



# CITY COUNCIL Agenda

May 7, 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:** 6:00 p.m.

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

**ANNOUNCEMENT OF CONCURRENT MEETINGS:** The City Council is serving as the Carlsbad Municipal Water District Board of Directors on Consent Calendar Item No. 3.

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Bhat-Patel.

**INVOCATION:** None.

**APPROVAL OF MINUTES:**

Minutes of the Special Meeting held April 9, 2019.

Minutes of the Regular Meeting held April 9, 2019.

Minutes of the Regular Meeting held April 16, 2019.

Minutes of the Special Meeting held April 23, 2019.

Minutes of the Regular Meeting held April 23, 2019.

Minutes of the Special Meeting held April 25, 2019.

**ACTION: Adopted Minutes as presented – 5/0**

**PRESENTATIONS:**

Proclamation in recognition of Municipal Clerk Week.

Proclamation in recognition of Water Safety Month.

Proclamation in recognition of the retirement of David Hiscock.

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

**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. **ANNUAL REPORT OF INVESTMENTS PORTFOLIO AS OF JUNE 30, 2018** – Accept and file the Annual Report of Investment Portfolio as of June 30, 2018. (Staff contact: Craig Lindholm, City Treasurer)

**ACTION: Received the report.**

2. APPROVAL OF STREET NAME CHANGE REQUEST FOR A PORTION OF CANNON ROAD EAST OF COLLEGE BOULEVARD – Adoption of a Resolution approving a street name change for that portion of Cannon Road east of College Boulevard to Bobcat Boulevard. Case Name: Bobcat Boulevard Street Name Change. Case No. SNC 2019-0001 (DEV2019-0037) (Staff contact: Sarah Cluff, Community & Economic Development)

**ACTION: Adopted Resolution No. 2019-057 – 5/0.**

3. QUITCLAIM PORTION OF PIPELINE EASEMENT AT ROBERTSON RANCH WEST VILLAGE, CT 13-03, VAC 2019-0006 – Adopt a Carlsbad Municipal Water District Resolution approving a quitclaim of that portion of a pipeline easement over lots 29 thru 34, 38 thru 43, 61, 62, 67, 75, 76, 85 thru 87, 93 thru 95, 105, 343, and 344 of Map 16092 at Robertson Ranch West Village, CT 13-03, VAC 2019-0006. (Staff contact: Kyrenne Chua, Community & Economic Development)

**ACTION: Adopted CMWD Resolution No. 1615 – 5/0.**

**ORDINANCE FOR INTRODUCTION:** None.

**ORDINANCE FOR ADOPTION:**

4. ELIMINATE BICYCLE LICENSING PROGRAM – Adoption of Ordinance No. CS-352 modifying Carlsbad Municipal Code Title 10, Chapter 10.56, by repealing Sections 10.56.030 related to daily reports from secondhand bicycle dealers and repealing Sections 10.56.060, 10.56.070, 10.56.080, 10.56.100, and 10.56.110 related to bicycle registration and licensing. (Staff contact: Sheila Cobian, City Clerk Services)

**City Manager’s Recommendation:** Adopt Ordinance No. CS-352.

**ACTION: Adopted Ordinance No. CS-352 – 5/0.**

**PUBLIC HEARING:**

5. ENCINA WATER POLLUTION CONTROL FACILITY – Introduce an Ordinance adopting an amendment to the Precise Development Plan PDP 1 for the: 1) Construction of a new Grit and Screenings Annex including applicable equipment; 2) Repair, rehabilitation and replacement of existing aging infrastructure through the preliminary and primary areas; 3) Construction of 21 new parking spaces to the east of the existing administration building; and, 4) Construction of a waste hauling truck turn-around area within the Mello II Segment of the City’s Local Coastal Program located at 6200 Avenida Encinas within Local Facilities Management Zone 3; and, Adopt a Resolution approving a Coastal Development Permit Amendment for the: 1) Construction of a new Grit and Screenings Annex including applicable equipment; 2) Repair, rehabilitation and replacement of existing aging infrastructure through the preliminary and primary areas; 3) Construction of 21 new parking spaces to the east of the existing administration building; and, 4) Construction of a waste hauling truck turn-around area within Local Facilities Management Zone 3. Case Name: Encina Water Pollution Control Facility, Case No. Amend 2018-0008 (DEV2018-173). (Staff contact: Pam Drew, Community & Economic Development)

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

**ACTION: Introduced Ordinance No. CS-353 – 5/0.**

**ACTION: Adopted Resolution No. 2019-058 – 5/0.**

## DEPARTMENTAL AND CITY MANAGER REPORTS:

6. CITY OF CARLSBAD V. COUNTY OF SAN DIEGO LAWSUIT – SETTLEMENT AGREEMENT – Receive a report on a Settlement Agreement approved in closed session in connection with the lawsuit titled *City of Carlsbad v. County of San Diego*; and, Adopt a Resolution re-approving the Settlement Agreement and rescinding Resolution No. 2018-182, a resolution of intention to initiate a zoning amendment to restrict airport uses. (Staff contact: Jason Haber, City Manager Department)

**City Manager’s Recommendation:** Receive the report and adopt the Resolution.

**ACTION:** Minute motion by Council Member Hamilton, seconded by Mayor Pro Tem Bhat-Patel, for staff to return to City Council quarterly or bi-annually with reports relating to staff’s quarterly meetings with the County of San Diego and the meetings held by Palomar Airport Advisory Committee. 5/0.

**ACTION:** Adopted Resolution No. 2019-060. Motion carried 4/1 (Schumacher – No).

**ACTION:** Minute motion by Council Member Schumacher, seconded by Council Member Hamilton, City Council directed staff to place on a future agenda City Council’s interpretation of CUP 172, CMC 21.53.015. 4/1 (Hall – No).

**ACTION:** Minute motion by Council Member Schumacher, seconded by Council Member Hamilton, to oppose the San Diego County Board of Supervisor’s selected D3 option of the Palomar Airport Master Plan. 3/1/1 (Blackburn – Abstain / Hall – No).

**ACTION:** Minute motion by Council Member Schumacher, seconded by Council Member Hamilton, to place on a future agenda (within a month), the discussion of placing an advisory vote regarding the Palomar Airport Master Plan and EIR on the March 2020 Primary ballot. Motion carried 4/1 (Hall – No).

7. REVISIONS TO CITY’S STATEMENT OF INVESTMENT POLICY – Adopt a Resolution approving revisions to the City’s Investment Policy dated July 25, 2017. (Staff contact: Craig Lindholm, City Treasurer)

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

**ACTION:** Adopted Resolution No. 2019-061 – 5/0.

8. ARTS & CULTURE MASTER PLAN UPDATE AND REPORT – Adopt a Resolution, receiving an annual status report on the Arts & Culture Master Plan and approving three additional initiatives of the Arts & Culture Master Plan in FY 2019-20. (Staff contact: Richard Schultz, Library & Cultural Arts)

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

**ACTION:** Adopted Resolution No. 2019-062 – 5/0.

9. SHARED MICROMOBILITY PROGRAM OPTIONS – Receive a report on activities, opportunities and challenges with shared micromobility activities in the region, and provide direction to staff on whether to participate in a bikeshare pilot program in coordination with other north coast cities. (Staff contact: Craig Williams, Public Works)

**City Manager’s Recommendation:** Receive the report and provide direction to staff.

**ACTION:** Council directed staff to not participate in a bikeshare pilot program in coordination with other north coast cities at this time; however, to evaluate the pilot programs in adjacent cities. – 5/0.

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

**Minute Motion by Council Member Schumacher, seconded by Council Member Hamilton to place on a future agenda an item to address traffic control, traffic calming and public safety. Motion carried, 5/0.**

**City Council Regional Assignments (Revised 1/8/19)**

<b>Matt Hall</b> <b>Mayor</b>	North County Mayors and Managers City/School Committee Chamber of Commerce Liaison (primary) San Diego County Water Authority San Diego Regional Economic Development Corporation Board of Directors
<b>Keith Blackburn</b> <b>Council Member</b>	Buena Vista Lagoon JPC Encina Wastewater Authority/JAC Board of Directors North County Dispatch Joint Powers Authority Chamber of Commerce Liaison (alternate)
<b>Priya Bhat-Patel</b> <b>Mayor Pro Tem</b>	SANDAG (2 <sup>nd</sup> alternate) North County Transit District (primary) City/School Committee League of California Cities – SD Division SANDAG Shoreline Preservation Working Group (primary)
<b>Cori Schumacher</b> <b>Council Member</b>	SANDAG (primary) Buena Vista Lagoon JPC Encina Wastewater Authority/JAC Board of Directors (alternate)
<b>Barbara Hamilton</b> <b>Council Member</b>	SANDAG (1 <sup>st</sup> alternate) Encina Wastewater Authority/JAC Board of Directors North County Transit District (alternate) North County Dispatch Joint Powers Authority (alternate) SANDAG Shoreline Preservation Working Group (alternate)

**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: 10:50 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. 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.