



CITY COUNCIL Agenda

May 14, 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

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 require 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: 6:00 p.m.

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

ANNOUNCEMENT OF CONCURRENT MEETINGS: None.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Bhat-Patel.

INVOCATION: None.

APPROVAL OF MINUTES: None.

PRESENTATIONS:

Introduction of 12 New CERT Members.

Proclamation in recognition of Better Hearing and Speech Month.

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. **NOTICE OF INTENTION TO SELL CITY PROPERTY LOCATED AT 3701 CATALINA DRIVE** – Adoption of a Resolution approving a Notice of Intention to sell the property located at 3701 Catalina Drive, APN 167-154-20, commonly known as Old Fire Station No. 3, and setting the date for a Public Hearing for final action on June 11, 2019. (Staff contact: Curtis Jackson, City Manager Department)
ACTION: Adopted Resolution No. 2019-063 – 5/0.
2. **AUTHORIZE RIGHT OF ENTRY PERMIT WITH STATE OF CALIFORNIA DEPARTMENT OF PARKS & RECREATION** – Adoption of a Resolution authorizing a Right of Entry Permit with the State of California Department of Parks & Recreation to maintain the upper picnic facilities at Tamarack State Beach and the coastal bluff at Tamarack/Frazer State Beach. (Staff contact: Kyle Lancaster, Parks & Recreation)
ACTION: Adopted Resolution No. 2019-064 – 5/0.
3. **AGREEMENT WITH ICF JONES AND STOKES, INC. FOR COMPENSATORY HABITAT MITIGATION PLANNING, DESIGN AND MONITORING SERVICES** – Adoption of a Resolution authorizing execution of an agreement with ICF Jones and Stokes, Inc. to provide compensatory habitat mitigation planning, design and monitoring services for the proposed College Boulevard Wetland site, Capital Improvement Program (CIP) Project No. 6621 in an amount not to exceed \$418,787. (Staff contact: Daniel Zimny, Public Works)
ACTION: Adopted Resolution No. 2019-065 – 5/0.

ORDINANCES FOR INTRODUCTION:

4. EXPRESSIVE ACTIVITIES ORDINANCE – Introduction of an Ordinance amending Carlsbad Municipal Code Title 8, Chapter 8.17 regarding special events and Chapter 8.18 regarding expressive activity and waiving applicable park user fees. (Staff contacts: Amanda Guy, City Attorney Department; Neil Gallucci, Police Department; Kyle Lancaster, Parks & Recreation)

City Manager’s Recommendation: Introduce the Ordinance.

ACTION: Minute Motion by Council Member Schumacher, seconded by Mayor Pro Tem Bhat-Patel, requesting an ad-hoc committee be formed including members of the community to make additional edits to the ordinance. 3/2 (Hall, Blackburn – No).

ACTION: Item was returned to staff.

5. SHARED MOBILITY DEVICES ORDINANCE – Introduction of an Ordinance amending Carlsbad Municipal Code Title 10, Vehicles and Traffic, by adding Chapter 10.60 Shared Mobility Devices to establish regulations that prohibit shared mobility devices from being abandoned in the public right-of-way or other public areas, from being placed for rent in those areas, and from presenting a public nuisance. (Staff contact: Craig Williams, Public Works)

City Manager’s Recommendation: Introduce the Ordinance.

ACTION: Introduced Ordinance No. CS-354 – 5/0.

ORDINANCES FOR ADOPTION:

6. ENCINA WATER POLLUTION CONTROL FACILITY – Adopt Ordinance No. CS-353 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. (Staff contact: Sheila Cobian, City Clerk Services)

City Manager’s Recommendation: Adopt Ordinance No. CS-353.

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

PUBLIC HEARING:

7. CDBG FUNDING PLAN FOR 2019-2020 – Adopt a Resolution approving and authorizing the submission of the FY 2019-2020 Action Plan for Community Development Block Grant (CDBG) Funding to the United States Department of Housing and Urban Development. (Staff contact: Debbie Fountain, Community & Economic Development)

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

ACTION: Adopted Resolution No. 2019-066 – 5/0.

DEPARTMENTAL AND CITY MANAGER REPORTS:

8. STATUS REPORT ON THE HOMELESS RESPONSE PLAN AND HOMELESS OUTREACH TEAM EFFORTS – Receive an informational staff report on the Homeless Response Plan and Homeless Outreach Team efforts. (Staff contact: Marie Jones-Kirk, Community & Economic Development)

City Manager’s Recommendation: Receive the report.

ACTION: Received the report.

ACTION: Minute motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Hamilton, to bring back as an agenda item drafting a letter of support for increased funding for behavioral health services to the County of San Diego. 5/0.

ACTION: Minute motion by Council Member Schumacher, seconded by Council Member Hamilton, directing staff to agenda an action item to discuss the housing trust fund and potential changing of the policy to a future agenda. 4/1 (Hall – No).

ACTION: Minute motion by Council Member Schumacher, seconded by Council Member Hamilton, to place on a future agenda an action item to discuss forming an ad-hoc committee of Council and staff, in partnership with the Alliance for Regional Solutions, for neighboring cities to join together at a round table to develop a North County Homeless Action Plan implementing in Fiscal Year 2021. 3/2 (Hall, Blackburn – No).

9. CAPITAL IMPROVEMENT PROGRAM OVERVIEW, ADMINISTRATIVE ORDER NO. 50 UPDATE AND EXISTING CIP PROJECTS – Receive a presentation providing an overview of the Capital Improvement Program (CIP), Administrative Order No. 5 and existing CIP Projects. (Staff contact: Paz Gomez, Public Works and Laura Rocha, Administrative Services)

City Manager’s Recommendation: Receive the presentation.

ACTION: Received the presentation.

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

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

Matt Hall Mayor	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
Keith Blackburn Council Member	Buena Vista Lagoon JPC Encina Wastewater Authority/JAC Board of Directors North County Dispatch Joint Powers Authority Chamber of Commerce Liaison (alternate)
Priya Bhat-Patel Mayor Pro Tem	SANDAG (2 nd alternate) North County Transit District (primary) City/School Committee League of California Cities – SD Division SANDAG Shoreline Preservation Working Group (primary)
Cori Schumacher Council Member	SANDAG (primary) Buena Vista Lagoon JPC Encina Wastewater Authority/JAC Board of Directors (alternate)
Barbara Hamilton Council Member	SANDAG (1 st 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: Adjournment to 4 p.m. May 21, 2019 at 10:07 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 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.