



CITY COUNCIL

Agenda

August 27, 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.

INVOCATION: None.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Bhat-Patel led the Pledge of Allegiance.

APPROVAL OF MINUTES: None.

PRESENTATION: None.

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. **COMPENSATION FOR ADDITIONAL EMERGENCY FIRE DEPARTMENT PERSONNEL ON A PORTAL TO PORTAL BASIS TO INCLUDE TWO NEW TITLES OF ASSISTANT FIRE CHIEF AND ASSISTANT FIRE MARSHAL** – Adoption of a Resolution agreeing to compensate additional emergency Fire Department personnel on a portal-to-portal basis. (Staff contact: Michael Calderwood, Fire Department)
ACTION: Adopted Resolution No. 2019-147 – 5/0.
2. **RE-CERTIFY SEWER MANAGEMENT PLAN (SSMP)** – Adoption of a Resolution authorizing the Legally Responsible Official (LRO) to re-certify the Sewer System Management Plan (SSMP) and submit to the State Water Resources Control Board (SWRCB). (Staff contact: Stephanie Harrison, Public Works)
ACTION: Continued to the meeting of Sept. 17, 2019.

3. SETTLEMENT OF WORKERS' COMPENSATION CLAIMS – Adoption of a Resolution authorizing settlement of the Workers' Compensation claims of Derek Harvey for \$58,290. (Staff contact: Donna Hernandez, Human Resources)
ACTION: Adopted Resolution No. 2019-148 – 5/0.

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION:

4. AMENDING TITLE 2, CHAPTER 2.28, SECTIONS 2.15.050 and 2.12.125 OF THE CARLSBAD MUNICIPAL CODE TO UPDATE THE TRAFFIC SAFETY COMMISSION'S NAME AND DUTIES – Adopt Ordinance No. CS-356 amending Carlsbad Municipal Code Chapter 2.28, Sections 2.15.050 and 2.12.125 to update the Traffic Safety Commissions' role and duties. (Staff contact: Sheila Cobian, City Clerk Services)

City Manager's Recommendation: Adopt the ordinance.

ACTION: Adopted Ordinance No. CS-356 – 5/0.

5. VILLAGE AND BARRIO MASTER PLAN – ACCEPTANCE OF THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS – Adopt Ordinance No. CS-357 acknowledging receipt of the California Coastal Commission's Resolution of Certification including suggested modifications for LCPA 14-01, and approving the associated suggested modifications to the Village and Barrio Master Plan and Local Coastal Program. Case Name: Village and Barrio Master Plan. Case No.: MP 14-01/LCPA 04-01 (DEV08014) (Staff contact: Sheila Cobian, City Clerk Services)

City Manager's Recommendation: Adopt the Ordinance.

ACTION: Adopted Ordinance No. CS-357 – 4/0/1 (Hall – Absent).

6. OCEAN VIEW POINT – Adopt Ordinance No. CS-358 approving amendments approving amendments to the citywide zoning and Local Coastal Program zoning maps to allow a change from one-family residential 30,000 square foot minimum lot area (R-1 30,000) to one-family residential (R-1) for a 5.4-acre portion of a 21.9-acre previously subdivided property generally located south of the terminus of Twain Avenue within the Mello II Segment of the Local Coastal Program and Local Facilities Management Zone 8. Case Name: Ocean View Point. Case No.: ZC15-03/LCPA 15-05 (DEV15043). (Staff contact: Sheila Cobian, City Clerk Services)

City Manager's Recommendation: Adopt the Ordinance.

ACTION: Adopted Ordinance No. CS-358 – 5/0.

PUBLIC HEARINGS:

7. FRESCO RESTAURANT – RP 2018-0013/CDP 2018-0050 – Adoption of a Resolution approving a Minor Review Permit and Coastal Development Permit to allow a second-story addition to an existing restaurant consisting of a 1,629-square-foot outdoor dining area and a 467-square-foot enclosed area containing restrooms, storage and food preparation areas located at 264 Carlsbad Village Drive in Land Use District 9 of the Village Master Plan and Design Manual, the Village Segment of the Local Coastal Program, and within Local Facilities Management Zone 1. Project Name: Fresco Restaurant. Project No.: RP 2018-0013/CDP 2018-0050 (DEV2017-0020). (Staff contact: Esteban Danna, Community & Economic Development)

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

ACTION: Adopted Resolution No. 2019-149 – 4/0/1 (Hall – Absent).

8. ADOPTION OF CITY OF CARLSBAD TRAILS MASTER PLAN – Adoption of a Resolution adopting a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program and approving a General Plan Amendment for the Trails Master Plan and adopting the Trails Master Plan. (Staff contact: Kasia Trojanowska, Parks & Recreation and Pam Drew, Community & Economic Development)

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

ACTION: Adopted Resolution No. 2019-150 – 5/0.

This item was continued from the meeting of Aug. 20, 2019.

9. PURE PROJECT BREWERY AND TASTING ROOM – Adoption of a Resolution approving a Minor Site Development Plan and Conditional Use Permit for a 2,206-square-foot brewery and tasting room located at 2825 State Street in the Village Center District of the Village and Barrio Master Plan and within Local Facilities Management Zone 1; and, Adoption of a Resolution approving a Parking In-Lieu Fee Program Participation Agreement between the City of Carlsbad and Russell Satterly, Susan Satterly and Lindo Mino, property owners, for the project known as Pure Project Brewery and Tasting Room located at 2825 State Street in the Village Center District of the Village and Barrio Master Plan and within Local Facilities Management Zone 1. Case Name: Pure Project Brewery and Tasting Room. Case No.: SDP 2019-0002/CUP 2018-0021 (DEV2018-0196). (Staff contact: Shannon Harker, Community & Economic Development)

City Manager's Recommendation: Take public input, close the public hearing and adopt the Resolutions.

ACTION: Adopted Resolution No. 2019-151 and 2019-152 – 4/0/1 (Bhat-Patel – Absent).

DEPARTMENTAL AND CITY MANAGER REPORTS:

10. REPORT ON POTENTIAL AUDIT FOR THE CROSSINGS AT CARLSBAD GOLF COURSE – Receive an informational presentation describing options for auditing The Crossings at Carlsbad Golf Course. (Staff contact: Brigid Okyere and Laura Rocha, Administrative Services)

City Manager's Recommendation: Receive the presentation.

ACTION: Council received the report and provided direction to staff (see Minutes for details) – 5/0.

11. CONSIDERATION OF CITY COUNCIL POLICY NO. 87 – GENERAL FUND SURPLUS POLICY – Adopt a Resolution approving City Council Policy No. 87 to establish a General Fund Surplus Policy. (Staff contact: Laura Rocha, Administrative Services)

City Manager's Recommendation: Adopt the Resolution.

ACTION: Adopted Resolution No. 2019-153 – 5/0.

12. APPOINT ONE MEMBER TO THE AGRICULTURAL CONVERSION MITIGATION FEE AD-HOC CITIZENS' COMMITTEE – Adopt a Resolution appointing one member to the Agricultural Conversion Mitigation Fee Ad-Hoc Citizens' Committee. (Staff contact: Tammy McMinn, City Clerk Services)

City Manager's Recommendation: Adopt the Resolution.

ACTION: Adopted Resolution No. 2019-154 appointing Joe Brisbois – 5/0.

13. APPOINT TWO MEMBERS TO THE HISTORIC PRESERVATION COMMISSION – Adopt Resolutions appointing two members to the Historic Preservation Commission. (Staff contact: Tammy McMinn, City Clerk Services)

City Manager's Recommendation: Adopt the Resolutions.

ACTION: Adopted Resolution No. 2019-155 appointing Robert Prosser – 5/0.

ACTION: Adopted Resolution No. 2019-156 appointing Pearl Ly – 5/0.

14. APPOINT TWO MEMBERS TO THE HOUSING COMMISSION RENTAL ASSISTANCE CATEGORIES – Adopt Resolutions appointing two members to the Housing Commission Rental Assistance Categories. (Staff contact: Tammy McMinn, City Clerk Services)

City Manager's Recommendation: Adopt the Resolutions.

ACTION: Adopted Resolution No. 2019-157 appointing Marissa Cortes-Torres – 5/0.

ACTION: Adopted Resolution No. 2019-158 appointing Joy Evans– 5/0.

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

City Council Regional Assignments (Revised 1/08/19)

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/Joint Powers 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
Cori Schumacher Council Member	SANDAG (primary) Buena Vista Lagoon JPC Encina Wastewater Authority Board of Directors (alternate)
Barbara Hamilton Council Member	SANDAG (1 st alternate) Encina Wastewater Authority/Joint Powers Board of Directors North County Dispatch Joint Powers Authority (alternate) North County Transit District (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: None.

CITY ATTORNEY COMMENTS: None.

ADJOURNMENT: 9:19 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. 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.