



# CITY COUNCIL Agenda

January 8, 2019 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:** 6 p.m.

**ROLL CALL:** Hall, Blackburn, Bhat-Patel, Schumacher, Hamilton.

**ANNOUNCEMENT OF CONCURRENT MEETINGS:** Council is serving as the Carlsbad Municipal Water District Board of Directors on Consent Calendar Item No. 4.

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

**INVOCATION:** None.

**APPROVAL OF MINUTES:** None.

**PRESENTATIONS:** None.

**PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:** Not Applicable.

**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 November 30, 2018. (Staff contact: Melissa Hoover, Administrative Services)  
**ACTION: Accepted the report. – 5/0.**
2. **ANNUAL REVIEW AND APPROVAL OF CITY'S INVESTMENT POLICY** – Adoption of a Resolution approving the City's Investment Policy dated January 8, 2019. (Staff contact: Melissa Hoover, Administrative Services)  
**ACTION: Item was returned to staff.**
3. **SUMMARY VACATION OF GENERAL UTILITY AND ACCESS EASEMENT - SHEA INDUSTRIAL BRESSI RANCH** – Adoption of a Resolution approving a summary vacation of a general utility and access easement over Parcels 1 and 2 of Parcel Map No. 21308, located at 6131 and 6133 Innovation Way. Case Name: Shea Industrial Bressi Ranch; Case No.: VAC2017-0010. (Staff contact: Kyrenne Chua, Community & Economic Development)  
**ACTION: Adopted Resolution No. 2019-001. – 5/0.**

4. APPROVAL OF AGREEMENT WITH MICHAEL BAKER INTERNATIONAL – Adoption of a CMWD Resolution authorizing execution of an agreement with Michael Baker International to provide construction management and inspection services for the Maerle Reservoir Floating Cover Replacement, Capital Improvement Program (CIP) Project No. 5036, for an amount not to exceed \$838,476. (Staff contact: Emily Hasegawa, Public Works)  
**ACTION: Adopted CMWD Resolution No. 1612. – 5/0.**

**ORDINANCE FOR INTRODUCTION:** None.

**ORDINANCES FOR ADOPTION:** None.

**PUBLIC HEARINGS:**

5. APPEAL OF PLANNING COMMISSION DECISION - BARRIO GLASSWORKS – Adoption of a Resolution denying the appeal and upholding the decision of the Planning Commission to approve a Minor Review Permit and Coastal Development Permit to allow 2,323 square feet of new additions to an existing 573-square-foot commercial building, and allow the operation of a hot glass blowing use located at 3060 Roosevelt Street in Land Use District 1 of the Village Master Plan and Design Manual, the Village Segment of the Local Coastal Program, and within Local Facilities Management Zone 1. Case Name: Barrio Glassworks; Case No.: RP 2018-0004/CDP 2018-0014 (DEV 2018-0023). (Staff contact: Paul Dan, Community & Economic Development)

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

**ACTION: Adopted Resolution No. 2019-002. – 4/0/1 (Hall – Absent).**

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

6. CALAVERA HILLS VILLAGE H PROPERTY AND DEDICATION OF RV STORAGE AREA – Adoption of a Resolution authorizing the City Clerk to accept the grant deed dedicating the Calavera Hills Village H property (APN 167-101-19) from Presidio Cornerstone QC, LLC; authorizing the Mayor to execute the grant deed on a portion of Calavera Hills Village H property (portion APN 167-101-19) to the Calavera Hills Recreational Vehicle Park; and authorizing two, one-time appropriations of \$215,000 and \$45,000 to the Parks Maintenance Operating Budget and Trails Maintenance Operating Budget, respectively, for a total of \$260,000 in improvements to said property to meet city standards. (Staff contact: Jeremy Riddle, Community & Economic Development)

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

**ACTION: Adopted Resolution No. 2019-003. - 5/0.**

7. REORGANIZATION OF THE CITY COUNCIL, ELECTION OF MAYOR PRO TEMPORE AND REGIONAL COMMITTEE ASSIGNMENTS – Discuss Council reorganization by election of one member as Mayor Pro Tempore by Minute Motion; and  
Adoption of a Resolution appointing members of the City Council to San Diego Association of Governments (SANDAG) Board of Directors; and  
Adoption of a Resolution appointing members of the City Council to North County Transit District (NCTD) Board of Directors; and  
Adoption of a Resolution confirming the Mayoral appointment to the San Diego County Water Authority (SDCWA) Board of Directors; and

Adoption of a Resolution confirming the Mayoral appointments to regional committee assignments as reflected in Attachment A. (Staff contact: Sheila Cobian, City Clerk Department)

**City Manager’s Recommendation:** Elect one Member as Mayor Pro Tempore by Minute Motion and adopt the Resolutions.

**ACTION: On a Minute Motion by Council Member C. Schumacher, Council appointed Council Member Bhat-Patel to serve as Mayor Pro Tempore. - 3/2 (Hall; Blackburn – No); and, Adopted Resolution No. 2019-004 appointing Council Member Schumacher as Primary Member to the San Diego Association of Governments (SANDAG) Board of Directors - 3/2 (Hall; Blackburn – No) and Council Member Hamilton to serve as First Alternate on SANDAG Board of Directors and Mayor Pro Tem Bhat-Patel to serve as Second Alternate on SANDAG Board of Directors. - 4/1 (Hall – No); and, Adopted Resolution No. 2019-005 appointing Mayor Pro Tem Bhat-Patel as Primary Member on the North County Transit District (NCTD) Board of Directors and Council Member Hamilton as Alternate Member on the NCTD Board of Directors. - 5/0; and, Adopted Resolution No. 2019-006 appointing Mayor Hall to the San Diego County Water Authority Board of Directors. - 5/0; and, Adopted Resolution No. 2019-007 confirming the Mayoral appointments of members of the City Council to the various regional committee assignments pursuant to Government Code §40605. - 5/0.**

| Assignment   | Appointee        |
|--|------------------|
| North County Mayors and Managers                               | Matt Hall        |
| Buena Vista Lagoon JPC   | Keith Blackburn  |
| Buena Vista Lagoon JPC   | Cori Schumacher  |
| Chamber of Commerce Liaison (Primary)                          | Matt Hall        |
| Chamber of Commerce Liaison (Alternate)                        | Keith Blackburn  |
| City/School Committee  | Matt Hall        |
| City/School Committee  | Priya Bhat-Patel |
| Encina Wastewater Authority/JAC Board of Directors             | Keith Blackburn  |
| Encina Wastewater Authority/JAC Board of Directors             | Barbara Hamilton |
| Encina Wastewater Authority/JAC Board of Directors (Alternate) | Cori Schumacher  |
| League of California Cities – San Diego Division               | Priya Bhat-Patel |
| North County Dispatch Joint Powers Authority                   | Keith Blackburn  |
| North County Dispatch Joint Powers Authority (Alternate)       | Barbara Hamilton |

**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)

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

**Vacant** Chamber of Commerce Liaison (alternate)  
City/School Committee  
Encina Joint Powers (JAC)  
Encina Wastewater 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: 7:52 p.m.**

## **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.