



CITY COUNCIL Agenda

September 25, 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

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: Council is serving as both the Carlsbad City Council and the Carlsbad Municipal Water District Board of Directors on Item No. 9.

PLEDGE OF ALLEGIANCE:

INVOCATION: None.

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held August 21, 2018

PRESENTATIONS: 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. **REPORT ON CITY INVESTMENTS** – Acceptance of report on City Investments as of August 31, 2018. (Staff contact: Nancy Sullivan, Administrative Services)
2. **ACCEPTANCE OF DONATION FROM FRIENDS OF CARLSBAD LIBRARY** – Adoption of a Resolution accepting and appropriating a fiscal year 2018-19 donation of \$45,500 from the Friends of the Carlsbad Library to the City of Carlsbad Library & Cultural Arts Department. (Staff contact: Heather Pizzuto, Library & Cultural Arts)
3. **MASTER LICENSE AGREEMENT WITH MOBILITIE, LLC TO ALLOW THE USE OF CITY-OWNED STREET LIGHT AND UTILITY POLES WITHIN THE CITY’S RIGHT-OF-WAY FOR SMALL CELL FACILITIES** – Adoption of a Resolution authorizing a Master License Agreement with Mobilitie 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. (Contact: Curtis Jackson, City Manager Department)

4. REAUTHORIZATION OF PUBLIC, EDUCATION AND GOVERNMENT FUNDS – Adoption of a Resolution authorizing the City Manager to request Charter Communications, California, Inc., to continue to collect and remit Public, Education and Government Fees on behalf of the City of Carlsbad for an additional 10 years. (Staff Contact: Tonya Rodzach, Communications Department)
5. AGRICULTURAL CONVERSION MITIGATION FEE AD HOC CITIZEN’S ADVISORY COMMITTEE PROJECT AND FUNDING RECOMMENDATIONS – Adoption of a Resolution allocating funds from the Agricultural Conversion Mitigation Fee Fund to the: 1) Buena Vista Audubon Society; 2) Agua Hedionda Lagoon Foundation and 3) Batiquitos Lagoon Foundation. Case Name: Agricultural Conversion Mitigation Fee Ad Hoc Citizen’s Advisory Committee Funding Recommendations. Case No.: AGP 18-01, AGP 18-02, AGP 18-03. (Staff Contact: Pam Drew, Community & Economic Development)
6. CULTURAL RESOURCE CONSERVATION EASEMENT FOR THE SAN LUIS REY BAND OF MISSION INDIANS Adoption of a Resolution granting a Cultural Resource Conservation Easement to the San Luis Rey Band of Mission Indians in accordance with California Civil Code Section 815 associated with the El Camino Real Widening Project, Project Nos. 3957, 3643, 6302 & 6303. (Staff Contact: John Maashoff, Public Works)
7. TRAFFIC CALMING PLANS FOR CADENCIA STREET AND CORINTIA STREET – Adoption of a Resolution approving plans for the Cadencia Street and Corintia Street Traffic Calming Project, Project No. 6070, per the Carlsbad Residential Traffic Management Program. (Staff Contact: John Kim, Public Works)
8. PURCHASE OF CLOSED CIRCUIT TELEVISION VAN – Adoption of a Resolution authorizing the purchase of a replacement Closed Circuit Television (CCTV) van for the city’s wastewater division from Plumbers Depot for \$292,967. (Staff Contact: Shawn Gaskari, Public Works)
9. AMENDMENT TO AGREEMENT WITH HDR, INC. – Adoption of a Resolution authorizing additional funding in the amount of \$60,000 for Amendment No. 1 to the Professional Services Agreement with HDR, Inc. for the Potable Water, Recycled Water, and Sewer Master Plan Updates and the Asset Management Master Plan, Project No. 5543;
Adoption of a Resolution of the Carlsbad Municipal Water Board District authorizing an additional appropriation of \$140,000 and execution of Amendment No. 1 to the Professional Services Agreement with HDR, Inc. for the Potable Water, Recycled Water, and Sewer Master Plan Updates and the Asset Management Master Plan, Project No. 5543. (Staff Contact: Lindsay Leahy, Public Works)
10. AWARD CONTRACT TO NEWEST CONSTRUCTION COMPANY, INC. FOR LIFT STATION GENERATOR REPLACEMENT – Adoption of a Resolution accepting bids and awarding a contract to NEWest Construction Company, Inc. for an amount not to exceed \$329,000 for construction of the Lift Station Generator Replacements Project, Project No. 3840-12, and authorizing an additional appropriation of \$100,000. (Staff Contact: David Hull, Public Works)

ORDINANCE FOR INTRODUCTION:

11. ESTABLISH A 30 MPH SPEED LIMIT ON ESTRELLA DE MAR – Introduction of an Ordinance amending Carlsbad Municipal Code Section 10.44.420 to a 30 miles per hour (MPH) speed limit on Estrella de Mar Road from Alga Road to 675 feet north of Beryl Way. (Staff contact: Doug Bilse, Public Works)

City Manager’s Recommendation: Introduce the Ordinance.

ORDINANCES FOR ADOPTION:

- 12. ORDINANCE CS-340 – AMENDING MUNICIPAL CODE CHAPTER 2.04, SECTION 2.04.010 - COUNCIL COMPENSATION – Adoption of Ordinance No. CS-340 amending Carlsbad Municipal Code Chapter 2.04, Section 2.04.010 regarding City Council Compensation. (Staff contact: Faviola Medina, City Clerk Department)

City Manager’s Recommendation: Adopt Ordinance No. CS-340.

PUBLIC HEARINGS: None.

DEPARTMENTAL AND CITY MANAGER REPORTS:

- 13. SAN DIEGO AIRPORT DEVELOPMENT PLAN FOR TERMINAL 1 REPLACEMENT PROJECT PRESENTATION
Receive a presentation on the San Diego Airport Development Plan for the Terminal 1 Replacement Project. (Staff contact: Jason Haber, City Manager Department)

City Manager’s Recommendation: Receive the presentation.

- 14. BOARD & COMMISSION MEMBER APPOINTMENT IMPLEMENTATION PLAN – Adoption of a Resolution establishing a transition plan for the appointment of new members to the Planning Commission, Parks and Recreation Commission and Traffic Safety Commission; and Introduction of an Ordinance amending Chapter 2.15, Section 2.15.050 of the Carlsbad Municipal Code to add two members to the Traffic Safety Commission. (Staff contact: Celia Brewer, City Attorney)

City Manager’s Recommendation: Adopt the Resolution and Introduce the Ordinance.

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
Council Member

Buena Vista Lagoon JPC
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 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.