vista Lagoon JPC  
**Mayor Pro Tem** Encina Joint Powers (JAC)  
Encina Wastewater Authority Board of Directors  
North County Dispatch Joint Powers Authority  
SANDAG Board of Directors (1st Alternate)

**Mark Packard** Chamber of Commerce Liaison (primary)  
**Council Member** North County Transit District Board of Directors  
North County Dispatch Joint Powers Authority (alternate)  
SANDAG (2nd alternate)

**Michael Schumacher** Chamber of Commerce Liaison (alternate)  
**Council Member** City/School Committee  
Encina Joint Powers (JAC)  
Encina Wastewater Authority Board of Directors  
San Diego County Regional Airport Authority Board of Directors

**Cori Schumacher** Buena Vista Lagoon JPC  
**Council Member** League of California Cities - SD Division  
North County Transit District Board of Directors (alternate)  
City/School Committee

**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](mailto: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.