



# CITY COUNCIL Agenda

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

March 26, 2024, 5 p.m.

## 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

### In Person



City Council Chamber  
1200 Carlsbad Village Drive

### On TV



Watch the city’s cable channel  
Spectrum 24 and AT&T U-verse 99

### Online



Watch the livestream at  
[carlsbadca.gov/watch](https://carlsbadca.gov/watch)

## 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.
- For non-agenda public comment, speakers must confine their remarks to matters within the City Council’s subject matter jurisdiction.
- For public comment on agenda items, speakers must confine their remarks to the question or matter under consideration.
- Speakers have three minutes, unless the presiding officer (usually the Mayor) changes that time.
- You may not give your time to another person, but can create a group. A group must select a single speaker as long as three other members of your group are present. All forms must be submitted to the City Clerk before the item begins and will only be accepted for items listed on the agenda (not for general public comment at the beginning of the meeting). Group representatives have 10 minutes unless that time is changed by the presiding officer or the City Council.
- Failure to comply with the rules for public participation is disruptive conduct. Continuing disruptive conduct after being asked by the presiding official to cease may result in removal from the meeting.

## Reasonable Accommodations

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 442-339-2821 (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. City staff will respond to requests by noon on Tuesday, the day of the meeting, and will seek to resolve requests before the start of the meeting in order to maximize accessibility.

**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:** The City Council is serving as the Carlsbad Municipal Water District Board of Directors on Consent Calendar Item No. 5.

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:**

Minutes of the Regular Meeting held Feb. 13, 2024  
Minutes of the Special Meeting held Feb. 27, 2024  
Minutes of the Special Meeting held March 12, 2024

**PRESENTATIONS:**

Proclamation in Recognition of Cesar Chavez Day

**PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:**

**PUBLIC COMMENT:** *The Brown Act allows any member of the public to comment on items not on the agenda, provided remarks are confined to matters within the City Council's subject matter jurisdiction. Please treat others with courtesy, civility, and respect. Members of the public may participate in the meeting by submitting comments as provided on the front page of this agenda. The City Council will receive comments as requested up to a total of 15 minutes in the beginning of the meeting. All other non-agenda public comments will be heard at the end of the meeting. In conformance with the Brown Act, no action can occur on these items.*

**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.*

1. **DESIGNATING AGENTS TO ACT ON THE CITY'S BEHALF IN THE PROCESSING OF DISASTER CLAIMS RELATED TO THE ATMOSPHERIC RIVERS IN JANUARY AND FEBRUARY 2024** – Adoption of a resolution designating and authorizing agents to act on behalf of the city in the processing of disaster claims for the purpose of obtaining certain state and/or federal assistance related to the atmospheric rivers in January and February 2024 and any future disaster claims. (Staff contact: Zach Korach, Administrative Services Department)
2. **UPDATE ON STATUS OF NEGOTIATIONS TO RELOCATE SAN DIEGO GAS & ELECTRIC'S NORTH COAST SERVICE CENTER** – Adoption of a resolution extending the deadline for terminating negotiations to relocate SDG&E's North Coast Service Center beyond the City Council established March 31 2024, deadline by four months, to July 31, 2024, and directing staff to continue negotiations with SDG&E and NRG on the Seaside option and to return to the City Council by July 31, 2024, or sooner, with an agreement for the City Council's consideration. (Staff contact: Gary Barberio, Community Services Department and Cindie McMahon, City Attorney Department)
3. **DESIGNATION OF SEVEN TREES AS HERITAGE TREES** – Adoption of a resolution designating seven trees – four trees identified on city owned property and three trees identified on privately owned property – as heritage trees. (Staff contact: Todd Reese, Parks & Recreation Department)

4. AWARD A CONTRACT TO WRIGHT CONSTRUCTION ENGINEERING CORP FOR THE PARK DRIVE STREET AND DRAINAGE IMPROVEMENTS PROJECT, CIP PROJECT NO. 6611 – Adoption of a resolution accepting bids and awarding a contract to Wright Construction Engineering Corp for an amount not to exceed \$2,725,512 and authorizing additional appropriations in the amount of \$400,000 for the Park Drive Street and Drainage Improvements Project, CIP Project No. 6611. (Staff contact: Brandon Miles and Hossein Ajideh, Public Works Department)
5. AMENDMENT NO. 5 TO THE AGREEMENT WITH NV5 INC. FOR THE RECYCLED WATER PHASE III RESERVOIR PROJECT – Adoption of a Carlsbad Municipal Water District Board of Director’s resolution authorizing execution of Amendment No. 5 to the professional services agreement with NV5 Inc., to extend the agreement term and revise the labor rate schedule for the Recycled Water Phase III Reservoir Project. (Staff contact: Dave Padilla and Neil Irani, Public Works Department)
6. CONTINUATION OF PROCLAMATION OF A STORM-RELATED LOCAL EMERGENCY FOR REMOVAL OF SEDIMENT AND VEGETATION ON THE BUENA VISTA CREEK CONCRETE CHANNEL NEAR EL CAMINO REAL – Adoption of a resolution continuing the proclamation of a storm-related local emergency for removal of sediment and vegetation in the Buena Vista Creek Concrete Channel near El Camino Real. (Staff contact: Tom Frank, Public Works Department)
7. CONTINUATION OF PROCLAMATION OF A STORM-RELATED LOCAL EMERGENCY FOR REPAIR OF THE SLOPE BETWEEN EL CAMINO REAL AND TRIESTE DRIVE – Adoption of a resolution continuing the proclamation of a storm-related local emergency for repair of the slope between El Camino Real and Trieste Drive. (Staff contact: Tom Frank, Public Works Department)

**BOARD AND COMMISSION MEMBER APPOINTMENTS:**

8. MAYORAL APPOINTMENT OF ONE MEMBER TO THE LIBRARY BOARD OF TRUSTEES – Adoption of a resolution appointing one member to the Library Board of Trustees. (Staff contact: Tammy McMinn, City Clerk Department)
9. MAYORAL APPOINTMENT OF THREE MEMBERS TO THE ARTS COMMISSION –
  - 1) Adoption of a resolution appointing one member to the Arts Commission; and
  - 2) Adoption of a resolution appointing one member to the Arts Commission; and
  - 3) Adoption of a resolution appointing one member to the Arts Commission. (Staff contact: Tammy McMinn, City Clerk Department)

**ORDINANCES FOR INTRODUCTION:** None.

**ORDINANCES FOR ADOPTION:**

10. ADOPTION OF ORDINANCE NO. CS-468 AMENDING CARLSBAD MUNICIPAL CODE CHAPTER 11.32 BY ADDING SECTION 11.32.035 TITLED SECURITY OF TGIF CONCERTS IN THE PARK – Adoption of Ordinance No. CS-468 “An Ordinance of the City Council of the City of Carlsbad, California, amending the Carlsbad Municipal Code, Title 11, Chapter 32 by adding Section 11.32.035 Security of TGIF Concerts in the Park.” (Staff contact: Sheila Cobian, City Manager Department)

**City Manager’s Recommendation:** Adopt Ordinance No. CS-468.

**PUBLIC HEARINGS:**

11. PUBLIC HEARING FOR THE ISSUANCE OF TAX-EXEMPT BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE BENEFIT OF METROPOLITAN AREA ADVISORY COMMITTEE FOR THE LAUREL TREE APARTMENTS – Adoption of a resolution approving the issuance of the California Municipal Finance Authority Multifamily Housing Revenue Bonds for the benefit of Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc., or a subsidiary or affiliate thereof, in an aggregate principal amount not to exceed \$45,000,000 for the purpose of financing or refinancing the acquisition, rehabilitation, improvement and equipping of Laurel Tree Apartments, a multifamily rental housing project located in Carlsbad, California. (Staff contact: Mandy Mills, Community Services Department)

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

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

12. ADVERTISE FOR BIDS FOR THE TRAFFIC CALMING PLANS FOR PARK DRIVE, BLACK RAIL ROAD, PLUM TREE ROAD AND CARRILLO WAY – Adoption of a resolution approving the plans, specifications and contract documents and authorizing the City Clerk to advertise for bids for implementing the traffic calming plans for Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way. (John Kim, Public Works Department)

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

**COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:** *This portion of the agenda is for the City Council Members to make brief announcements, brief reports of their activities and requests for future agenda items.*

**City Council Regional Assignments (Revised 12/12/23)**

<b>Keith Blackburn</b> <b>Mayor</b>	Buena Vista Lagoon JPC Chamber of Commerce Liaison (alternate) Encina Joint Powers JAC Encina Wastewater Authority Board of Directors Economic Development Subcommittee SANDAG Board of Directors (2 <sup>nd</sup> alternate) SANDAG Shoreline Preservation Work Group (alternate)
<b>Priya Bhat-Patel</b> <b>Mayor Pro Tem – District 3</b>	City/School Committee Clean Energy Alliance JPA Economic Development Subcommittee League of California Cities – SD Division (alternate) North County Transit District SANDAG Board of Directors (1 <sup>st</sup> alternate)
<b>Melanie Burkholder</b> <b>Council Member – District 1</b>	City Council Legislative Subcommittee North County Dispatch Joint Powers Authority (alternate) SANDAG Board of Directors

<p><b>Teresa Acosta</b>  <b>Council Member – District 4</b></p>	<p>Chamber of Commerce Liaison  City Council Legislative Subcommittee  City/School Committee  Clean Energy Alliance JPA (alternate)  Encina Joint Powers JAC (alternate)  Encina Wastewater Authority Board of Directors (alternate)  League of California Cities – SD Division  North County Dispatch Joint Powers Authority  San Diego County Water Authority</p>
<p><b>Carolyn Luna</b>  <b>Council Member – District 2</b></p>	<p>Buena Vista Lagoon JPC  Encina Joint Powers JAC  Encina Wastewater Authority Board of Directors  North County Transit District (alternate)  SANDAG Shoreline Preservation Work Group</p>

**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. In conformance with the Brown Act, 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:**

**CITY CLERK 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 442-339-2820 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, provided remarks are confined to matters within the City Council's subject matter jurisdiction. 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, provided remarks are confined to the question or matter under consideration. 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.



CITY COUNCIL  
**Minutes**

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

Feb. 13, 2024, 5 p.m.

**CALL TO ORDER:** 5 p.m.

**ROLL CALL:** Blackburn, Bhat-Patel, Acosta, Burkholder, Luna.

**PLEDGE OF ALLEGIANCE:** Carlsbad Sister Cities President Tom Hersant led the Pledge of Allegiance.

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

**APPROVAL OF MINUTES:**

Minutes from the Special Meeting held Feb. 1, 2024

Minutes from the Special Meeting held Feb. 6, 2024

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to approve the Feb. 1, 2024, minutes. Motion carried unanimously, 5/0.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to approve the Feb. 6, 2024, minutes. Motion carried, 4/0/1 (Luna – Abstain).

**PRESENTATIONS:** None.

**PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:** None.

**PUBLIC COMMENT:**

*Tom Hersant representing Carlsbad Sister Cities spoke regarding Sister Cities involvement in the city.*

*Christian Peacock spoke regarding his concerns with proposed sites 10 and 11 that were discussed during the Jan. 30, 2024, meeting.*

*Kris Wright thanked staff regarding their work on the Housing Element.*

**CONSENT CALENDAR:**

City Attorney Cindie McMahon announced that Item #4 asks Council to take three actions. The first two were to adopt resolutions, approving plans and specifications and contract documents. The third request was for the Council to adopt a resolution authorizing the executive Manager of the Carlsbad Municipal Water District to execute a license agreement with NCTD. She stated that the third item requires additional legal review, and will be returned to staff and Council will only take action on the first two recommended actions.

City Attorney Cindie McMahon announced that the change for Item #6 is clerical that requires a change in the staff report and the resolution referring to the size of the pipe. Ms. McMahon stated the pipe size referenced in the staff report and resolution was 18 inches and the correct size is 24 inches and that staff will administratively make the appropriate changes to the staff report and resolution.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to approve Consent Calendar Item Nos. 1 through 6. Motion carried unanimously, 5/0.

1. REPORT ON CITY INVESTMENTS AS OF DEC. 31, 2023 – Accept and file Report on City Investments as of Dec. 31, 2023. (Staff contact: Craig Lindholm and Zach Korach, Administrative Services Department)

*This item was pulled for discussion.*

2. AGREEMENT WITH DYETT & BHATIA, URBAN AND REGION PLANNERS TO ASSIST THE CITY WITH IMPLEMENTATION OF HOUSING ELEMENT PROGRAMS 4.1, 4.2, 4.3 AND 6.1 – Adoption of Resolution No. 2024-025 approving a professional services agreement with Dyett & Bhatia, Urban and Region Planners for analysis, community engagement, and reporting to assist the City with implementation of Carlsbad Housing Element Programs 4.1, 4.2, 4.3 and 6.1 for a total amount not to exceed \$350,000. (Staff contact: Jennifer Jesser, Community Services Department)
3. AUTHORIZE THE COOPERATIVE PURCHASE OF JANITORIAL SUPPLIES FROM WAXIE'S ENTERPRISES, INC. DBA WAXIE SANITARY SUPPLY THROUGH THE REGION 14 EDUCATION SERVICES CENTER – Adoption of Resolution No. 2024-026 authorizing the cooperative purchase of janitorial supplies from Waxie's Enterprises, Inc. dba Waxie Sanitary Supply, in an amount not to exceed \$200,000 per fiscal year. (Staff contact: Barney Dresman, Public Works Department)
4. ADVERTISE FOR BIDS FOR THE CARLSBAD BOULEVARD WATER & SEWER LINE IMPROVEMENTS AT TERRAMAR PROJECT, CIP PROJECT NOS. 5048 AND 5503-20 – 1) Adoption of a Carlsbad Municipal Water District Board of Directors Resolution No. 1728 approving the plans, specifications and contract documents and authorizing the Secretary of the Board of Directors to advertise for bids for the Carlsbad Boulevard Water Line Improvements at Terramar project; and  
2) Adoption of a City Council Resolution No. 2024-027 approving the plans, specifications and contract documents and authorizing the City Clerk to advertise for bids for the Carlsbad Boulevard Sewer Line Improvements at Terramar Project; and  
3) Adoption of a Carlsbad Municipal Water District Board of Directors resolution authorizing the Executive Manager to execute a license agreement between the North County Transit District and the Carlsbad Municipal Water District for the Carlsbad Boulevard Water Line Improvements at Terramar Project. (Staff contact: Dave Padilla and Sean Diaz, Public Works Department)



5. PROCLAMATION OF A STORM-RELATED EMERGENCY FOR REMOVAL OF SEDIMENT AND VEGETATION ON THE BUENA VISTA CREEK CONCRETE CHANNEL NEAR EL CAMINO REAL – Adoption of Resolution No. 2024-028 ratifying the Acting Director of Emergency Services’s proclamation of a storm-related emergency for removal of sediment and vegetation on the Buena Vista Creek Concrete Channel near El Camino Real. (Staff contact: Tom Frank, Public Works Department)
6. PROCLAMATION OF A STORM-RELATED LOCAL EMERGENCY FOR REPAIR OF A STORM DRAIN PIPELINE ON CARLSBAD VILLAGE DRIVE NEAR PONTIAC DRIVE – Adoption of Resolution No. 2024-029 ratifying the Acting Director of Emergency Services’s proclamation of a storm-related local emergency for repair of a storm drain pipeline on Carlsbad Village Drive near Pontiac Drive. (Staff contact: Tom Frank, Public Works Department)

**CONSENT CALENDAR ITEM PULLED:**

2. AGREEMENT WITH DYETT & BHATIA, URBAN AND REGION PLANNERS TO ASSIST THE CITY WITH IMPLEMENTATION OF HOUSING ELEMENT PROGRAMS 4.1, 4.2, 4.3 AND 6.1 – Adoption of Resolution No. 2024-025 approving a professional services agreement with Dyett & Bhatia, Urban and Region Planners for analysis, community engagement, and reporting to assist the City with implementation of Carlsbad Housing Element Programs 4.1, 4.2, 4.3 and 6.1 for a total amount not to exceed \$350,000. (Staff contact: Jennifer Jesser, Community Services Department)

*Christian Peacox requested additional information regarding the scope of work.*

In response to a request from Mayor Blackburn, Community Development Director Jeff Murphy explained that the contract will cover upwards of four different programs that are in the Housing Element in which the consultant will assist in developing tasks and actions. Community Development Director Murphy further explained that there was a rigorous request for proposal, there were applicants that were reviewed, and this was a consultant that was selected above all the others based on their experience and their cost.

City Attorney Cindie McMahon explained that the contracts require certain contractors to be subject to the same filing requirements that Council is required to file, and this piece of the contract is not identifying a conflict, it is identifying this person as someone who must file a Conflict of Interest Form 700.

**BOARD AND COMMISSION MEMBER APPOINTMENTS:** None.

**ORDINANCES FOR INTRODUCTION:** None.

**ORDINANCES FOR ADOPTION:** None.

**PUBLIC HEARING:** None.

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

7. HOUSING ELEMENT PROGRAM 3.5 OBJECTIVE (A): UPDATE THE CITY'S MINOR HOME REPAIR PROGRAM – Adoption of Resolution No. 2024-030 approving updates to the city's Minor Home Repair Program to implement Housing Element Program 3.5, Objective (a), and authorize the use of up to \$100,000 of Housing Trust Funds for the program annually. (Staff contact: Nicole Piano-Jones, Community Services Department)

**City Manager's Recommendation:** Adopt the resolution.

Housing & Homeless Services Director Mandy Mills and Program Manager Erin Peak presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

Housing & Homeless Services Director Mills stated that the City Attorney recommended adding a new recital to the resolution: ""WHEREAS, senior households, veteran households, and/or disabled households often have limited ability to pay for home repairs and are at greater risk of displacement from their homes; and," and adding the following amendment "to the extent permitted by law" to the eligibility requirement of the minor home repair manual on Attachment A, page 3.

In response to an inquiry from Mayor Blackburn, Housing & Homeless Services Director Mills explained that the current program is a forgivable loan, and they are recommending a change that it is payable upon sale, vacancy or transfer.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt Resolution No. 2024-030 with the proposed amendments. Motion carried unanimously, 5/0.

8. MCCLELLAN-PALOMAR AIRPORT – NOISE ABATEMENT ADVISORY LETTERS FOLLOW-UP – Receive an update on the city's efforts to address noise complaints about flights in and out of McClellan-Palomar Airport and direct the City Manager or designee to work with the county to request a Federal Aviation Administration community roundtable to resolve differences between the county's recommended flight procedures and FAA flight control practices. (Staff contact: Jason Haber, City Manager Department)

**City Manager's Recommendation:** Receive the update.

Intergovernmental Affairs Director Jason Haber presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

*Vickey Syage expressed concerns regarding the Voluntary Noise Abatement Program (VNAP) program.*

*Frank Sung expressed concerns with VNAP program adherence.*

In response to an inquiry from Mayor Blackburn, Intergovernmental Affairs Director Haber explained that there is not a single agency that maintains data or information on flight operations that deviate from the flight paths of the VNAP. He further explained that VNAP is a County adopted protocol and direction from traffic control comes from the FAA and once they are in the air, the county doesn't follow up with those pilots.

The City Council received the report and directed staff to convene a roundtable with airport staff. Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta. Motion carried unanimously, 5/0.

*Mayor Blackburn called for a recess at 5:46 p.m.*

*Mayor Blackburn reconvened the meeting at 5:56 p.m.*

9. MEMBERSHIP AND SELECTION OF THE SAN DIEGO COUNTY PALOMAR AIRPORT ADVISORY COMMITTEE – Authorize the City Manager or designee to prepare a letter for the Mayor's signature to the San Diego County Board of Supervisors regarding a county ordinance to amend the San Diego County Administrative Code regarding membership and selection of the San Diego County Palomar Airport Advisory Committee. (Staff contact: Jason Haber, City Manager Department)

**City Manager's Recommendation:** Provide direction to staff.

Intergovernmental Affairs Director Jason Haber presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

*Suzie Thorley expressed concerns regarding the current selection process of airport board members due to conflicts of interest.*

*Vickey Syage spoke regarding the selecting process of the San Diego County Palomar Airport Advisory Committee.*

*Christian Peacock spoke regarding his concerns with the San Diego County Palomar Airport Advisory Committee.*

*Frank Sung spoke regarding his concerns with the San Diego County Palomar Airport Advisory Committee.*

In response to an inquiry from Council Member Burkholder, Intergovernmental Affairs Director Haber explained that the County of San Diego handles their conflict-of-interest violations differently than the City of Carlsbad.

In response to an inquiry from Council Member Burkholder, City Attorney McMahon explained that the particular appointment is not covered by the board and commission rules because it comes from the County.

Council Member Burkholder requested to add to the letter to the San Diego County Board of Supervisors that the County of San Diego is to adhere to 8-year term limits.

In response to an inquiry from Council Member Burkholder's request, Intergovernmental Affairs Director Haber explained that there is a hold over provisions in their code so if an appointees term expires or reaches the limit, until they are replaced by the supervisor, their appointment continues to hold over on an undefined basis until they are replaced or until the term of the appointing supervisor ends.

In response to an inquiry from Council Member Acosta, Intergovernmental Affairs Director Haber explained that the Palomar Airport Advisory Committee Members are able to serve two consecutive terms on a particular assignment but if the seat is not re-appointed there is an automatic provision for a hold over until the position is filled.

Council Member Acosta requested to add to the letter that they are to clarify and enforce their term limits.

In response to an inquiry from Council Member Acosta, Intergovernmental Affairs Director Haber explained that no more than three members should have a financial interest in the airport operations and under the new framework, it specifically indicated that one member appointed by the Chief Administrative Officer should have a professional or financial interest to the airport.

In response to an inquiry from Mayor Pro Tem Bhat-Patel, Intergovernmental Affairs Director Haber explained that there is not a way to ensure that the San Diego County Board of Supervisors will not override the candidates that Carlsbad recommended unless the County Supervisors adds language to their code that relinquish that decision making authority but is unsure the County Supervisors have the authority to make those changes.

Mayor Pro Tem Bhat-Patel, requested to add to the letter asking how members are recusing themselves with regards to financial interests, the overriding of term limits and taking heed of who the city puts forward as candidates and they do not override that.

Council Member Acosta agreed with the original recommendations and would like the additions of conflict of interest language and term limits concerns.

In response to an inquiry from Council Member Luna, Intergovernmental Affairs Director

Haber explained that they would try to transmit the letter before the February 28, 2024, Board of Supervisor's meeting to be incorporated into the record.

In response to an inquiry from Mayor Blackburn, Intergovernmental Affairs Director Haber explained that the County Counsell is present for Board and Supervisors meetings, but not present for Palomar Airport Authority Committee (PAC) meetings.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to move forward with City Council requests and moving staff recommendation. Motion carried unanimously, 5/0.

10. OPTIONS FOR CONSTRUCTION OF PICKLEBALL COURTS AT EXISTING PARKS – Adoption of Resolution No. 2024-031 approving a Fiscal Year 2023-24 Capital Improvement Program Project charter for the construction of four new outdoor pickleball courts at Calavera Hills Community Park and four new outdoor pickleball courts at Stagecoach Community Park and authorizing the City Manager or designee to appropriate \$300,000 from the Public Facilities Fee Fund to the Fiscal Year 2023-24 Capital Improvement Program Budget for the scoping, initial design and final design phases of this project. (Staff contact: Kyle Lancaster, Community Services Department)

**City Manager's Recommendation:** Adopt the resolution.

Parks & Recreation Director Kyle Lancaster and Park Planning Manager Nick Stupin presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

*Linda Whittaker spoke against the construction of pickleball courts due to noise disturbances.*

In response to an inquiry from Mayor Pro Tem Bhat-Patel, Parks & Recreation Director Kyle Lancaster explained that for sound attenuation, acoustic-fence matting will be used, and courts will be open from 8 a.m. to 10 p.m.

In response to an inquiry from Council Member Acosta, Parks & Recreation Director Kyle Lancaster explained that there currently is not regulations on who uses Poinsettia Park pickleball courts and it is first come, first serve basis. He further explained that that lessons are not permitted on a private basis on pickleball or tennis courts at this time.

In response to an inquiry from Council Member Burkholder, Parks & Recreation Director Kyle Lancaster explained that the project duration is anticipated to be 24-28 months.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt Resolution No. 2024-031. Motion carried unanimously, 5/0.

**COUNCIL REPORTS AND COMMENTS:** Mayor Blackburn and the City Council Members reported on activities and meetings of some committees and subcommittees of which they are members.

**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.

**CITY CLERK COMMENTS:** None.

**ADJOURNMENT:** Mayor Blackburn adjourned the duly noticed meeting at 6:51 p.m.

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Ana Marie Alarcon, CMC  
Deputy City Clerk



CITY COUNCIL  
Special Meeting  
**Minutes**

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

Feb. 27, 2024, 4 p.m.

**CALL TO ORDER:** 4 p.m.

**ROLL CALL:** Blackburn, Bhat-Patel, Acosta, Burkholder, Luna.

**ANNOUNCEMENT OF CONCURRENT MEETINGS:** None.

**PUBLIC COMMENT ON AGENDA ITEM:** None.

**CLOSED SESSION:**

1. **CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION:** That the City Council, by motion, authorize a closed session regarding existing litigation in the matter of:

Depretis, et al v. City of Carlsbad, Case No. 37-2020-00022447-CU-EI-CTL, pursuant to Government Code Section 54956.9(d)(1).

Council Action: No reportable action.

2. **CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATING LITIGATION:** That the City Council, by motion, authorize a closed session to consider initiation of litigation of one case pursuant to Government Code section 54956.9(d)(4).

Council Action: No reportable action.

**ADJOURNMENT:**

By proper motion, the Special Meeting of Feb. 27, 2024, was adjourned at 4:32 p.m.

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Ana Marie Alarcon, CMC  
Deputy City Clerk



CITY COUNCIL  
Special Meeting

# Minutes

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

March 12, 2024, 3:45 p.m.

**CALL TO ORDER:** 3:45 p.m.

**ROLL CALL:** Blackburn, Bhat-Patel, Acosta, Burkholder, Luna.

**ANNOUNCEMENT OF CONCURRENT MEETINGS:** None.

**PUBLIC COMMENT ON AGENDA ITEM:** None.

**CLOSED SESSION:**

City Attorney Cindie McMahon read the City Council into Closed Session.

Council adjourned into Closed Session at 3:46 p.m. pursuant to the following:

1. **CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION:** That the City Council, by motion, authorize a closed session regarding existing litigation in the matter of:

Davenport, Lorenzo v. City of Carlsbad, Case No. 37-2023-00046515-CU-WT-NC, pursuant to Government Code Section 54956.9(d)(1).

Council Action: No reportable action.

2. **CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION:** That the City Council, by motion, authorize a closed session regarding existing litigation in the matter of:

Depretis, et al v. City of Carlsbad, Case No. 37-2020-00022447-CU-EI-CTL, pursuant to Government Code Section 54956.9(d)(1).

Council Action: No reportable action.

3. **CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATING LITIGATION:** That the City Council, by motion, authorize a closed session to consider initiation of litigation of one case pursuant to Government Code Section 54956.9(d)(4).

Council Action: The City Council voted unanimously to direct the City Attorney's Office to engage outside housing counsel to represent the city on Windsor Pointe matters.

**ADJOURNMENT:**

By proper motion, the Special Meeting of March 12, 2024, was adjourned at 4:52 p.m.

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Tamara R. McMinn, CPMC, CMC  
Senior Deputy City Clerk





CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Zach Korach, Finance Director  
 zach.korach@carlsbadca.gov, 442-339-2127

**Subject:** Designating Agents to Act on the City’s Behalf in the Processing of Disaster Claims Related to the Atmospheric Rivers in January and February 2024

**District:** 1

**Recommended Action**

Adopt a resolution designating and authorizing agents to act on behalf of the city in the processing of disaster claims for the purpose of obtaining certain state and/or federal assistance related to the atmospheric rivers in January and February 2024 and any future disaster claims.

**Executive Summary**

The city must designate and authorize an agent to act on its behalf to apply for state and/or federal financial assistance for costs incurred by the city as a result of the recent atmospheric rivers in January and February 2024 and any future disaster claims. To do this, the City Council must approve a form required by the California Governor’s Office of Emergency Services (Cal OES), which designates the agents who can act on the city’s behalf.

**Explanation & Analysis**

The city will be applying for state disaster financial assistance under the California Disaster Assistance Act to cover some of the city’s costs in mitigating damage from the atmospheric rivers in January and February of 2024.<sup>1</sup>

Cal OES Form 130, Designation of Applicant's Agent Resolution for Non-State Agencies (Exhibit 2), allows the city to designate – by job title or position – and authorize up to three people to act as the agent on behalf of the city.

The city will designate an employee’s job title on Cal OES Form 130 rather than an individual's name. The city will provide Cal OES a list of the individuals fulfilling the job title or position listed on the form. This allows the city to simply inform Cal OES in writing of any changes to the

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<sup>1</sup>The City Manager, in his role as Director of Emergency Services, proclaimed local emergencies on Feb. 14, 2024, so that the city could more swiftly remove debris from the Buena Vista Creek channel and repair a slope between El Camino Real and Trieste Drive. The City Council ratified the emergency proclamation on Feb. 15, 2024, and has done so again at each of its regularly scheduled meetings since then.

individuals assigned to a particular job title or position. This process prevents the city from having to adopt a new Cal OES Form 130 resolution based on changes in staff.

This item designates and authorizes the City Manager, Finance Director or Assistant Director of Emergency Services to act as the authorized agent of the city in matters relating to disaster relief and emergency assistance. The Cal OES Form 130 will be filed with the California Governor's Office of Emergency Services and will remain valid for three years.

#### **Fiscal Analysis**

With this form, the city will be able to apply for federal and/or state financial assistance for any existing or future disaster claims, including the recent atmospheric rivers.

#### **Next Steps**

Staff will process the city's requests for federal and/or state disaster financial assistance with Cal OES to cover some of the city's costs in mitigating damage from the recent storms.

#### **Environmental Evaluation**

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

#### **Exhibits**

1. City Council resolution
2. California Office of Emergency Services Form 130, Designation of Applicant's Agent Resolution for Non-State Agencies

**RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, DESIGNATING AND AUTHORIZING AGENTS TO ACT ON BEHALF OF THE CITY IN THE PROCESSING OF DISASTER CLAIMS FOR THE PURPOSE OF OBTAINING CERTAIN STATE AND/OR FEDERAL ASSISTANCE RELATED TO THE ATMOSPHERIC RIVERS IN JANUARY AND FEBRUARY 2024 AND ANY FUTURE DISASTER CLAIMS

WHEREAS, the City Council of the City of Carlsbad, California, has determined that the City of Carlsbad incurred financial losses from the atmospheric rivers in January and February of 2024; and

WHEREAS, under the California Disaster Assistance Act, the City of Carlsbad is entitled to reimbursement for certain losses; and

WHEREAS, the City of Carlsbad must designate and authorize an agent or agents to act on its behalf in the processing of disaster financial assistance grants; and

WHEREAS, the City of Carlsbad may designate and authorize up to three individuals to act on its behalf; and

WHEREAS, the individuals authorized to act on behalf of the City of Carlsbad will be designated and authorized based on their respective job title/position; and

WHEREAS, the City of Carlsbad designates the City Manager, Finance Director or Assistant Director of Emergency Services to act on its behalf as authorized agents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the Cal OES Form 130 is a universal resolution to designate and authorize agent(s) to execute any state and/or federal existing or future disaster grants declared up to three (3) years following the date of approval.
3. That the City of Carlsbad, a public entity established under the laws of the State of California, hereby designates and authorizes its agent(s) to provide the California Governor's Office of Emergency Services all assurances and agreements required for the purpose of obtaining state and/or federal disaster financial assistance for any existing or future grant program.

4. That the City Manager, Finance Director or Assistant Director of Emergency Services are hereby designated and authorized to act, to apply for, and to execute necessary documents for the purpose of obtaining state and/or federal disaster financial assistance.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 26th day of March, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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KEITH BLACKBURN, Mayor

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SHERRY FREISINGER, City Clerk  
(SEAL)



Cal OES ID No: \_\_\_\_\_

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE \_\_\_\_\_ OF THE \_\_\_\_\_  
 (Governing Body) (Name of Applicant)

THAT \_\_\_\_\_, OR  
 (Title of Authorized Agent)

\_\_\_\_\_, OR  
 (Title of Authorized Agent)

\_\_\_\_\_  
 (Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the \_\_\_\_\_,  
 (Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM),** under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA),** under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the \_\_\_\_\_, a public entity established under the  
 (Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.



**Please check the appropriate box below**

- This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): \_\_\_\_\_

Passed and approved this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 (Name and Title of Governing Body Representative)

**Melanie  
 Burkholder,  
 Councilmember**

\_\_\_\_\_  
 (Name and Title of Governing Body Representative)

**Carolyn Luna,  
 Councilmember**

\_\_\_\_\_  
 (Name and Title of Governing Body Representative)

**CERTIFICATION**

I, \_\_\_\_\_, duly appointed and \_\_\_\_\_ of  
 (Name) (Title)

\_\_\_\_\_, do hereby certify that the above is a true and  
 (Name of Applicant)

correct copy of a resolution passed and approved by the \_\_\_\_\_  
 (Governing Body)

of the \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
 (Name of Applicant)

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 (Title)



### Cal OES Form 130 Instructions

**A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted resolution is older than three (3) years from the last date of approval, is invalid, or has not been submitted.**

When completing the Cal OES Form 130, Applicants should fill in the blanks on pages 1 and 2. The blanks are to be filled in as follows:

#### **Resolution Section:**

**Governing Body:** This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

**Name of Applicant:** The public entity established under the laws of the State of California.

Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

**Authorized Agent:** These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Governor's Office of Emergency Services regarding grants for which they have applied. There are two ways of completing this section:

1. **Titles Only:** The titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by either a cover letter naming the Authorized Agents by name and title, or the Cal OES AA Names document. The supporting document can be completed by any authorized person within the Agency (e.g., administrative assistant, the Authorized Agent, secretary to the Director). It does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document, or their title changes.



**Checking Universal or Disaster-Specific Box:** A Universal resolution is effective for all past disasters and for those declared up to three (3) years following the date of approval. Upon expiration it is no longer effective for new disasters, but it remains in effect for disasters declared prior to expiration. It remains effective until the disaster goes through closeout unless it is superseded by a newer resolution.

**Governing Body Representative:** These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents. A minimum of three (3) approving board members must be listed. If less than three are present, meeting minutes must be attached in order to verify a quorum was met.

**Certification Section:**

**Name and Title:** This is the individual in attendance who recorded the creation and approval of this resolution.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member. If a person holds two positions (such as City Manager and Secretary to the Board) and the City Manager is to be listed as an Authorized Agent, then that person could sign the document as Secretary to the Board (not City Manager) to eliminate "Self-Certification."





CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Gary Barberio, Deputy City Manager, Community Services  
gary.barberio@carlsbadca.gov, 442-339-2822  
Cindie K. McMahan, City Attorney  
attorney@carlsbadca.gov, 442-339-2891

**Subject:** Update on Status of Negotiations to Relocate San Diego Gas & Electric's North Coast Service Center

**District:** 2

### Recommended Action

Adopt a resolution extending the deadline for terminating negotiations to relocate SDG&E's North Coast Service Center beyond the City Council established March 31, 2024, deadline by four months, to July 31, 2024, and directing staff to continue negotiations with SDG&E and NRG on the Seaside option and to return to the City Council by July 31, 2024, or sooner, with an agreement for the City Council's consideration.

### Executive Summary

This report provides the City Council with an update on the ongoing negotiations between the city, NRG Energy and San Diego Gas & Electric over relocating SDG&E's North Coast Service Center as part of a previous settlement agreement. Staff are requesting additional time to return to the City Council with a new agreement for its consideration.

### Explanation & Analysis

#### **Background**

The City of Carlsbad has been negotiating with NRG Energy and the San Diego Gas & Electric Company to relocate SDG&E's North Coast Service Center from its current location near the northeast corner of Carlsbad Boulevard and Cannon Road as anticipated in the "Settlement Agreement dated as of Jan. 14, 2014, Between and Among The City of Carlsbad, Carlsbad Municipal Water District, Cabrillo Power I LLC, Carlsbad Energy Center LLC, and San Diego Gas and Electric Company."

After staff, NRG and SDG&E had exhausted options to relocate the service center offsite – e.g., The Shoppes at Carlsbad site, the SDG&E-owned property known as Lot 11, and other sites – on Nov. 15, 2022, the City Council directed staff to discontinue efforts to include Lot 11 in the city's negotiations with SDG&E and NRG and to pursue an option for constructing a new service center on the eastern part of the existing site closer to the railroad tracks, referred to by the

parties as the Against the Tracks option. This option was expected to free up approximately eight to ten acres on the western part of the existing site for transfer to the city. The City Council also directed staff to return to the City Council for further direction on March 7, 2023, or sooner.

However, as reported at the City Council meeting on March 7, 2023 (Exhibit 1), the negotiations for the Against the Tracks option stalled because the cost of constructing the new service center significantly exceeded the funding available from NRG and SDG&E under that option. At that time, NRG was working on selecting a development partner for the future redevelopment of the adjacent power plant property and anticipated the development partner would provide solutions for resolving the funding gap.

To allow NRG time to complete its selection process and receive input from its development partner, the City Council provided the parties an additional six months to explore options and directed staff to return in September 2023, or sooner, with an update on continuing negotiations. Meanwhile, the parties continued to meet regularly (holding about 18 meetings) to try to resolve the funding gap and other ancillary matters.

Although NRG had not yet selected its development partner, NRG determined through the selection process that its development partner would not be able to resolve the funding gap for the Against the Tracks option.

Instead, on Aug. 31, 2023, NRG proposed a different option for reconfiguring the existing service center site that would close the funding gap because it involves less new construction and frees up less land (approximately five to six acres) for transfer to the city. The parties refer to this option as the Seaside option.

At that time, the Seaside option was new and conceptual only, and NRG and SDG&E's teams were reviewing the proposal internally to determine its feasibility. Consequently, city staff lacked sufficient information to present the new Seaside option to the City Council in September for its consideration and direction. Over the ensuing three months NRG and SDG&E determined that the Seaside option is feasible, and the two parties have solidified a plan to eliminate any funding gap associated with this option.

## Seaside option



The Seaside option is similar to the Against the Tracks option in that it reconfigures the current site to the east, away from Carlsbad Boulevard and the coastline, such that a new service center administration building could be built on the eastern 13-acre portion of the 19-acre SDG&E property, with SDG&E parking and materials staging areas relocated to an approximately eight-acre portion of the NRG property. This option makes available for conveyance to the city approximately six acres (five acres net) of the western portion of the SDG&E site.

The eastern one-acre of the six-acre property conveyed to the city would be used to provide vehicle access to the city's site, SDG&E's remaining site, and the future NRG redevelopment site from Cannon Road at its intersection with Los Robles Drive.

While the six acres is less than the eight to ten acres anticipated to become available to the city under the Against the Tracks option, it will provide the city with options for future use of the six acres, such as a location for a permanent Fire Station No. 7, ownership – as opposed to a lease – and possible expansion of Cannon Park and an area to provide parking for Cannon Park and beach visitors.

In addition to the approximately six acres (five acres net) proposed for conveyance to the City and the possible options for future use of this property, the Seaside option, as currently proposed, would provide for the following additional community benefits:

- The city will receive from SDG&E a 5.76-acre property on the north shore of the Agua Hedionda Lagoon (the North Shore Bluff Parcel)
- SDG&E will cooperate with the city to develop a trail network in the Hub Park Lease area on the south shore of the Agua Hedionda Lagoon, including allowing access on the SDG&E-owned Lot 11 for a trailhead parking lot, access to the pedestrian tunnels underneath Cannon Road, and access through Lot 11 to the Hub Park Lease area. SDG&E will also share in the cost of developing this portion of the city trail system.

- The city will receive from NRG an irrevocable offer of dedication for the NRG-owned Beach Bluff Property (approximately 10.8 acres on the west side of Carlsbad Boulevard), the NRG-owned middle Agua Hedionda Lagoon basin (approximately 21 acres between the railroad tracks and Interstate 5) and the inner basin (approximately 181.23 acres east of I-5). The irrevocable offer of dedication will allow the city to take ownership of the property at a future date, if so desired.
  - The city currently has an irrevocable offer of dedication over the approximately 2.8 acre upper-bluff portion of the Beach Bluff Property. This new irrevocable offer of dedication would cover the entire approximately 10.8 acres of the property, or an additional approximately eight acres. The city also currently has a lease agreement on the Agua Hedionda Lagoon inner basin and previously had a lease agreement on the middle basin.
- The city will receive from SDG&E and NRG ownership to the Carlsbad Boulevard and Cannon Road right-of-way fronting their respective properties.

### **Current City Council direction**

At the Dec. 12, 2023, City Council meeting, the City Council voted to direct staff to continue negotiations with SDG&E and NRG on the Seaside option and to return to the City Council by March 31, 2024, or sooner, with an agreement for the City Council's consideration. Acting on that direction, city staff, SDG&E, and NRG have met eight times to negotiate the terms of an agreement acceptable to all three parties that would implement the Seaside option. The parties have also exchanged multiple drafts of a 100-plus page agreement detailing the terms.

While the three parties have negotiated solutions addressing many of the outstanding issues and have made significant progress towards completing a draft agreement, the parties are not yet in a position to present a draft agreement to the City Council for its consideration. City staff anticipate that it will take four additional months to complete a draft agreement and that we will be able to return to the City Council by July 31, 2024, or sooner, with a completed draft agreement for the City Council's consideration.

### **Recommendation**

Staff recommend that the City Council extend the City Council established March 31, 2024, termination deadline to July 31, 2024, and direct staff to continue negotiations with SDG&E and NRG on the Seaside option and to return to the City Council by July 31, 2024, or sooner, with an agreement for the City Council's consideration.

If the parties are unable to reach agreement by July 31, 2024, then the negotiation efforts shall be reassessed, and a decision made about whether to terminate them. If a decision is made to terminate negotiations, then the city would receive \$10 million from NRG, as identified in the 2014 settlement agreement.

Alternatively, the parties could agree at that time to extend the July 31, 2024, deadline or pursue another plan.

### **Fiscal Analysis**

There is no financial impact from this item. No additional funding is being requested.

### **Next Steps**

Staff will continue negotiations with SDG&E and NRG and return with an agreement for the City Council to consider by July 31, 2024, or sooner, as appropriate. Until the agreement is completed, staff will continue to provide monthly progress updates to the City Council via memorandums.

### **Environmental Evaluation**

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

### **Exhibits**

1. City Council resolution

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, EXTENDING THE DEADLINE FOR TERMINATING NEGOTIATIONS TO RELOCATE SDG&E'S NORTH COAST SERVICE CENTER BEYOND THE CITY COUNCIL ESTABLISHED MARCH 31, 2024 DEADLINE BY FOUR MONTHS, TO JULY 31, 2024, AND DIRECTING STAFF TO CONTINUE NEGOTIATIONS WITH SDG&E AND NRG ON THE SEASIDE OPTION AND TO RETURN TO THE CITY COUNCIL BY JULY 31, 2024, OR SOONER, WITH AN AGREEMENT FOR THE CITY COUNCIL'S CONSIDERATION

WHEREAS, on Jan. 14, 2014, the City Council of the City of Carlsbad adopted Resolution 2014-010 approving a Settlement Agreement between and among the City of Carlsbad, the Carlsbad Municipal Water District (CMWD), Cabrillo Power I LLC and Carlsbad Energy Center LLC (collectively, NRG), and San Diego Gas & Electric (SDG&E), related to the decommissioning and demolition of the existing power plant known as Encina Power Station (EPS) and construction of a new plant known as Carlsbad Energy Center (Settlement Agreement); and

WHEREAS, among other things, the Settlement Agreement anticipated the relocation of SDG&E's North Coast Service Center (NCSC), which is currently located near the northeast corner of Carlsbad Boulevard and Cannon Road [5.1]; and

WHEREAS, if relocated in accordance with the terms of the Settlement Agreement, NRG would contribute \$22.5 million to SDG&E for the relocation and reconstruction of a new service center [5.4], the city would take title to certain properties totaling approximately 24.5 acres [5.7] and the city and NRG would work in good faith to consider a joint development strategy for the Encina Redevelopment Site and the NCSC site [6.2(b)]; and

WHEREAS, negotiators for the city, SDG&E and NRG have met regularly to work on a identifying an appropriate relocation site for NSCS; and

WHEREAS, staff provided updates and sought direction from the City Council regarding these negotiations at City Council meetings on April 20, 2021, May 23, 2022, July 26, 2022, Oct. 11, 2022, Nov. 15, 2022, March 7, 2023, and Dec. 12, 2023; and

WHEREAS, the parties have considered numerous options for relocation of NSCS and transfer of property to the city; and

WHEREAS, on Aug. 31, 2023, NRG proposed an option to reconfigure the existing service center site, transfer to the city approximately 5-6 acres of the current site in addition to other anticipated property transfers (“Seaside Option”); and

WHEREAS, at the Dec. 12, 2023, City Council meeting, staff presented the current status of the negotiations and City Council directed staff to continue negotiations with SDG&E and NRG on the Seaside Option and to return to the City Council by March 31, 2024, or sooner, with an agreement for the City Council’s consideration; and

WHEREAS, the parties have met regularly, exchanged multiple drafts of an agreement detailing the terms of the agreement but still have outstanding issues to resolve; and

WHEREAS, city staff anticipate that it will take an additional four months to complete a draft agreement for presentation to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. The City Council authorizes staff to continue to work with SDG&E and NRG on the Seaside Option.
3. That the deadline to prepare a draft agreement for presentation to City Council is extended from March 31, 2024, to July 31, 2024.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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KEITH BLACKBURN, Mayor

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SHERRY FREISINGER, City Clerk  
(SEAL)



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Todd Reese, Parks Services Manager  
todd.reese@carlsbadca.gov, 442-339-2941

**Subject:** Designation of Seven Trees as Heritage Trees

**Districts:** 1, 2

**Recommended Action**

Adopt a resolution designating seven trees – four trees identified on city owned property and three trees identified on privately owned property – as heritage trees.

**Executive Summary**

The Carlsbad Community Forest Management Plan, which was updated and approved by the City Council in 2019, lists goals and strategies that promote city-wide tree preservation, community education and sustainability, and showcases specimen or heritage trees to generate interest in the diversity of trees.

With the approval of the plan, the City Council designated 116 previously identified trees, some of them located on city owned property and some of them on privately owned property, as heritage trees. Those heritage trees were determined to be important facets of the community’s historic and cultural resources.

Seven additional trees, four on city-owned property and three on privately owned property, have been nominated by community members for heritage tree designation. Those nominations have been reviewed by staff, accepted by the Historic Preservation Commission, and by the Parks & Recreation Commission. Staff and the commissions recommend the City Council approve the designation of the seven trees as heritage trees.

The City Council’s adoption of a resolution is required to designate a tree as a Heritage Tree, under Carlsbad Municipal Code Section 11.12.020 – Definitions, Subsection A.4., “Heritage Tree.”



### Explanation & Analysis

Carlsbad Municipal Code Section 11.12.020, Subsection A.4, defines a heritage tree as “any tree existing within the city limits which has been so designated by resolution by the City Council. Heritage Trees shall be trees with notable historic interest or trees of an unusual species or size.”

Carlsbad Municipal Code Section 11.12.140 - Heritage Trees, Subsection A., further states,

The City Council recognizes the important role trees have played in the history and development of Carlsbad and recognizes that a wide variety of trees can grow in its unique and temperate climate. The city may officially designate as Heritage Trees those trees in the community which have significant historical or arboricultural interest. It is the policy of the City Council that all designated heritage trees that are on public streets shall be protected.

The Carlsbad Community Forest Management Plan, Chapter 6 – Heritage Tree Program, indicates that “...these trees are important facets of the City of Carlsbad’s history, arts, and cultural resources...They offer special opportunities for people interested in science and history to learn more about trees outside of the typical arboretum or classroom setting.”

The Historic Preservation Commission and the Parks & Recreation Commission are tasked with making recommendations to the City Council regarding the designation of Heritage Trees. The Carlsbad Community Forest Management Plan, Chapter 6 - Heritage Tree Program, addresses the following:

- Describes the significance of heritage trees in the community
- Lists a brief description of each of the heritage trees in Carlsbad
- Provides management recommendations for heritage trees
- Outlines the process for nominating trees for heritage tree designation

The process for nominating trees for heritage tree designation includes the completion of a nomination form, staff’s review and acceptance of the nomination, and submission of the nomination to the Historic Preservation Commission and to the City Council for action. In addition, Carlsbad Municipal Code Section 2.36.070(C), states “The Parks & Recreation Commission shall ... review all tree-related issues and make recommendations to the City Council regarding the needs of the city with respect to its tree planting, replacement, maintenance and preservation programs.”

Since the City Council’s approval of the updated Carlsbad Community Forest Management Plan in September 2019, staff have received seven nominations for heritage tree designation. Staff reviewed the completed nomination forms for each of the heritage tree candidates (Exhibit 2) and determined they warranted further consideration.

The initial six nominations were accepted by the Historic Preservation Commission on March 8, 2021, and the Parks & Recreation Commission on Nov. 20, 2023. Those six nominations were for:

One paper bark tea tree (*Melaleuca quinquenervia*) at 1200 Carlsbad Village Drive, on city-owned property, in the City Hall courtyard



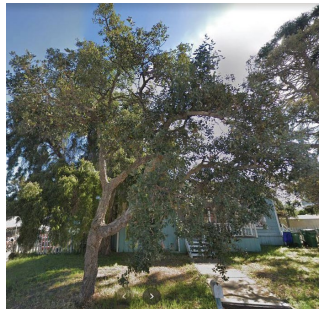
Two river red gums (*Eucalyptus camaldulensis*) at Victoria Lane, west of Carlsbad Village Drive, on city-owned property, adjacent to the Village H South trailhead



One coast live oak (*Quercus agrifolia*) at the east end of Lake Calavera Preserve, on city owned property, adjacent to the access from Oak Riparian Park

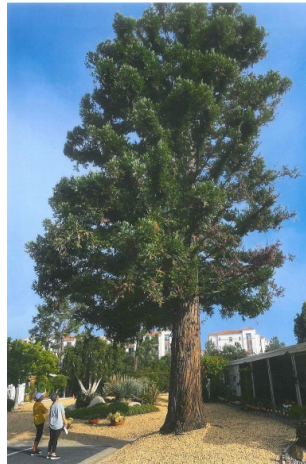


Two cork oaks (*Quercus suber*) at 2778 Arland Road, on privately owned property, in the front yard



The last nomination was accepted by the Historic Preservation Commission on March 11, 2024, and the Parks & Recreation Commission on March 18, 2024. That nomination was for:

One Santa Cruz redwood  
(*Sequoia sempervirens*) at  
4970 Cindy Avenue, on  
privately owned property, in  
the side yard



The Community Forest Management Plan's Heritage Tree Program (Chapter 6) includes management recommendations for the health, safety and longevity of heritage trees. These recommendations are mandatory for city-owned heritage trees but advisory only for privately owned heritage trees. Staff are prepared to apply the management recommendations to the four city-owned heritage tree candidates with existing resources. The owners of the three privately owned heritage tree candidates have been informed of these nominations.

Heritage tree designations for trees located outside of a street, sidewalk, median or other public right-of-way of the city do not affect the property owners' rights to exercise control of their properties, including development of their properties. None of the seven trees nominated for designation as heritage trees are located within a street, sidewalk, median or other public right-of-way of the city.

The Carlsbad Community Forest Management Plan, Chapter 6 – Heritage Tree Program, states

Unlike fine artwork, trees do not remain in a static state and are constantly exposed to the elements and biological factors. It is important to preserve heritage trees, but even though the best plant health care practices available may be applied to keep heritage trees in good condition, trees do age and naturally senesce [deteriorate with age] and succumb to factors beyond the control of arboriculture professionals. When a heritage tree reaches the point of needing to be removed out of safety or practicality concerns, the tree may have an extended use and be further memorialized through the Community Green Waste, Wood and Tree Recycling Program.

In keeping with these management recommendations, a suitable tree is to be planted in exchange if a city-owned Heritage Tree must be removed.

Staff recommend that the City Council designate these seven trees as Heritage Trees.

### **Fiscal Analysis**

Sufficient funds are available in the City Council approved Fiscal Year 2023-24 Parks Maintenance Operating Budget to cover the costs of applying the heritage tree management recommendations for the four city-owned heritage trees. The city will not be fiscally responsible for the management of the three privately owned heritage trees. No additional appropriation is requested. Funding for ongoing management of the four city owned heritage trees will be included in future operating budget submittals for the City Council's consideration.

### **Next Steps**

The seven heritage trees, four trees on city owned property and four trees on privately owned property, will be added to the heritage tree inventory.

### **Environmental Evaluation**

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

### **Exhibits**

1. City Council resolution
2. Heritage Tree nomination forms for the seven trees

**RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, DESIGNATING SEVEN TREES – FOUR TREES IDENTIFIED ON CITY OWNED PROPERTY AND THREE TREES IDENTIFIED ON PRIVATELY OWNED PROPERTY - AS HERITAGE TREES

WHEREAS, the City Council approved the updated Carlsbad Community Forest Management Plan in September 2019; and

WHEREAS, that plan lists goals and strategies that promote city-wide tree preservation, community education and sustainability, and showcases specimen or heritage trees to generate interest in the diversity of trees; and

WHEREAS, Carlsbad Municipal Code Section 11.12.020, Definitions, Subsection A.4., defines a heritage tree as “any tree existing within the city limits which has been so designated by resolution by the City Council. Heritage Trees shall be trees with notable historic interest or trees of an unusual species or size;” and

WHEREAS, Carlsbad Municipal Code Section 11.12.140, Heritage Trees, Subsection A., further states “The City Council recognizes the important role trees have played in the history and development of Carlsbad and recognizes that a wide variety of trees can grow in its unique and temperate climate. The city may officially designate as Heritage Trees those trees in the community which have significant historical or arboricultural interest. It is the policy of the City Council that all designated heritage trees that are on public streets shall be protected.”; and

WHEREAS, the Carlsbad Community Forest Management Plan, Chapter 6 – Heritage Tree Program, indicates that “...these trees are important facets of the City of Carlsbad’s history, arts, and cultural resources...They offer special opportunities for people interested in science and history to learn more about trees outside of the typical arboretum or classroom setting;” and

WHEREAS, with the approval of the Carlsbad Community Forest Management Plan, the City Council designated 116 previously identified trees, some of them located on city-owned property and some of them located on privately-owned property, as heritage trees; and

WHEREAS, the Carlsbad Community Forest Management Plan Chapter 6, Heritage Tree Program, describes the significance of heritage trees in the community, lists a brief description of each

of the heritage trees in Carlsbad, provides management recommendations for heritage trees, and outlines the process for nominating trees to be considered for heritage tree designation; and

WHEREAS, the Historic Preservation Commission and the Parks & Recreation Commission are tasked with making recommendations to the City Council regarding the designation of additional heritage trees; and

WHEREAS, the process for nominating trees for heritage tree designation includes the completion of a nomination form, staff's review and acceptance of the nomination, and submission of the nomination to the Historic Preservation Commission and to the City Council for action; and

WHEREAS, Carlsbad Municipal Code Section 2.36.070. - Duties, Subsection C., states "The Parks & Recreation Commission shall...review all tree-related issues and make recommendations to the City Council regarding the needs of the city with respect to its tree planting, replacement, maintenance and preservation programs;" and

WHEREAS, seven trees, four identified on city-owned property and three identified on privately-owned property, have been nominated for heritage tree designation; and

WHEREAS, the seven nominations are for: one *Melaleuca quinquenervia* (paper bark tea tree) at 1200 Carlsbad Village Drive on city-owned property – in the City Hall courtyard; two *Eucalyptus camaldulensis* (river red gum) at Victoria Lane, west of Carlsbad Village Drive, on city-owned property – adjacent to the Village H South trailhead; one *Quercus agrifolia* (coast live oak) at the east end of Lake Calavera Preserve, on city-owned property – adjacent to the access from Oak Riparian Park; two *Quercus suber* (cork oak) at 2778 Arland Road, on privately-owned property – in the front yard; and one *Sequoia sempervirens* (Santa Cruz redwood) at 4970 Cindy Ave., on privately owned property – in the side yard;

WHEREAS, the nomination forms and photographs of the seven heritage tree candidates are on file in the Office of the City Clerk; and

WHEREAS, the nominations were reviewed by staff and determined to warrant further consideration; and

WHEREAS, the initial six nominations were accepted by the Historic Preservation Commission on March 8, 2021, and accepted by the Parks & Recreation Commission on Nov. 20, 2023; and

WHEREAS, the last nomination was accepted by the Historic Preservation Commission on March 11, 2024, and the Parks & Recreation Commission on March 18, 2024; and

WHEREAS, the Carlsbad Community Forest Management Plan, Chapter 6 – Heritage Tree Program, includes management recommendations for the health, safety and longevity of heritage trees. These recommendations are mandatory for city-owned heritage trees but advisory only for privately owned heritage trees; and

WHEREAS, staff are prepared to apply the management recommendations to the four city-owned heritage tree candidates with existing resources; and

WHEREAS, the owners of the three privately-owned heritage tree candidates have been informed of these nominations; and

WHEREAS, heritage tree designations for trees located outside of a street, sidewalk, median or other public right-of-way of the city do not affect the property owners’ rights to exercise control of their properties, including development of their properties.; and

WHEREAS, The Carlsbad Community Forest Management Plan, Chapter 6 – Heritage Tree Program, states “It is important to preserve heritage trees, but even though the best plant health care practices available may be applied to keep heritage trees in good condition, trees do age and naturally senesce and succumb to factors beyond the control of arboriculture professionals. When a heritage tree reaches the point of needing to be removed out of safety or practicality concerns, the tree may have an extended use and be further memorialized through the Community Green Waste, Wood and Tree Recycling Program...;” and

WHEREAS, in keeping with these management recommendations, a suitable tree is to be planted in exchange if a city-owned Heritage Tree must be removed.; and

WHEREAS, sufficient funds are available in the City Council approved Fiscal Year 2023-24 Parks Maintenance Operating Budget to account for application of the heritage tree management recommendations of the four city-owned heritage trees; and

WHEREAS, funding for ongoing management of the four city-owned heritage trees will be included in future operating budget submittals for the City Council’s consideration; and

WHEREAS, the City Planner has determined that pursuant to Public Resources code Section 21065, this action does not constitute a project within the meaning of the California Environmental Quality Act in that it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment, and therefore does not require environmental review.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the City Council hereby designates the following seven trees as heritage trees:
  - a. one *Melaleuca quinquenervia* (paper bark tea tree) at 1200 Carlsbad Village Drive on city-owned property – in the City Hall courtyard;
  - b. two *Eucalyptus camaldulensis* (river red gum) at Victoria Lane, west of Carlsbad Village Drive, on city-owned property – adjacent to the Village H South trailhead;
  - c. one *Quercus agrifolia* (coast live oak) at the east end of Lake Calavera Preserve, on city-owned property – adjacent to the access from Oak Riparian Park;
  - d. two *Quercus suber* (cork oak) at 2778 Arland Road, on privately-owned property – in the front yard; and
  - e. one *Sequoia sempervirens* (Santa Cruz redwood) at 4970 Cindy Ave., on privately owned property – in the side yard.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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KEITH BLACKBURN, Mayor

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SHERRY FREISINGER, City Clerk  
(SEAL)



Carlsbad Parks & Recreation  
 1166 Carlsbad Village Drive  
 Carlsbad, CA 92008  
 (760) 434-2824



**HERITAGE TREE NOMINATION FORM**

**Applicant**

Tree nominated by: Property owner: \_\_\_\_\_ City: \_\_\_\_\_ Other: Preserve Cabrera  
 Name: Collins, Samantha L. Phone: 619-920-9134  
(Last, First, Middle Initial) Email: sami@sdcanyonlands.org  
 Address: 14249 Vista Hills Dr.  
 City: Lakeside State: CA Zip Code: 92040

[Signature] 7-5-2020  
 Signature of Applicant Date

**Tree Information**

Tree Species: Melaleuca quinquenervia  
(Common or botanical name)  
 Address: 1200 Carlsbad Village Dr. Carlsbad, CA 92008  
 Tree location is on: Private Property: \_\_\_\_\_ City Property: Carlsbad  
 Approximate Height: 25' Canopy Width: 17' Trunk Circumference: 114"  
(Diameter of tree should be measured 4.5 feet above ground.)  
 Approximate Age: \_\_\_\_\_ Condition: healthy & happy!  
 Describe any other qualifying characteristics:  
 \_\_\_\_\_  
 \_\_\_\_\_

\* in center courtyard, by smaller, multi-trunked specimen

**History and Notes**

Heritage Trees shall be trees with notable historic interest or trees of an unusual species or size. Provide background or historical facts and reasons for nominating the tree. Include any photos of the nominated tree with the nomination form.

This tree was verbally identified as a  
heritage tree by the author of the heritage  
tree program.

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Please submit the completed form by email to [parksmaintenance@carlsbadca.gov](mailto:parksmaintenance@carlsbadca.gov) with subject line "Heritage Tree Nomination" or in person to Parks Maintenance at 1166 Carlsbad Village Drive. Nominations will be reviewed quarterly by the Historic Preservation Commission.

-For Official Use Only-		
Date: _____	Accepted by: _____	Declined by: _____
Justification: _____		



March 26, 2024

Item #3

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Carlsbad Parks & Recreation  
1166 Carlsbad Village Drive  
Carlsbad, CA 92008  
(760) 434-2824



### HERITAGE TREE NOMINATION FORM

#### Applicant

Tree nominated by: Property owner: \_\_\_\_\_ City: \_\_\_\_\_ Other: Preserve Calavera  
Name: Collins, Samantha L. Phone: 619-920-9134  
(Last, First, Middle Initial) Email: sami@sercanyonlands.org  
Address: 14249 Vista Hills Dr.  
City: Lakeside State: CA Zip Code: 92040

[Signature]  
Signature of Applicant

7-5-2020  
Date

#### Tree Information

Tree Species: Eucalyptus camaldulensis  
(Common or botanical name)

Address: Village H South Victoria Ave & Carlsbad Village Dr.

Tree location is on: Private Property: \_\_\_\_\_ City Property: Carlsbad

Approximate Height: 45' Canopy Width: 52.5' Trunk Circumference: 115"

(Diameter of tree should be measured 4.5 feet above ground.)

Approximate Age: 100 Condition: healthy trunk & branches (possibly

Describe any other qualifying characteristics: old beetle holes), living canopy, topped branches

\* tree is behind & to right of Village H S. Trail interpretive sign

**History and Notes**

Heritage Trees shall be trees with notable historic interest or trees of an unusual species or size. Provide background or historical facts and reasons for nominating the tree. Include any photos of the nominated tree with the nomination form.

This row of Eucalyptus was planted in the 1920's to mark a driveway for a farm. The buildings are gone, but the original trees & their descendants remain. This tree is large enough to be an original.

Please submit the completed form by email to [parksmaintenance@carlsbadca.gov](mailto:parksmaintenance@carlsbadca.gov) with subject line "Heritage Tree Nomination" or in person to Parks Maintenance at 1166 Carlsbad Village Drive. Nominations will be reviewed quarterly by the Historic Preservation Commission.

-For Official Use Only-		
Date: _____	Accepted by: _____	Declined by: _____
Justification: _____		



March 26, 2024

Item #3

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Carlsbad Parks & Recreation  
1166 Carlsbad Village Drive  
Carlsbad, CA 92008  
(760) 434-2824



### HERITAGE TREE NOMINATION FORM

#### Applicant

Tree nominated by: Property owner: \_\_\_\_\_ City: \_\_\_\_\_ Other: Preserve Calaveras  
Name: Collins, Samantha L. Phone: 619-920-9134  
(Last, First, Middle Initial) Email: sami@sdcanyparkslands.org  
Address: 14249 Vista Hills Dr.  
City: Lakeside State: CA Zip Code: 92040

[Signature]

7-5-2020

Signature of Applicant

Date

#### Tree Information

Tree Species: Eucalyptus camaldulensis  
(Common or botanical name)

Address: Village H South Victoria Ave & Carlsbad Village Dr.

Tree location is on: Private Property: \_\_\_\_\_ City Property: Carlsbad

Approximate Height: 50' Canopy Width: 52.5' Trunk Circumference: 154"

(Diameter of tree should be measured 4.5 feet above ground.)

Approximate Age: 100 Condition: health trunk, one branch

Describe any other qualifying characteristics: possibly compromised by beetles, living canopy  
located at: 33.164102, -117.305111

**History and Notes**

Heritage Trees shall be trees with notable historic interest or trees of an unusual species or size. Provide background or historical facts and reasons for nominating the tree. Include any photos of the nominated tree with the nomination form.

This row of Eucalyptus was planted in the  
1920's to mark a driveway for a farm. The  
buildings are gone, but the original trees & their  
descendants remain. This tree is large enough  
to be an original.

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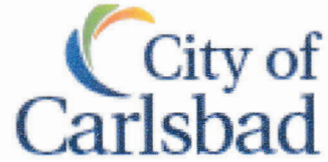
Please submit the completed form by email to [parksmaintenance@carlsbadca.gov](mailto:parksmaintenance@carlsbadca.gov) with subject line "Heritage Tree Nomination" or in person to Parks Maintenance at 1166 Carlsbad Village Drive. Nominations will be reviewed quarterly by the Historic Preservation Commission.

-For Official Use Only-		
Date: _____	Accepted by: _____	Declined by: _____
Justification: _____		





Carlsbad Parks & Recreation  
1166 Carlsbad Village Drive  
Carlsbad, CA 92008  
(760) 434-2824



### HERITAGE TREE NOMINATION FORM

#### Applicant

Tree nominated by: Property owner: \_\_\_\_\_ City: \_\_\_\_\_ Other: Preserve Calavera  
Name: Collins, Samantha L. Phone: 619-920-9134  
(Last, First, Middle Initial) Email: \_\_\_\_\_  
Address: 14249 Vista Hills Dr.  
City: Lakeside State: CA Zip Code: 92040

[Signature] \_\_\_\_\_ Date: 7-6-2020  
Signature of Applicant Date

#### Tree Information

Tree Species: Coast Live Oak  
(Common or botanical name)

Address: Oak Riparian Park

Tree location is on: Private Property: \_\_\_\_\_ City Property: Carlsbad

Approximate Height: 27' Canopy Width: 75' Trunk Circumference: 144"

(Diameter of tree should be measured 4.5 feet above ground.)

Approximate Age: 200 Condition: mostly healthy, some dead limbs

Describe any other qualifying characteristics:  
\* measured 34" from base due to low branching habit  
\* off Oak Trail in Lake Calavera Preserve, accessible via  
Oak Riparian Park

**History and Notes**

Heritage Trees shall be trees with notable historic interest or trees of an unusual species or size. Provide background or historical facts and reasons for nominating the tree. Include any photos of the nominated tree with the nomination form.

most stately oak ~~is~~ remaining in one of few  
oak riparian habitats in north county. Also easily  
seen from the trail

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Please submit the completed form by email to [parksmaintenance@carlsbadca.gov](mailto:parksmaintenance@carlsbadca.gov) with subject line "Heritage Tree Nomination" or in person to Parks Maintenance at 1166 Carlsbad Village Drive. Nominations will be reviewed quarterly by the Historic Preservation Commission.

-For Official Use Only-		
Date: _____	Accepted by: _____	Declined by: _____
Justification: _____		



Carlsbad Parks & Recreation  
1166 Carlsbad Village Drive  
Carlsbad, CA 92008  
(760) 434-2824



### HERITAGE TREE NOMINATION FORM

#### Applicant

Tree nominated by: Property owner: \_\_\_\_\_ City: X Other: \_\_\_\_\_

Name: Rockdale, Morgan Phone: 760-434-2985

(Last, First, Middle Initial)

Email: Morgan.Rockdale@carlsbadca.gov

Address: 1166 Carlsbad Village Drive

City: Carlsbad State: CA Zip Code: 92008

[Signature]

Signature of Applicant

1/13/21

Date

#### Tree Information

Tree Species: Quercus Suber (Cork Oak)

(Common or botanical name)

Address: 2778 Arland Rd.

Tree location is on: Private Property: X City Property: \_\_\_\_\_

Approximate Height: 20-25 Canopy Width: 20' Trunk Circumference: 12-14"

(Diameter of tree should be measured 4.5 feet above ground.)

Approximate Age: 70 years Condition: Good

Describe any other qualifying characteristics:

2 trees

**History and Notes**

Heritage Trees shall be trees with notable historic interest or trees of an unusual species or size. Provide background or historical facts and reasons for nominating the tree. Include any photos of the nominated tree with the nomination form.

Quercus suber of this age are  
rare in Carlsbad

The property was formally owned  
by former City Council member  
Claude Helton

Please submit the completed form by email to [parksmaintenance@carlsbadca.gov](mailto:parksmaintenance@carlsbadca.gov) with subject line "Heritage Tree Nomination" or in person to Parks Maintenance at 1166 Carlsbad Village Drive. Nominations will be reviewed quarterly by the Historic Preservation Commission.

-For Official Use Only-		
Date: _____	Accepted by: _____	Declined by: _____
Justification: _____		







### HERITAGE TREE NOMINATION FORM

#### Applicant

Tree nominated by: Property owner:  City: \_\_\_\_\_ Other: \_\_\_\_\_

Name: Turnquist, Linda Phone: 760-831-7083  
(Last, First, Middle Initial) Email: \_\_\_\_\_

Address: 4970 Cindy Ave

City: Carlsbad State: CA Zip Code: 92008

Linda Turnquist  
Signature of Applicant

4/20/23  
Date

#### Tree Information

Tree Species: Redwood  
(Common or botanical name)

Address: 4970 Cindy Ave

Tree location is on: Private Property:  City Property: \_\_\_\_\_

Approximate Height: 24 ft Canopy Width: 12 ft Trunk Circumference: 100 inches  
(Diameter of tree should be measured 4.5 feet above ground.)

Approximate Age: 75 yrs. Condition: stressed, improper thinning

Describe any other qualifying characteristics:

This is a Santa Cruz Redwood. It has been thinned out, which I understand is not at all healthy for this kind of tree, as the trunk will get sunburned. With all the rain we have had it has not been so hot for this to happen. I would like to save this beautiful majestic tree!

History and Notes

Heritage Trees shall be trees with notable historic interest or trees of an unusual species or size. Provide background or historical facts and reasons for nominating the tree. Include any photos of the nominated tree with the nomination form.

I live in El Camino Estates in Carlsbad, CA. a small mobile home community of 20 residents. Over 50 years ago several concerned residents from Rancho Park bought this land and moved to relocate. This Redwood tree was here and my home was built around it. The tree had a large canopy and branches covered the large trunk. It was thinned & laid and I am afraid it will be stressed as our summer begins. This is a beautiful old tree and our community loves it!

Please submit the completed form by email to [parksmaintenance@carlsbadca.gov](mailto:parksmaintenance@carlsbadca.gov) with subject line "Heritage Tree Nomination" or in person to Parks Maintenance at 1166 Carlsbad Village Drive. Nominations will be reviewed quarterly by the Historic Preservation Commission.

-For Official Use Only-

Date: \_\_\_\_\_ Accepted by: \_\_\_\_\_ Declined by: \_\_\_\_\_

Justification: \_\_\_\_\_



March 26, 2024

Item #3 Page 28 of 28



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Brandon Miles, Associate Engineer  
 brandon.miles@carlsbadca.gov, 442-339-2745  
 Hossein Ajideh, Engineering Manager  
 hossein.ajideh@carlsbadca.gov, 442-339-2756

**Subject:** Accepting Bids and Awarding a Contract to Wright Construction Engineering Corp for the Park Drive Street and Drainage Improvements Project and Authorizing an Additional Appropriation for the Project

**District:** 1

**Recommended Action**

Adopt a resolution accepting bids and awarding a contract to Wright Construction Engineering Corp for an amount not to exceed \$2,725,512 and authorizing additional appropriations in the amount of \$400,000 for the Park Drive Street and Drainage Improvements Project.

**Executive Summary**

The retaining wall along the northeast side of Park Drive between Bayshore Drive and the residential driveway of 4650 Park Drive was built in 1989 and needs replacement.

Staff request that the City Council accept the bids for construction of the Park Drive Street and Drainage Improvements Project, Capital Improvement Program Project No. 6611, and award a contract to Wright Construction Engineering Corp for an amount not to exceed \$2,725,512 and authorize additional appropriations in the amount of \$400,000 for the project.

Carlsbad Municipal Code Sections 3.28.080(C) and 3.28.080(I)(6), which cover purchasing in construction contracts, require the City Council's approval for all formally bid contracts when the value exceeds \$200,000, making the project subject to this requirement.

**Explanation & Analysis**

The project is needed to help stabilize the hillside along the north side of Park Drive and to mitigate surface erosion and deeper-seated instability. The existing retaining wall is degraded and requires replacement. Rainstorms cause sediment and debris to flow onto the roadway, and city crews must regularly close the sidewalk and the roadway to remove it. The wall's current condition could force regular closures of Park Drive to ensure public safety, which curtails public access to the Agua Hedionda Lagoon.

The project will remove about 600 feet of the existing block retaining wall and replace it with about 800 feet of a new retaining wall composed of three wall types varying in height from 2 feet to 12 feet. The project will also repair and replant portions of the slope with native plants, install pedestrian improvements along the north side of Park Drive to enhance safety and mobility and install a new stormwater filtration facility. This project will improve public safety and coastal access.

- The City Council approved the project’s plans and specifications and authorized advertising the project for construction bids on Feb. 6, 2024, with the adoption of Resolution No. 2024-018. The project was then advertised using the city’s formal bidding procedures.
- Staff received five bids for construction of the project on March 12, 2024. Staff reviewed the contract documents and determined that Wright Construction Engineering Corp was the lowest responsive and responsible bidder, with a bid in an amount of \$2,725,512.
- Wright Construction Engineering Corp was found to be responsive because its bid meets the requirements of the bidding documents and responsible because it submitted a list of similar projects to show its capability and qualification to perform the specified work.

**Fiscal Analysis**

Staff are requesting additional funding to complete the project. The project funding comes from gas tax and General Capital Construction funds. Due to the construction contract value, construction management and inspection services, and staff support costs, additional funding in the amount of \$400,000 will need to be appropriated from General Capital Construction Fund to complete the project. The available funds and estimated construction costs for the project are shown in the table below:

<b>Park Drive Street and Drainage Improvements Project Capital Improvement Program Project No. 6611</b>	
Total appropriated funds to date	\$4,682,439
Total expenditures and encumbrances to date	-\$1,215,018
<b>Total available funding</b>	<b>\$3,467,421</b>
Construction contract – Wright Construction Engineering Corp	-\$2,725,512
Construction contingency (estimated)	-\$650,000
Construction management, inspection, material testing, support services (estimated)	-\$350,000
Staff support (estimated)	-\$141,909
<b>Total estimated costs</b>	<b>-\$3,867,421</b>
<b>Remaining balance</b>	<b>-\$400,000</b>
<b>Additional appropriation needed</b>	<b>\$400,000</b>

Carlsbad Municipal Code Sections 3.28.040(C)(5) and 3.28.090(B) authorize the City Manager or designee to approve change orders in an amount equal to the contingency set at the time of project award, which for this project is \$650,000.

### **Next Steps**

Once the City Council accepts the bids and awards the construction contract to Wright Construction Engineering Corp, staff will issue a purchase order, schedule a pre-construction meeting with the company and issue a notice to proceed for construction of the project, which is expected to commence in May 2024.

The construction contract for the project provides for about eight months to complete the project improvements. In accordance with special conditions imposed by the California Coastal Commission, construction is expected to begin in May 2024 and be completed by December 2024, within the window of time allowed for construction.

A notice of completion will be recorded to release bonds issued for the project once it is complete, which is expected to be by Dec. 31, 2024,

### **Environmental Evaluation**

In accordance with the California Environmental Quality Act, or CEQA, and the CEQA Guidelines, the City Planner approved a mitigated negative declaration (State Clearinghouse No. 2021070586) for this project on March 30, 2022. Mitigation measures were incorporated into the design of the project and included a mitigation monitoring and reporting program so that all potentially significant impacts would be mitigated below a level of significance.

### **Exhibits**

1. City Council resolution
2. Location map

**RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, ACCEPTING BIDS AND AWARDING A CONTRACT TO WRIGHT CONSTRUCTION ENGINEERING CORP FOR AN AMOUNT NOT TO EXCEED \$2,725,512 AND AUTHORIZING ADDITIONAL APPROPRIATIONS IN THE AMOUNT OF \$400,000 FOR THE PARK DRIVE STREET AND DRAINAGE IMPROVEMENTS PROJECT

WHEREAS, the City Council of the City of Carlsbad, California, has determined it is necessary, desirable and in the public interest to construct Park Drive Street and Drainage Improvements Project, Capital Improvement Program, Project No. 6611; and

WHEREAS, on Feb. 6, 2024, the City Council adopted Resolution No. 2024-018, approving the plans and specifications and authorizing advertisement for construction bids for the project; and

WHEREAS, on March 12, 2024, staff received five bids for construction of the project; and

WHEREAS, Wright Construction Engineering Corp submitted the lowest responsive and responsible bid to construct the project, in an amount of \$2,725,512; and

WHEREAS, the current funding from the gas tax and General Capital Construction funds is not sufficient to compete the project; and

WHEREAS, additional appropriations in the amount of \$400,000 is now required to complete the project; and

WHEREAS, Carlsbad Municipal Code, or CMC, Sections 3.28.080(C) and 3.28.080(I)(6), which govern purchasing in construction contracts, require the City Council to award all formally bid contracts when the value exceeds \$200,000; therefore, the Project is subject to this requirement; and

WHEREAS, CMC Sections 3.28.040(C)(5) and 3.28.090(B) authorize the City Manager or designee to approve change orders in an amount equal to the contingency set at the time of project award, which is \$650,000 for the Project; and

WHEREAS, the City Planner has determined that the project is in accordance with the California Environmental Quality Act and the CEQA Guidelines, the City Planner approved a mitigated negative declaration (State Clearinghouse No. 2021070586) for this project on March 30, 2022. Mitigation measures were incorporated into the design of the project and included a mitigation monitoring and reporting program so that all potentially significant impacts would be mitigated below a level of significance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the lowest responsible and responsive bid of \$2,725,512 submitted by Wright Construction Engineering Corp for construction of the Park Drive Street and Drainage Improvements, CIP Project No. 6611, is accepted, and the Mayor is hereby authorized to execute the contract for the Project.
3. That the City Manager or designee is authorized to appropriate an additional \$400,000 to the Park Drive Street and Drainage Improvements Project, Capital Improvement Program Project No. 6611.
4. That the City Manager or designee is authorized to approve construction change orders up to \$650,000 for the Project.
5. That the award of this contract is contingent upon Wright Construction Engineering Corp executing the required contract and submitting the required bonds and insurance policies, as described in the contract, within 20 calendar days after adoption of this Resolution. The City Manager may grant reasonable extensions of time to execute the contract and assemble the required bonds and insurance policies.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

---

KEITH BLACKBURN, Mayor

---

SHERRY FREISINGER, City Clerk  
(SEAL)

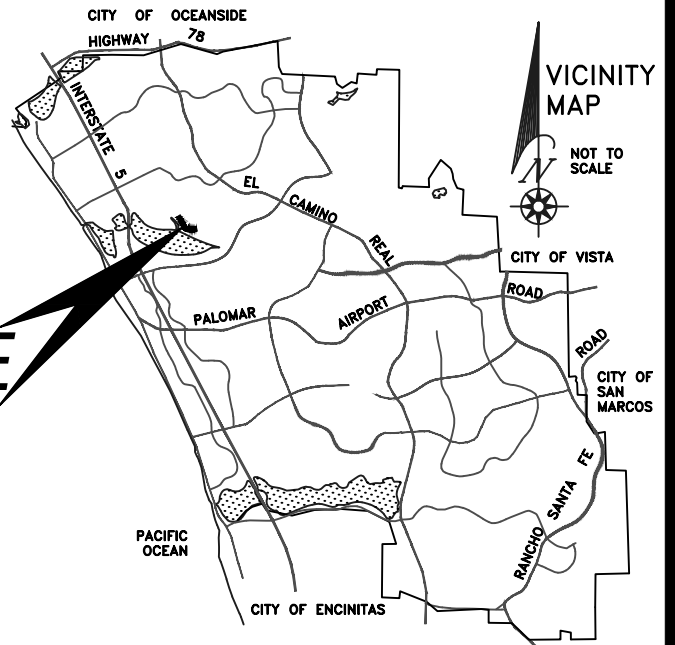


# LOCATION MAP



**SITE**

**SITE**



VICINITY MAP

NOT TO SCALE



NOT TO SCALE

PROJECT NAME **PARK DRIVE STREET AND DRAINAGE IMPROVEMENTS PROJECT**

March 26, 2024

PROJECT NUMBER **6611**

Item #4

EXHIBIT **2**

Page 6 of 6



## MUNICIPAL WATER DISTRICT

## Staff Report

**Meeting Date:** March 26, 2024

**To:** President and Board Members

**From:** Scott Chadwick, Executive Manager

**Staff Contact:** Dave Padilla, Assistant General Manager/District Engineer  
dave.padilla@carlsbadca.gov, 442-339-2356

Neil Irani, Utilities Associate Engineer  
neil.irani@carlsbadca.gov, 442-339-2305

**Subject:** Amendment No. 5 to the Professional Services Agreement with NV5 Inc. for the Recycled Water Phase III Reservoir Project

**District:** 3

**Recommended Action**

Adopt a Carlsbad Municipal Water District Board of Director's resolution authorizing execution of Amendment No. 5 to the professional services agreement with NV5 Inc., to extend the agreement term and revise the labor rate schedule for the Recycled Water Phase III Reservoir Project.

**Executive Summary**

The Carlsbad Municipal Water District (CMWD) is building a new recycled water storage reservoir at the water storage facility on Black Rail Road and making related improvements at the site.

The CMWD Board approved a professional services agreement in 2016 with NV5 Inc. for engineering services to design the project (CMWD Board Resolution No. 1546). Staff are now requesting the CMWD Board's approval of Amendment No. 5 to the agreement to extend the term for an additional year and revise the labor rate schedule effective through the completion of engineering services during construction. The previously approved not-to-exceed contract amount of \$336,416 will remain unchanged and no additional funding is required.

The CMWD Board's authorization is required to amend an agreement that costs more than \$100,000 per agreement year under Carlsbad Municipal Code Section 3.28.040 - Procurement and disposition responsibilities (D)(1).

**Explanation & Analysis**

This project, Capital Improvement Program Project No. 5210, includes design and construction of the new water storage tank, the D-4 reservoir at the water storage facility on southeast corner of Poinsettia Lane and Black Rail Road, as shown on Exhibit 2. It will be the fourth reservoir to be constructed at the D-tank site. It is also the last remaining component of the Recycled Water Phase III Plan to expand the distribution and storage capacity of the CMWD's recycled water system to meet the estimated recycled water demands of the 2012 Recycled Water Master Plan and its 2019 update.

The project is now in construction with a contract completion date of July 19, 2024.

During the project’s preliminary design phase in 2016, staff determined that new projections for future recycled water demands were needed. These were generated in the 2019 Recycled Water Master Plan, which confirmed the reservoir size and budget for the project. NV5’s engineering design was delayed until the master plan could be completed, and an agreement term extension was required.

- The original agreement authorized the Executive Manager to extend the term for one additional year. The Executive Manager did so in March 2018, approving Amendment No. 1 to the agreement, which extended the term until April 13, 2020.
- The CMWD Board then approved Amendment No. 2 to the agreement in March 2020. This amendment included additional scope to extend the permitting effort and the term of the agreement until April 13, 2022, to align with the extended project schedule. It also increased the consultant’s compensation by \$26,800 for additional design services for a total not-to-exceed amount of \$313,954.
- The Assistant Executive Manager executed Amendment No. 3 in December 2020 through authority based in Carlsbad Municipal Code Sections 3.28.040(C)(7) 3.28.040(C)(10). This amendment authorized additional landscape design services that were required by the conditional use permit and coastal development permit. This increased the contract amount by \$22,462, for a total amount not to exceed \$336,416.
- The CMWD Board executed Amendment No. 4 to extend the term of the agreement for an additional two years to April 13, 2024, and to revise the labor rate schedule to account for city review, permit approvals, contract bidding, contract award and construction of the project.

Staff issued a notice to proceed with construction to the construction contractor on Sept. 18, 2023, for a contract duration of 210 working days. An additional one-year extension of the professional services agreement with NV5 will provide enough time to complete the construction phase services without additional compensation.

**Fiscal Analysis**

The project is funded by CIP Project No. 5210 – Recycled Water Phase III Reservoir Project. Amendment No. 5 will not increase the total agreement amount of \$336,416, which has already been encumbered. The table below provides a summary of the available funds and estimated costs:

<b>Recycled Water Phase III Reservoir Project Capital Improvement Program Project No. 5210</b>	
Total appropriation to date	\$7,033,000
Total expenditures and encumbrances to date	-\$6,665,840
<b>Total available funding</b>	<b>\$367,160</b>
Amendment No. 5 (extend term and revise labor rate schedule)	\$0
<b>Total estimated additional expenditures</b>	<b>\$0</b>
<b>Remaining balance</b>	<b>\$367,160</b>
<b>Additional appropriation requested</b>	<b>\$0</b>

The construction contract and all construction phase inspection and support services required for project completion are fully encumbered and within the budget.

### Next Steps

Upon the CMWD Board's approval of Amendment No. 5, staff will continue working with NV5 to support the completion of project construction.

### Environmental Evaluation

This evaluation applies to the CMWD Phase III Recycled Water Project (CDP 2018-0011/SUP 2018-0001/PUB2018-0004, State Clearing House SCH# 2012091049). On Nov. 27, 2012, the CMWD's Board adopted Resolution No. 1455, approving the project's initial study/mitigated negative declaration and mitigation monitoring and reporting program (EIA 12-02).

On July 20, 2022, the Planning Commission approved a new conditional use permit and coastal development permit application (CUP 2020-0003/CDP 2020-0021/PUB 2019-0006) and found that no further environmental documentation was required (Resolution No. 7457).

The execution of Amendment No. 5 is within the scope of the adopted environmental studies and no further environmental study is required to comply with the California Environmental Quality Act, under CEQA Guidelines Section 15162.

### Exhibits

1. CMWD Board resolution
2. Location map

**RESOLUTION NO.**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CARLSBAD MUNICIPAL WATER DISTRICT, AUTHORIZING EXECUTION OF AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NV5 INC., TO EXTEND THE AGREEMENT TERM AND REVISE THE LABOR RATE SCHEDULE FOR THE RECYCLED WATER PHASE III RESERVOIR PROJECT

WHEREAS, on April 12, 2016, the Carlsbad Municipal Water District, or CMWD, Board adopted Resolution No. 1546, approving an Agreement with NV5 Inc., a California corporation, or NV5, to provide engineering design services for the Recycled Water Phase III Reservoir Project, Capital Improvement Program, or CIP, Project No. 5210, or Project, for an amount not to exceed \$287,154; and

WHEREAS, on March 28, 2018, the Executive Manager approved Amendment No. 1, which extended the term of the Agreement for a period of two years ending on April 13, 2020; and

WHEREAS, the project was delayed beyond the Agreement completion date to confirm that the proposed storage tank capacity was consistent with the projected recycled water system demands of the 2019 CMWD Recycled Water Master Plan; and

WHEREAS, on March 12, 2020, the CMWD Board approved Amendment No. 2, which extended the Agreement term for a period of two years ending on April 13, 2022, and authorized additional design phase services for the not-to-exceed amount of \$26,800, resulting in a total not-to-exceed Agreement amount of \$313,954; and

WHEREAS, on Dec. 21, 2020, the Assistant Executive Manager approved Amendment No. 3, which authorized landscape design services for the not-to-exceed amount of \$22,462, resulting in a total not-to-exceed Agreement amount of \$336,416; and

WHEREAS, on April 5, 2022, the CMWD Board approved Amendment No. 4, which extended the agreement until April 13, 2024, and revised the labor rate schedule, leaving the total not-to-exceed Agreement amount of \$336,416 unchanged; and

WHEREAS, the Project is currently under construction with a construction contract completion date of July 19, 2024; and

WHEREAS, staff desire to extend the term for an additional year and amend the labor rate schedule with the total not-to-exceed Agreement amount of \$336,416 unchanged; and

WHEREAS, the budget for the Project is sufficiently funded for the scope of work and costs related to this Agreement amendment; and

WHEREAS, the execution of Amendment No. 5 is within the scope of the adopted environmental studies and no further environmental study is required to comply with the California Environmental Quality Act, under CEQA Guidelines Section 15162.

NOW, THEREFORE, BE IT RESOLVED by the Carlsbad Municipal Water District Board of Directors of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the President of the Board is hereby authorized and directed to execute Amendment No. 5 to the Agreement with NV5 for the Project, which is attached hereto as Attachment A.

PASSED, APPROVED AND ADOPTED at a Special Meeting of the Carlsbad Municipal Water District Board of Directors of the City of Carlsbad on the \_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
KEITH BLACKBURN, President

\_\_\_\_\_  
SHERRY FREISINGER, Secretary  
(SEAL)

**AMENDMENT NO. 5 TO THE AGREEMENT FOR ENGINEERING DESIGN  
SERVICES FOR RECYCLED WATER STORAGE RESERVOIR AT THE D TANK SITE  
BETWEEN CMWD AND NV5, INC.**

This Amendment No. 5 is entered into and effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2024, extending and amending the agreement dated April 14, 2016, (the "Agreement") by and between the Carlsbad Municipal Water District, a public agency organized under the Municipal Water Act of 1911, and a Subsidiary District of the City of Carlsbad, California ("CMWD"), and NV5, Inc., a California corporation ("Contractor") (collectively, the "Parties").

**RECITALS**

- A. On March 28, 2018, the Parties executed Amendment No. 1 to the Agreement to extend the Agreement for a period of two (2) years; and
- B. On March 12, 2020, the Parties executed Amendment No. 2 to the Agreement to add Conditional Use Permit application services and extend the Agreement for a period of two (2) years; and
- C. On December 21, 2020, the Parties executed Amendment No. 3 to the Agreement to add landscape design services; and
- D. On April 7, 2022, the Parties executed Amendment No. 4 to the Agreement to revise the fee schedule and extend the Agreement for a period of two (2) years.
- E. The Parties now desire to amend the Agreement to extend the term for one (1) year and revise the fee schedule.

NOW, THEREFORE, in consideration of these recitals and the mutual covenants contained herein, CMWD and Contractor agree as follows:

1. The Agreement, as may have been amended from time to time, is hereby extended for a period of one (1) year until April 13, 2025.
2. The fee schedule set forth in Exhibit "A" is hereby amended as set forth in Exhibit "A" Fee Schedule (AMENDED), attached to this Amendment No. 5 and incorporated in by this reference.
3. All other provisions of the Agreement, as may have been amended from time to time, shall remain in full force and effect.
4. All requisite insurance policies to be maintained by the Contractor pursuant to the Agreement, as may have been amended from time to time, shall include coverage for this Amendment.
5. The individuals executing this Amendment and the instruments referenced on behalf of Contractor each represent and warrant that they have the legal power, right and actual authority to bind Contractor to the terms and conditions hereof of this Amendment.

CONTRACTOR  
NV5, INC., a California corporation

CARLSBAD MUNICIPAL WATER DISTRICT, a  
Public Agency organized under the Municipal  
Water Act of 1911, and a Subsidiary District of  
the City of Carlsbad

By:

Jeffrey M. Cooper  
(sign here)

By:

\_\_\_\_\_  
Keith Blackburn, President

Jeffrey M. Cooper, Senior Vice President  
(print name/title)

ATTEST:

By:

\_\_\_\_\_  
(sign here)

\_\_\_\_\_  
Sherry Freisinger, Secretary

\_\_\_\_\_  
(print name/title)

If required by CMWD, proper notarial acknowledgment of execution by contractor must be attached. If a corporation, Agreement must be signed by one corporate officer from each of the following two groups.

**Group A**  
Chairman,  
President, **or**  
Vice-President

**Group B**  
Secretary,  
Assistant Secretary,  
CFO **or** Assistant Treasurer

**Otherwise**, the corporation must attach a resolution certified by the secretary or assistant secretary under corporate seal empowering the officer(s) signing to bind the corporation.

APPROVED AS TO FORM:

CINDIE K. McMAHON, General Counsel

By: Gina Herrera  
Assistant General Counsel



## 2024 CHARGE RATE SCHEDULE

### Office:

#### Technical Services

Engineering Aide/Planning Aide .....	\$67.00/hour
Project Assistant.....	\$85.00/hour
Project Administrator.....	\$110.00/hour
CADD Technician II.....	\$122.00/hour
CADD Technician III.....	\$134.00/hour
Senior CADD Technician/Designer .....	\$159.00/hour

#### Professional

Junior Engineer/Planner/Surveyor .....	\$122.00/hour
Assistant Engineer/Planner/Surveyor .....	\$135.00/hour
Principal Geologist.....	\$219.00/hour
Senior Geologist.....	\$184.00/hour
Project Geologist.....	\$171.00/hour
Senior Engineer/Planner/Surveyor .....	\$184.00/hour
Project Manager.....	\$238.00/hour
Principal.....	\$311.00/hour

#### Field

##### Surveying

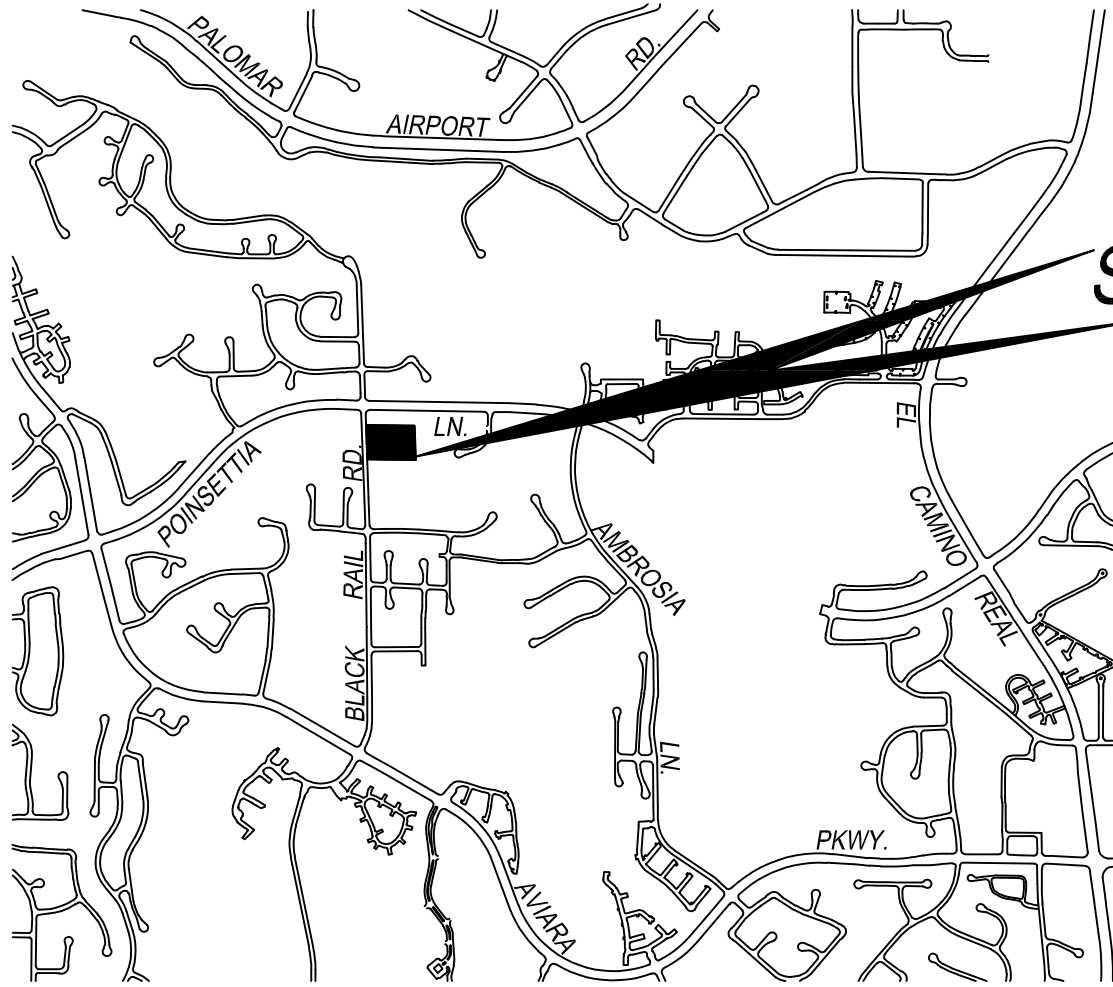
1-Person Survey Crew (GPS) (Robotic) .....	\$226.00/hour
1-Person Survey Crew .....	\$179.00/hour
2-Person Survey Crew .....	\$308.00/hour
3-Person Survey Crew .....	\$408.00/hour
Survey Manager .....	\$232.00/hour

##### Expenses

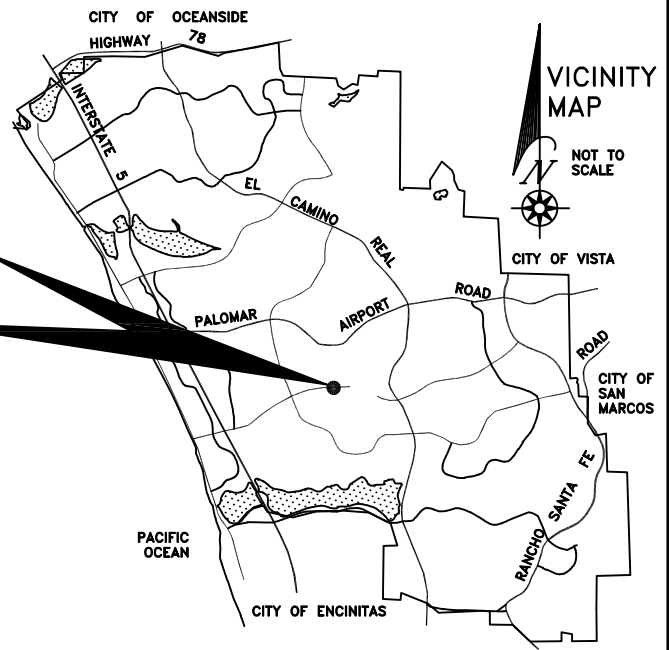
Plotting and In-House Reproduction .....	Cost
Other Expenses - Including Subconsultants & Purchased Services through Subcontracts .....	1.10 x Cost
Mileage - Outside Local Area.....	Per Accepted IRS Rate

Rate are effective through December 2024. If contract assignment extends beyond that date, a new rate schedule will be added to the contract. Rates based on "Prevailing Wage" (PW) for Construction Management and Surveying will be determined by Project and County per California law.

# LOCATION MAP



**SITE**



**VICINITY MAP**

NOT TO SCALE



NOT TO SCALE

PROJECT NAME  
**D-4 RECYCLED WATER STORAGE  
 RESERVOIR - D TANK SITE**

PROJECT NUMBER  
**5210**

EXHIBIT  
**2**



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Tom Frank, Transportation Director/City Engineer  
 tom.frank@carlsbadca.gov, 442-339-2766

**Subject:** Continuation of Proclamation of a Storm-Related Local Emergency for Removal of Sediment and Vegetation on the Buena Vista Creek Concrete Channel Near El Camino Real

**District:** 1

**Recommended Action**

Adopt a resolution continuing the proclamation of a storm-related local emergency for removal of sediment and vegetation in the Buena Vista Creek Concrete Channel near El Camino Real.

**Executive Summary**

Rainfall from the atmospheric river that hit California in early February and the prior one in January 2024, increased sediment and vegetation in the Buena Vista Creek, diminishing its capacity and risking significant damage to nearby property and infrastructure. Emergency removal of sediment and vegetation was necessary to ameliorate the risk. Exhibit 3 shows the area of the channel requiring emergency sediment and vegetation removal.

The Acting City Manager, in his role as Acting Director of Emergency Services, proclaimed a local emergency on Feb. 8, 2024, as shown in Exhibit 2, so that the removal can be exempted from the city's normal bidding procedures and the necessary repairs can be completed as swiftly as possible. The City Council ratified the emergency proclamation on Feb. 13, 2024, and continued the emergency proclamation on Feb. 27, 2024. On March 12, 2024, the City Council continued the emergency proclamation again and authorized additional appropriations in the amount of \$474,000. On March 19, 2024, the City Council continued the emergency proclamation again. Staff are now requesting the City Council continue the emergency proclamation again.

Construction projects that cost less than \$200,000 may be awarded by the City Manager using informal bidding procedures under Carlsbad Municipal Code Section 3.28.080 Construction Projects, subsections (B) and (H), which implement California Public Contract Code Section 22032. This emergency project is expected to cost more than \$1.5 million.

California Public Contract Code Sections 22035 and 22050 and CMC Sections 3.28.110(A) and 3.28.120 provide for an exemption from formal bidding procedures for emergency construction procurements. The emergency proclamation allows the city to utilize these exemptions. However, Public Contracting Code Section 22050 requires the City Council to review the emergency at each regularly scheduled meeting, to determine, by a four-fifths vote of the City Council, the need to continue the emergency action.

### **Explanation & Analysis**

Buena Vista Creek is situated at the northern border of the City of Carlsbad, adjacent to the City of Oceanside. The creek is located within both the City of Carlsbad and the City of Oceanside, outside the Coastal Zone, until it reaches Jefferson Street and the Buena Vista Lagoon. The creek comprises natural stream bed sections and some man-made concrete drainage channels designed to convey runoff from a large eastern watershed to the Pacific Ocean.

One segment of the Buena Vista Creek near El Camino Real, outside the Coastal Zone, was previously constructed as a concrete trapezoidal channel, starting at South Vista Way and ending approximately 230 feet east of El Camino Real, a total of approximately 900 feet. This man-made concrete segment of the creek is entirely within the City of Carlsbad.

Over time, sediment and vegetation accumulate in the creek. The city has a Capital Improvement Program project to remove the sediment and vegetation and make other repairs to the channel. The project is currently in the environmental review stage. However, the recent severe storm events have created debris flows that occur during short-duration, high-intensity rainfalls.

More specifically, the atmospheric river in early February, brought an influx of heavy rain that inundated the Buena Vista Creek with material, including vegetation, debris and sediment-dominated slurry from the Buena Vista Creek Watershed, which is about 10 miles long. These rapid debris flows have significantly diminished the capacity of the channel, which is very close to the outfall of the watershed, resulting in a significant risk of the channel overflowing, with the potential to cause significant damage to nearby property and infrastructure during severe storms.

To mitigate the emergency conditions, the City Engineer recommended expedited, or emergency, removal of some of the sediment and vegetation to increase the channel's capacity while the larger maintenance project proceeds through the environmental review and permitting process.

The emergency proclamation enabled the city to procure a contractor to perform the necessary emergency removal work and would be limited to the immediate action(s) to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. The near-term scope of work – the immediate measure – is the minimum necessary to alleviate the immediate emergency.

- Staff submitted a permit application to the U.S. Army Corps of Engineers on Feb. 15, 2024, and sent a notification to the San Diego Regional Water Quality Control Board the same day that the notice of intent was included in the permit application.

- The Corps of Engineers’ District Engineer coordinated review of the project with affected agencies, including the California Department of Fish and Wildlife and the Regional Water Quality Control Board, and issued a permit on Feb. 27, 2024.
- The San Diego Regional Water Quality Control Board informed staff on Feb. 28, 2024, that the notice of intent for the project complies with federal water quality regulations and is complete and has been recorded as required.
- On March 5, 2024, the U.S. Army Corps of Engineers sent a verification letter on the permit which superseded its Feb. 27, 2024, letter. The March 5 letter stated that work authorized by the permit must be underway no later than 14 calendar days from date of issuance of the letter of verification, or by March 19, 2024, and that all work must be completed no later than April 22, 2024. If the city is unable to complete the authorized work by this date, the city must request, in writing, an extension from the Corps’ Regulatory Division prior to the deadline.

Upon the City Council’s ratification of the emergency proclamation, staff met with contractors to determine their availability to perform the work. Staff issued a notice to proceed to the contractor, Hazard Construction, on March 4, 2024. Work started on March 8, 2024, and is expected to be completed in May 2024.

Staff recommend that the City Council continue the emergency proclamation to complete the emergency work at the Buena Vista Creek concrete channel near El Camino Real as swiftly as possible to prevent damage to nearby infrastructure and property.

**Fiscal Analysis**

Funding for the entire project is in the amount of \$1,548,500, which will be funded from the fiscal year 2023-24 capital budget through the Storm Drain System Rehabilitation and Repair Program.

<b>Storm Drain System Rehabilitation and Repair Program</b>	
Total appropriated funds to date	\$5,935,360
Total expenditures and encumbrances to date	-\$4,287,987
<b>Total available funding</b>	<b>\$1,647,373</b>
<b>Buena Vista Creek Concrete Channel emergency work</b>	
Emergency work (sediment, vegetation removal, estimated) – Hazard Construction	-\$999,700
Design and administrative costs (approximately 5%)	-\$50,000
Construction management and inspection – Kleinfelder Construction Services	-\$108,300
Biological monitoring – Environmental Science Associates	-\$140,500
Construction contingency (25%)	-\$250,000
<b>Total estimated emergency project costs</b>	<b>-\$1,548,500</b>
<b>Remaining balance</b>	<b>\$98,873</b>

There may be outside funding that could cover some or all of these emergency costs. On Feb. 22, 2024, the City Manager sent a letter to the California Governor's Office of Emergency Services requesting any and all state and federal resources including, but not limited to, state assistance through the California Disaster Assistance Act. The state replied and subsequently requested supplemental information on the city's budget and how recent storms impacted it. On Feb. 26, 2024, staff provided the requested supplemental information and the initial damage estimate of \$771,000, which has now increased to over \$1.5 million.

### Next Steps

The contractor is expected to complete the emergency work in May 2024. Staff have begun preparing the emergency contracts, which will be presented for ratification to the City Council at a future date.

Staff will return to the City Council again on April 9, 2024, to review the emergency action and ask the City Council to determine by a four-fifths vote whether there is a need to continue the emergency proclamation.

### Environmental Evaluation

The project has been determined to be exempt from the California Environmental Quality Act under Public Resources Code Section 21080(b)(3) and CEQA Guidelines Section 15269(a), which apply to projects undertaken, carried out or approved by a public agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor.

### Exhibits

1. City Council resolution
2. Acting City Manager/Acting Director of Emergency Services' proclamation of a storm-related local emergency, dated Feb. 8, 2024
3. Location map

**RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, CONTINUING THE PROCLAMATION OF A STORM-RELATED LOCAL EMERGENCY FOR REMOVAL OF SEDIMENT AND VEGETATION IN THE BUENA VISTA CREEK CONCRETE CHANNEL NEAR EL CAMINO REAL

WHEREAS, on Feb. 4, 2024, the Governor of the State of California found that conditions of extreme peril exist in San Diego County and other counties due to the early February 2024 storms caused by an atmospheric river and proclaimed a state of emergency to make additional resources available to local governments, formalize emergency actions, and help the state prepare for the impact of the storms; and

WHEREAS, the City Council empowers the City Manager, as Director of Emergency Services or, in the City Manager's absence, the Assistant City Manager, as Acting City Manager and Acting Director of Emergency Services, to proclaim the existence of a local emergency when the city is affected by a public calamity and the City Council is not in session; and

WHEREAS, conditions or threatened conditions of extreme peril to the safety of persons and property arose within the City of Carlsbad caused by a powerful, slow moving, atmospheric river in early February that resulted in debris flows, or a "sediment-dominated slurry", which inundated the Buena Vista Creek and significantly diminished capacity in the Buena Vista Creek concrete channel (begins approximately 600 feet west/downstream of the El Camino Real bridge and extends upstream of the bridge approximately 230 feet); and

WHEREAS, on Feb. 8, 2024, the Acting City Manager/Acting Director of Emergency Services proclaimed a storm-related local emergency for removal of sediment and vegetation on the Buena Vista Creek concrete channel near El Camino Real; and

WHEREAS, on Feb. 13, 2024, the City Council ratified the proclamation of a storm-related local emergency for removal of sediment and vegetation on the Buena Vista Creek concrete channel near El Camino Real; and

WHEREAS, on Feb. 27, 2024, the City Council continued the proclamation of a storm-related local emergency for removal of sediment and vegetation on the Buena Vista Creek concrete channel near El Camino Real; and

WHEREAS, on March 12, 2024, the City Council continued the proclamation of a storm-related local emergency for removal of sediment and vegetation on the Buena Vista Creek concrete channel near El Camino Real again and authorized additional appropriations in the amount of \$474,000; and

WHEREAS, on March 19, 2024, the City Council continued the emergency proclamation again; and

WHEREAS, Carlsbad Municipal Code, or CMC, Section 3.28.110(A) implements Public Contract Code Section 22035 and provides for an exemption from formal bidding procedures for emergency construction procurements; and

WHEREAS, Public Contract Code Section 22050(c)(1) requires the City Council to review the emergency action at every subsequent City Council meeting to determine, by a four-fifths vote, whether this is a need to continue the emergency action; and

WHEREAS, on Feb. 27, 2024, the U.S. Army Corps of Engineers issued a Regional General Permit (RGP) 63 – Repair and Protection Activities in Emergency Situations; and

WHEREAS, on Feb. 28, 2024, the San Diego Regional Water Quality Control Board informed staff that in accordance with Water Quality Order No. 2023-0095-DWQ, or Order, Clean Water Act Section 401 Water Quality Certification for U.S. Army Corps of Engineers Reauthorization of Regional General Permit 63 (RGP 63) for Emergency Repair and Protection Activities Project, the Notice of Intent is complete, and the Project is enrolled under the Order; and

WHEREAS, on March 5, 2024, the U.S. Army Corps of Engineers sent a verification letter on the permit which superseded its Feb. 27, 2024, letter, which stated that work authorized by the permit must be underway no later than 14 calendar days from date of issuance of the letter of verification, or by March 19, 2024, and that all work must be completed no later than April 22, 2024, and if it is not then the city must request, in writing, an extension from the Corps Regulatory Division prior to the deadline; and

WHEREAS, the contractor started emergency work on March 8, 2024, and is expected to complete the work in May 2024; and

WHEREAS, staff request that the City Council continue the proclamation of a local emergency again to complete the work; and

WHEREAS, under California Public Resources Code Section 21080(b)(3) and Title 14, Section 15269 of the California Code of Regulations, the requirements of the California Environmental Quality Act do not apply to projects undertaken, carried out, or approved by a public agency to maintain, repair,



restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which the Governor of the State of California has proclaimed a state of emergency, and on Feb. 4, 2024, the Governor found that conditions of extreme peril exist in San Diego County and proclaimed a state of emergency.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

- 1. That the above recitations are true and correct.
- 2. That the storm-related Proclamation for a Local Emergency for removal of sediment and vegetation in the Buena Vista Creek concrete channel near El Camino Real is continued.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:  
 NAYS:  
 ABSTAIN:  
 ABSENT:

\_\_\_\_\_  
KEITH BLACKBURN, Mayor

\_\_\_\_\_  
SHERRY FREISINGER, City Clerk  
(SEAL)



# Proclamation of Local Emergency

City Hall  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

## **FOR STORM-RELATED EMERGENCY PROTECTION ACTIVITIES TO REDUCE SEDIMENT AND VEGETATION IN THE BUENA VISTA CREEK CHANNEL NEAR EL CAMINO REAL**

WHEREAS, on February 4, 2024, the Governor of the State of California found that conditions of extreme peril exist in San Diego County and other counties due to the early February 2024 storms caused by a powerful, slow-moving atmospheric river and proclaimed a state of emergency to make additional resources available to local governments, formalize emergency actions and help the state prepare for the impact of the storms.

WHEREAS, California Government Code Section 8630 allows the City Council or an official designated by ordinance adopted by the City Council, to proclaim a local emergency; and

WHEREAS, the City of Carlsbad's Emergency Services Ordinance, including Carlsbad Municipal Code Section 6.04.100(A)(1), empowers the City Manager, as the City of Carlsbad's Director of Emergency Services, or, in the City Manager's absence, the Assistant City Manager, as Acting City Manager and Acting Director of Emergency Services, to proclaim the existence of a local emergency, subject to ratification by the City Council, when there exists, or there is threatened to exist, conditions of extreme peril to the safety of persons and property within the City of Carlsbad; and

WHEREAS, in the case of an emergency, California Public Contract Code Section 22050 allows the City Council, or a person delegated the authority by the City Council, to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services and supplies for those purposes without giving notice for bids to let contract; and

WHEREAS, under California Public Resources Code Section 21080(b)(3) and Title 14, Section 15269 of the California Code of Regulations, the requirements of the California Environmental Quality Act do not apply to projects undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which the government has proclaimed a state of emergency; and

WHEREAS, the Acting Director of Emergency Services finds:

1. The National Weather Service has issued multiple winter storm warnings, high wind warnings, wind advisories, and flood and flash flood watches throughout the State of California in anticipation of a powerful, slow-moving, atmospheric river.
2. Existing conditions and threatened conditions of extreme peril to the safety of persons and property have arisen within the City of Carlsbad caused this powerful, slow-moving atmospheric river, and that the unexpected occurrence poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property and essential public services.

Local Emergency – Reduction of Sediment and Vegetation in the Buena Vista Creek Channel

Page 2

3. Prior to the early February 2024 storms, powerful winter storms that occurred less than a month ago had amplified the impact of local flooding due to the record-breaking amount of rainfall including a severe rainstorm which began on January 22, 2024 (“January Storm”), in all dropping 2 to 3 inches of rain in a three-hour period, a total that exceeds that of an average wet month and rivals the rainfall needed to spur a 100-year flood event.

4. On January 22, 2024, the County of San Diego proclaimed an emergency due to the January Storm, which the county characterized as a thousand-year storm, and which caused drastic flooding and flash flooding in the county.

5. The existing conditions of the current atmospheric river causing local flooding, in addition to the impacts of the January Storm, have created conditions of extreme peril in the Buena Vista Creek Channel, in part, because the inundation of sedimentation and debris flows from the multiple, powerful winter storms, which have diminished the channel’s capacity.

6. That the City Council of the City of Carlsbad was not in session and could not be immediately called into session.

NOW, THEREFORE, IT IS PROCLAIMED that, subject to review and ratification by the City Council at its next regular meeting, a local emergency now exists in the City of Carlsbad, California, in the area of the Buena Vista Creek Channel near El Camino Real.

IT IS FURTHER PROCLAIMED AND ORDERED that, under California Public Contract Code Section 22050 and Carlsbad Municipal Code Sections 3.28.110(A) and 3.28.120, city staff may proceed at once to obtain the necessary permits, equipment, services, and supplies to reduce the sediment and vegetation in the Buena Vista Creek Channel without giving notice for bids to let contracts.

Dated: 2/8/24

By: 

GEOFF PATNOE  
Acting City Manager/Acting Director of  
Emergency Services

# LOCATION MAP

Exhibit 3



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Copyright nearmap 2015

PROJECT NAME

*BUENA VISTA CREEK CHANNEL*

EXHIBIT

3



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Tom Frank, Transportation Director/City Engineer  
 tom.frank@carlsbadca.gov, 442-339-2766

**Subject:** Continuation of Proclamation of a Storm-Related Local Emergency for Repair of the Slope Between El Camino Real and Trieste Drive

**District:** 1

**Recommended Action**

Adopt a resolution continuing the proclamation of a storm-related local emergency for repair of the slope between El Camino Real and Trieste Drive.

**Executive Summary**

The atmospheric river in early February 2024 and the winter storm in January 2024 resulted in unexpected slope movement in an area between El Camino Real and Trieste Drive, with potential to affect nearby property, infrastructure, and the environment. Emergency repair of the slope area behind four homes on Trieste Drive is necessary to ameliorate the risk. Exhibit 3 shows the area requiring emergency slope repair.

The City Manager, in his role as Director of Emergency Services, proclaimed a local emergency on Feb. 14, 2024, as shown in Exhibit 2, to expedite the slope repair. On Feb. 15, 2024, the City Council ratified the emergency proclamation so that the repair can continue to be exempted from the city's normal bidding procedures and the necessary repairs can be completed as swiftly as possible.

On Feb. 27, 2024, the City Council continued the emergency proclamation. On March 12, 2024, the City Council continued the emergency proclamation again, approved the plans, and authorized additional appropriations in the amount of \$955,000. On March 19, 2024, the City Council continued the emergency proclamation again. Staff are requesting that the City Council continue the emergency proclamation again to complete the work.

Construction projects that cost less than \$200,000 can be awarded by the City Manager using informal bidding procedures under Carlsbad Municipal Code, or CMC, Section 3.28.080 – Construction Projects, subsections (B) and (H), which implement California Public Contract Code Section 22032.

This project will cost approximately \$3 million. Public Contract Code Sections 22035 and 22050 and CMC Sections 3.28.110(A) and 3.28.120 provide for an exemption from formal bidding

procedures for emergency construction procurements. The emergency proclamation allows the city to use the emergency exemption. However, California Public Contract Code Section 22050(c)(1) requires the City Council to review the emergency action at every subsequent City Council meeting to determine, by a four-fifths vote, whether there is a need to continue the emergency action.

Staff recommend that the City Council continue the proclamation of the storm-related local emergency again to allow for the swift repair of the slope by approving the resolution provided as Exhibit 1.

### **Explanation & Analysis**

The slope area between El Camino Real and Trieste Drive, generally behind the backyards of four residential properties that front onto Trieste Drive (4215-4245 Trieste Drive), has experienced soil movement. The city has a Capital Improvement Program project (Project No. 6107) to repair the slope. The project was in the 50% design and environmental review stage. However, the recent severe storm events have created additional fissures in the soil that need to be repaired quickly.

The City Engineer recommended expedited, or emergency, stabilization of the slope while the larger slope repair project proceeds through the design and environmental review and permitting process. The emergency proclamation allows the city to procure a contractor to perform the necessary emergency work to prevent or mitigate loss of, or damage to, property, essential public services and the environment.

Staff and Urban Corps completed emergency protective measures at a cost of \$5,774, which included debris removal and placement of tarps and stakes in the right-of-way.

Upon proclamation of the emergency, Engineering Systems Inc., the city's geotechnical engineering consultant, met with contractors to check on their availability and capabilities to perform the emergency work. Condon-Johnson & Associates, Inc., or Condon-Johnson, initially provided a cost estimate of approximately \$871,000 for the emergency work.

The emergency work was initially intended to address the unexpected slope movement that occurred as a result of the recent atmospheric rivers and storms, not to perform the original scope of work of the Capital Improvement Program project. However, due to recent further slope movement, the city's geotechnical engineering consultant has recommended performing the additional final repairs at the same time as the emergency work.

The contractor Condon-Johnson's estimate increased to \$2,087,090 for the total cost, which includes the initial estimate of \$870,990 for installation of 26 emergency shore stability pins, which stabilize the slope, and \$1,216,100 for installation of an additional row of 28 shore stability pins and other more permanent repairs such as grading and re-compaction of the slope within the repair area.

On March 6, 2024, staff issued a notice to proceed to the contractor to perform the emergency work. The emergency work started on March 12, 2024, and is expected to be completed by May 17, 2024.

On March 19, 2024, in keeping with Carlsbad Municipal Code Section 15.16.060(B)(2) – Work exempt from grading permit, the City Engineer made the determination to exempt the work from the requirement that the project receive a grading permit.

**Fiscal Analysis**

Funding for the emergency work in the amount of \$3,317,600 will come from the funding in the General Capital Construction Fund for Capital Improvement Program Project No. 6107.

<b>Trieste Drive Slope Repair Project Capital Improvement Program Project No. 6107</b>	
Total appropriated funds to date	\$3,317,600
Total expenditures and encumbrances to date	-\$338,974
<b>Total available funding</b>	<b>\$2,978,626</b>
Emergency work (slope repair) – Condon-Johnson	-\$2,087,090
Design and administrative costs (approximately 5%)	-\$104,400
Construction management and inspection (estimated)	-\$208,700
Environmental monitoring (estimated)	-\$50,000
Construction contingency (25%)	-\$521,800
<b>Total estimated emergency Capital Improvement Program project costs</b>	<b>-\$2,971,990</b>
Emergency protective measures – Urban Corps	-\$905
Staff labor and materials costs	-\$4,869
<b>Total estimated emergency protective measures costs</b>	<b>-\$5,774</b>
<b>Remaining balance</b>	<b>\$862</b>

This emergency work could qualify for outside funding. The City Manager sent a letter to the California Governor’s Office of Emergency Services on Feb. 22, 2024, requesting any and all state and federal resources including, but not limited to, state assistance through the California Disaster Assistance Act. The state replied and subsequently requested supplemental information on the city’s budget and how recent storms impacted it. On Feb. 26, 2024, staff provided the requested supplemental information and the initial damage estimate of \$1,293,774, which has now increased to almost \$3 million.

**Recommendation**

Staff recommend that the City Council continue the emergency proclamation again to complete the emergency work at the slope near El Camino Real and Trieste Drive as swiftly as possible to prevent damage to nearby infrastructure and property.

**Next Steps**

The contractor has begun performing the emergency work with an estimated completion date of May 17, 2024. On March 11, 2024, the contractor, Condon-Johnson, signed the initial emergency contract for an estimated \$870,990 and staff are preparing a change order for the

additional emergency work for a revised total of \$2,087,090, which will be presented to the City Council for ratification at a future date.

Staff will return to the City Council again on April 9, 2024, to review the emergency action and ask the City Council to determine by a four-fifths vote whether there is a need to continue it.

### **Environmental Evaluation**

The project was determined to be exempt from the California Environmental Quality Act under Section 15301(d) and (f) of the CEQA Guidelines, which applies to projects for restoration or rehabilitation of deteriorated or damaged structures, and the addition of safety or health protection devices. None of the exceptions to the exemption applied to the project and a Notice of Exemption was filed on Jan. 25, 2023.

### **Exhibits**

1. City Council resolution
2. Proclamation of a storm-related local emergency, dated Feb. 14, 2024
3. Location map



**RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, CONTINUING THE PROCLAMATION OF A STORM-RELATED LOCAL EMERGENCY FOR REPAIR OF THE SLOPE BETWEEN EL CAMINO REAL AND TRIESTE DRIVE

WHEREAS, on Feb. 4, 2024, the Governor of the State of California found that conditions of extreme peril exist in San Diego County and other counties due to the early February 2024 storms caused by the atmospheric river and proclaimed a state of emergency to make additional resources available to local governments, formalize emergency actions, and help the state prepare for the impact of the storms; and

WHEREAS, the City Council empowers the City Manager, as Director of Emergency Services, to proclaim the existence of a local emergency when the city is affected by a public calamity and the City Council is not in session; and

WHEREAS, conditions or threatened conditions of extreme peril to the safety of persons and property have arisen within the City of Carlsbad caused by an unexpected slope movement with potential to affect nearby property, infrastructure and the environment; and

WHEREAS, on Feb. 14, 2024, the City Manager/Director of Emergency Services proclaimed a storm-related local emergency for repair of the slope between El Camino Real and Trieste Drive, generally behind the backyards of four residential properties that front onto Trieste Drive (4215 - 4245 Trieste Drive); and

WHEREAS, Carlsbad Municipal Code, or CMC, Section 3.28.110(A) implements Public Contract Code Section 22035 and provides an exemption from formal bidding procedures for emergency construction procurements, and to use the emergency exemption, CMC Section 3.28.120 and Public Contract Code Section 22050 require a proclamation of a local public emergency by a four-fifths vote of the City Council, or by the City Manager subject to ratification by a four-fifths vote of the City Council at the next City Council meeting; and

WHEREAS, on Feb. 15, 2024, the City Council ratified the proclamation of a local emergency as the emergency proclamation and emergency exemption are appropriate in this instance because the emergency work appears to be caused by unexpected slope movement, which could pose a threat to the public, property, infrastructure and the environment; and

WHEREAS, on Feb. 27, 2024, the City Council continued the emergency proclamation; and

WHEREAS, on March 12, 2024, the City Council continued the emergency proclamation again, approved the plans and authorized additional appropriations in the amount of \$955,000; and

WHEREAS, on March 19, 2024, the City Council continued the emergency proclamation again; and

WHEREAS, on March 19, 2024, the City Engineer made the determination to exempt the work from the requirements of a grading permit, consistent with CMC Section 15.16.060(B)(2); and

WHEREAS, a contractor commenced the emergency work on March 12, 2024, and is expected to complete the work by May 17, 2024; and

WHEREAS, staff request that the City Council continue the emergency proclamation again to enable completion of the work; and

WHEREAS, Public Contract Code Section 22050(c)(1) requires the City Council to review the emergency action at every subsequent City Council meeting to determine, by a four-fifths vote, whether this is a need to continue the emergency action; and

WHEREAS, the project was determined to be exempt from the California Environmental Quality Act, or CEQA, under Section 15301(d) and (f) of the CEQA Guidelines, which applies to projects for restoration or rehabilitation of deteriorated or damaged structures, and the addition of safety or health protection devices; and

WHEREAS, none of the exceptions to the CEQA exemption applied to the project and a Notice of Exemption was filed on Jan. 25, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the Proclamation of a Storm-related Local Emergency for repair of the slope near El Camino Real and Trieste Drive is continued.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

---

KEITH BLACKBURN, Mayor

---

SHERRY FREISINGER, City Clerk  
(SEAL)



# Proclamation of Local Emergency

City Hall  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

## **FOR STORM-RELATED EMERGENCY PROTECTION ACTIVITIES TO REPAIR A SLOPE BETWEEN EL CAMINO REAL AND TRIESTE DRIVE**

WHEREAS, on February 4, 2024, the Governor of the State of California found that conditions of extreme peril exist in San Diego County and other counties due to the early February 2024 storms caused by a powerful, slow-moving atmospheric river and proclaimed a state of emergency to make additional resources available to local governments, formalize emergency actions and help the state prepare for the impact of the storms; and

WHEREAS, California Government Code Section 8630 allows the City Council or an official designated by ordinance adopted by the City Council, to proclaim a local emergency; and

WHEREAS, the City of Carlsbad's Emergency Services Ordinance, including Carlsbad Municipal Code Section 6.04.100(A)(1), empowers the City Manager, as the City of Carlsbad's Director of Emergency Services, to proclaim the existence of a local emergency, subject to ratification by the City Council, when there exists, or there is threatened to exist, conditions of extreme peril to the safety of persons and property within the City of Carlsbad; and

WHEREAS, in the case of an emergency, California Public Contract Code Section 22050 allows the City Council, or a person delegated the authority by the City Council, to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services and supplies for those purposes without giving notice for bids to let contract; and

WHEREAS, the repair project was determined to be exempt from the California Environmental Quality Act, or CEQA, under Section 15301 (d) and (f) of the CEQA Guidelines, which applies to projects for restoration or rehabilitation of deteriorated or damaged structures and the addition of safety or health protection devices; and

WHEREAS, none of the exceptions to the CEQA exemption applied to the project and a Notice of Exemption was filed on Jan. 25, 2023; and

WHEREAS, the Director of Emergency Services finds:

1. The National Weather Service issued multiple winter storm warnings, high wind warnings, wind advisories, and flood and flash flood watches throughout the State of California in anticipation of a powerful, slow-moving, atmospheric river in early February.
2. Conditions of extreme peril to the safety of persons and property have arisen within the City of Carlsbad caused by the powerful, slow-moving atmospheric river in early February, requiring immediate action to prevent or mitigate the loss or impairment of life, health, and property.

Local Emergency – REPAIR OF THE SLOPE BETWEEN EL CAMINO REAL AND TRIESTE DRIVE

Page 2

3. Prior to the early February 2024 storms, powerful winter storms that occurred less than a month ago had amplified the impact of local flooding due to the record-breaking amount of rainfall including a severe rainstorm which began on January 22, 2024 (“January Storm”), in all dropping 2 to 3 inches of rain in a three-hour period, a total that exceeds that of an average wet month and rivals the rainfall needed to spur a 100-year flood event.

4. On Jan. 22, 2024, the County of San Diego proclaimed an emergency due to the January Storm, which the county characterized as a thousand-year storm, and which caused drastic flooding and flash flooding in the county.

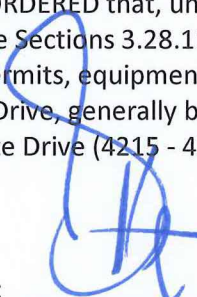
5. The conditions of the early February 2024 storms, in addition to the impacts of the January Storm, created an emergency condition on a slope that is located between El Camino Real and Trieste Drive, generally behind the backyards of four residential properties that front onto Trieste Drive (4215 - 4245 Trieste Drive) causing rapid slope movement and additional fissures in the soil that warrant immediate emergency repair.

6. That the City Council of the City of Carlsbad was not in session and could not be immediately called into session.

NOW, THEREFORE, IT IS PROCLAIMED that, subject to review and ratification by the City Council at its next meeting, a local emergency now exists in the City of Carlsbad, California, on a slope between El Camino Real and Trieste Drive, generally behind the backyards of four residential properties that front onto Trieste Drive (4215 - 4245 Trieste Drive).

IT IS FURTHER PROCLAIMED AND ORDERED that, under California Public Contract Code Section 22050 and Carlsbad Municipal Code Sections 3.28.110(A) and 3.28.120, city staff may proceed at once to obtain the necessary permits, equipment, services, and supplies to repair the slope between El Camino Real and Trieste Drive, generally behind the backyards of four residential properties that front onto Trieste Drive (4215 - 4245 Trieste Drive), without giving notice for bids to let contracts.

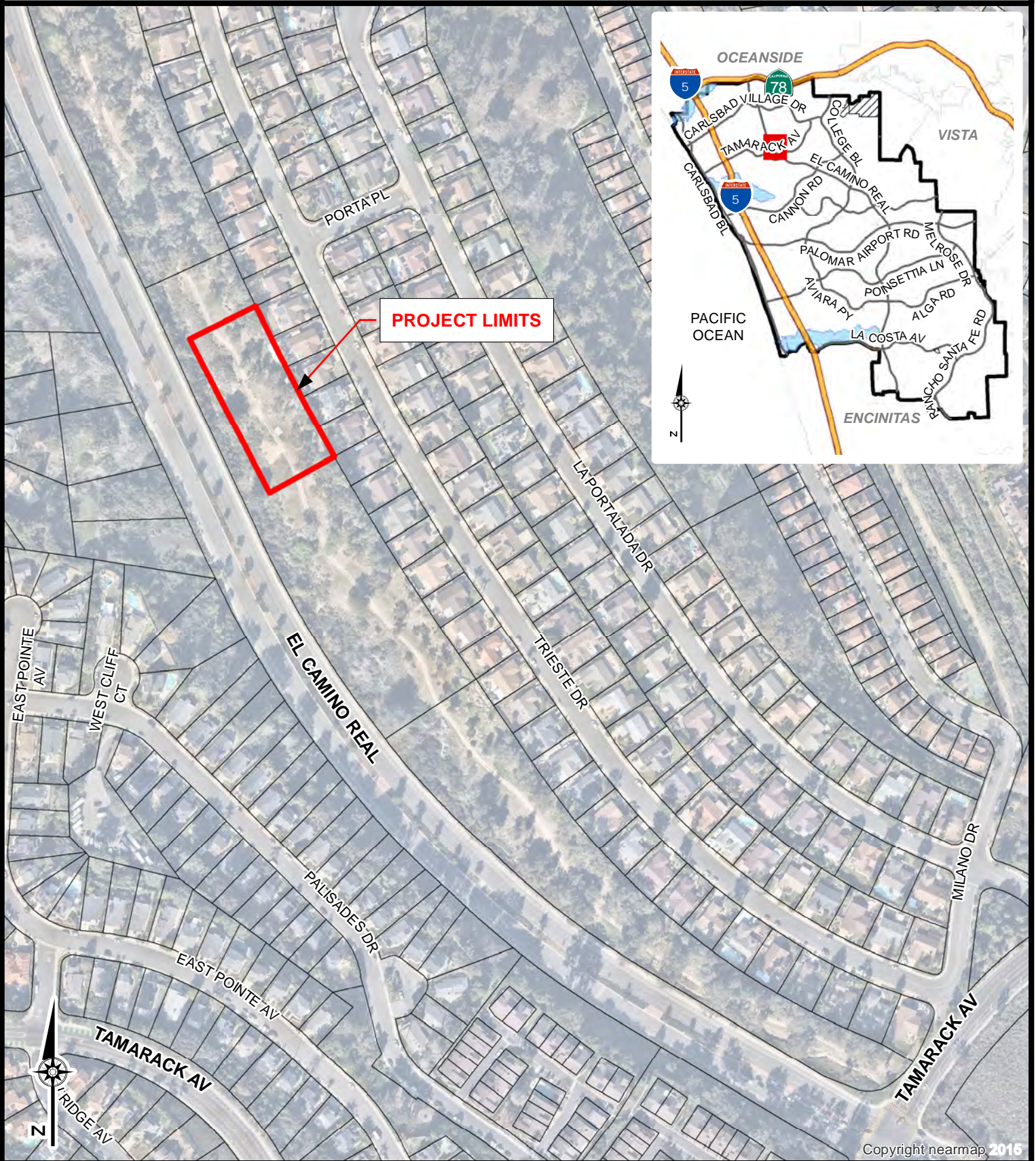
Dated: 14 FEB 24

By:  \_\_\_\_\_

SCOTT CHADWICK  
City Manager/Director of Emergency Services

# LOCATION MAP

Exhibit 3



## TRIESTE DRIVE SLOPE REPAIR PROJECT

PROJECT  
NUMBER  
6107

EXHIBIT  
3



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Tammy McMinn, Senior Deputy City Clerk  
tammy.mcminn@carlsbadca.gov, 442-339-2953

**Subject:** Mayoral Appointment of One Member to the Library Board of Trustees

**Districts:** All

**Recommended Action**

Adopt a resolution appointing one member to the Library Board of Trustees.

**Executive Summary**

The City Council is being asked to appoint one member to the Library Board of Trustees, which makes recommendations to the City Council and advises the City Council in matters pertaining to the duties and powers of the librarian and other library employees; the number of employees; the purchase of equipment, real estate and buildings; the advisability and desirability of facilities of the city library; the amounts of moneys required to operate the library; and policies related to the administration of the city library.

The board consists of five members appointed by the Mayor and confirmed by the City Council. Members must be residents of Carlsbad and normally serve four-year terms, unless appointed to fill an unexpired term.

**Explanation & Analysis**

Trustee Stan Schatt was appointed to the Library Board of Trustees in July 2021, to fill the expired term of Trustee Sandy Parsons for a term ending in June 2025. Trustee Schatt resigned in January 2024. There is currently an unscheduled vacancy on the Library Board of Trustees for a term ending in June 2025.

The City Clerk's Office received five applications from residents wishing to serve on the Library Board of Trustees. In keeping with City Council Policy No. 88, Mayor Blackburn has recommended the following resident wishing to serve on the Library Board of Trustees to advance in the process and interview with the full City Council:

Mayoral recommendation:

- Katrina Waidelich – District 2

Exhibit 2 contains the application of the applicant moving forward in the interview process.

The Maddy Act (California Government Code Sections 54970-54974) requires that on or before December 31 of each year the legislative body shall prepare a Local Appointments List, which contains the appointive terms of Board and Commission members that will expire in the next calendar year. The name of the incumbent appointee, the date of appointment and the term expiration date is also included on the list. Based on the prepared list, the City Clerk’s Office accepts applications (available on the city’s website and in the City Clerk’s Office) for any upcoming vacancies.

The current members of the Library Board of Trustees are:

<b>Commission member</b>	<b>District</b>
Sherman DeForest	2
Gina Payne McBride	4
Laurel Moran	3
William Sheffler	1

Members of the Library Board of Trustees are subject to the provisions of California’s Political Reform Act of 1974 and must file statements of economic interest each year and complete two hours of ethics training every two years.

Fiscal Analysis

This action has no financial impact.

Next Steps

Following the appointment of one member to the Library Board of Trustees, the City Clerk’s Office will update the commission roster and coordinate the oath of office and the filing of the appointee’s statement of economic interest and ethics training certificate.

Environmental Evaluation

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

Exhibits

1. City Council resolution
2. Application received from resident advancing to the interview process



**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPOINTING ONE MEMBER TO THE LIBRARY BOARD OF TRUSTEES

WHEREAS, Trustee Stan Schatt was appointed to the Library Board of Trustees in July 2021 for a term ending in June 2025; and

WHEREAS, Trustee Schatt resigned in January 2024; and

WHEREAS, an unscheduled vacancy on the Library Board of Trustees exists with a term ending in June 2025.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the following Carlsbad resident is appointed to serve on the Library Board of Trustees, for a term ending in June 2025, or until a replacement is appointed.

\_\_\_\_\_  
PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

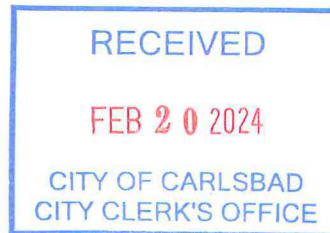
ABSENT:

\_\_\_\_\_  
KEITH BLACKBURN, Mayor

\_\_\_\_\_  
SHERRY FREISINGER, City Clerk  
(SEAL)



# Boards, Commissions and Committees Application for Appointment



Arts Commission		Housing Commission		Planning Commission	
Beach Preservation Committee		Library Board of Trustees	✓	Senior Commission	
Historic Preservation Commission		Parks & Recreation Commission		Traffic & Mobility Commission	
Tourism Business Improvement District		Golf Lodging Business Improvement District		Agricultural Mitigation Fee Committee	
CDBG Advisory Committee		Design Review Committee		Growth Management Plan Update Advisory Committee	
Community-Police Engagement Commission					

### Personal Information

*If applying for more than one, please indicate order of preference.*

Name <b>Katrina S. Waidelich</b>		Date of Birth: <i>Required for Voter Registration Verification</i>
Home Address		District No. <u>2</u> ✓
City <b>Carlsbad</b>	ZIP <b>92010</b>	
Home Phone	Mobile	
E-mail		
Occupation <b>Teacher</b>		
Employer <b>Carlsbad Unified School District</b>		
Employer Address		
City <b>Carlsbad</b>	ZIP <b>92010</b>	
Work Phone	Mobile	

### Acknowledgements

	Yes	No
I am a resident of the City of Carlsbad.	✓	
I am a registered voter in Carlsbad.	✓	
Are you currently or have you ever been an officer of or employed by the City of Carlsbad? If yes, please explain below.		✓
Are you currently or have you ever been under contract with the City of Carlsbad? If yes, please explain below.		✓
I am a Citizens Academy graduate.		✓
I am familiar with the responsibilities of the board/commission/committee(s) on which I wish to serve.	✓	
I am willing to be interviewed regarding my qualifications for appointment by the City Council or at the request of an individual Council member.	✓	
I am willing to file financial disclosure statements.	✓	
I am willing to complete two hours of state mandated ethics training every two years.	✓	

Please make sure that your text fits in the box provided or attach an additional sheet if needed.

### Explanations

### Please describe your educational background

I studied English Literature and Composition at the University of Southern California from 2003-2007. Under this major, I took several courses studying the history of the Holocaust, Chicano and Latino Literature, African American Literature, and Asian Studies. In addition, I studied education, earning a teaching credential and serving the children of south central Los Angeles as a student teacher and member of several tutoring and mentoring programs.

### Please describe relevant experience

As a veteran educator for over 15 years, I have had the experience of teaching students in both private and public schools from grades 5th through 11th grade, educating children in local Carlsbad schools in the study of history and English Language Arts. In addition, I worked for 3 years as a curriculum writer for a career and interest based non-profit. As a curriculum writer, I aligned partner goals and values with the objectives of the non-profit, developing engaging and accessible teaching resources for educators, families, and students. Most importantly, I have direct experience in teaching several AP high school courses, supporting students in developing the skills and knowledge to become better writers, engaged readers, and critical thinkers.

### Please describe your current or past community involvement

Currently I have been serving the youth community as the facilitator for Carlsbad Student Leadership Academy. During two sessions, I lead students in activities to foster self awareness and confidence, and draft a plan to serve the Carlsbad community while highlighting community issues and strengths. In addition, I serve as an assistant Girl Scout Troop Leader of Troop #1826, bringing together young women from different schools and communities in Carlsbad. I have also been involved in supporting the work of the Carlsbad Unified School District by advocating for the passage and implementation of the Forward Together plan, aimed at fostering belonging and inclusivity of students and families within the district.

### Please list all service on boards, commissions or committees, private or public agencies, (including non-profit organizations)

I have not served on any public or private committee, board, or commission. I have served on several committees as my capacity as a educator within Carlsbad Unified School District.

### Additional information or comments

As a parent of young children, I personally benefited from the robust and celebratory activities offered through the Carlsbad Library Services. I would love the opportunity to give back to a program that has helped develop my children into the excellent readers and thinkers they are today.

### Submittal Information

Please select the submit button below to electronically submit application. If you prefer to print, please select "print form" button, sign and mail to:

City of Carlsbad  
City Clerk's Office  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008.

Signature  Date 2/18/24

\* Only required to sign if submitting paper form; if submitting electronically your submittal via e-mail is considered acknowledgement.

Clear form

Print form

Submit form



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Tammy McMinn, Senior Deputy City Clerk  
tammy.mcminn@carlsbadca.gov, 442-339-2953

**Subject:** Mayoral Appointment of Three Members to the Arts Commission

**Districts:** All

**Recommended Action**

Adopt resolutions appointing three members to the Arts Commission.

**Executive Summary**

The City Council is being asked to appoint three members to the Arts Commission, which advises the City Council on arts and culture related matters and implementation of the arts element of the Carlsbad General Plan.

The commission consists of seven members appointed by the Mayor and confirmed by the City Council. Members must be residents of Carlsbad and normally serve four-year terms, unless appointed to fill an unexpired term.

**Explanation & Analysis**

Commissioner Lauren Barker was appointed to the Arts Commission in April 2016, to fill the expired term of Commissioner Sibylla Voll for a term ending in March 2020. Commissioner Barker was reappointed in April 2020 with a term ending in March 2024. There is currently a scheduled vacancy on the Arts Commission for a term ending in March 2028. Commissioner Barker is not eligible for reappointment.

Commissioner Gita Nassiri was appointed to the Arts Commission in April 2020, to fill the expired term of Commissioner Joan Markovits with a term ending in March 2024. There is currently a scheduled vacancy on the Arts Commission for a term ending in March 2028. Commissioner Nassiri is eligible for and seeking reappointment.

Commissioner Nora George was appointed to the Arts Commission in August 2021, to fill the unexpired term of Commissioner Michaela Chamberlain for a term ending in March 2024. There is currently a scheduled vacancy on the Arts Commission for a term ending in March 2028. Commissioner George is eligible for and seeking reappointment.

The City Clerk’s Office received six applications from residents wishing to serve on the Arts Commission. In keeping with City Council Policy No. 88, the Mayor has chosen the following three applicants to advance in the process and interview with the full City Council:

- Michelle Breyer – District 2
- Nora George – District 3 – seeking reappointment
- Gita Nassiri – District 3 – seeking reappointment

Exhibit 2 contains the applications of the applicants moving forward in the interview process.

The Maddy Act (California Government Code Sections 54970-54974) requires that on or before December 31 of each year the legislative body shall prepare a Local Appointments List, which contains the appointive terms of Board and Commission members that will expire in the next calendar year. The name of the incumbent appointee, the date of appointment and the term expiration date is also included on the list. Based on the prepared list, the City Clerk’s Office accepts applications (available on the city’s website and in the City Clerk’s Office) for any upcoming vacancies.

The current members of the Arts Commission are:

<b>Commission member</b>	<b>District</b>
Frances Carrillo	4
Barbara Chung	4
Angela Ferone	3
Joni Miringoff	4

Members of the Arts Commission are subject to the provisions of California’s Political Reform Act of 1974 and must file statements of economic interest each year and complete two hours of ethics training every two years.

### **Fiscal Analysis**

This action has no financial impact.

### **Next Steps**

Following the appointment of three members to the Arts Commission, the City Clerk’s Office will update the commission roster and coordinate the oaths of office and the filing of the appointees’ statements of economic interest and ethics training certificates.

### **Environmental Evaluation**

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

### **Exhibits**

1. City Council resolution
2. City Council resolution
3. City Council resolution
4. Applications received from residents advancing to the interview process

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD,  
CALIFORNIA, APPOINTING ONE MEMBER TO THE ARTS COMMISSION

WHEREAS, Commissioner Lauren Barker was appointed to the Arts Commission in April 2016 for a term ending in March 2020; and

WHEREAS, Commissioner Barker was reappointed in April 2020 for a term ending in March 2024; and

WHEREAS, Commissioner Barker is not eligible for reappointment; and

WHEREAS, a scheduled vacancy on the Arts Commission exists with a term ending in March 2028.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the following Carlsbad resident is appointed to serve on the Arts Commission, for a term ending in March 2028, or until a replacement is appointed.

\_\_\_\_\_  
PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
KEITH BLACKBURN, Mayor

\_\_\_\_\_  
SHERRY FREISINGER, City Clerk  
(SEAL)

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD,  
CALIFORNIA, APPOINTING ONE MEMBER TO THE ARTS COMMISSION

WHEREAS, Commissioner Gita Nassiri was appointed to the Arts Commission in April 2020 for a term ending in March 2024; and

WHEREAS, Commissioner Nassiri is eligible for reappointment; and

WHEREAS, a scheduled vacancy on the Arts Commission exists with a term ending in March 2028.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the following Carlsbad resident is appointed to serve on the Arts Commission, for a term ending in March 2028, or until a replacement is appointed.

\_\_\_\_\_  
PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
KEITH BLACKBURN, Mayor

\_\_\_\_\_  
SHERRY FREISINGER, City Clerk  
(SEAL)

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD,  
CALIFORNIA, APPOINTING ONE MEMBER TO THE ARTS COMMISSION

WHEREAS, Commissioner Nora George was appointed to the Arts Commission in August 2021 for a term ending in March 2024; and

WHEREAS, Commissioner George is eligible for reappointment; and

WHEREAS, a scheduled vacancy on the Arts Commission exists with a term ending in March 2028.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the following Carlsbad resident is appointed to serve on the Arts Commission, for a term ending in March 2028, or until a replacement is appointed.

\_\_\_\_\_  
PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

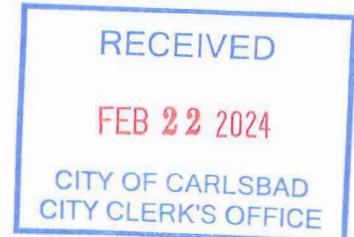
\_\_\_\_\_  
KEITH BLACKBURN, Mayor

\_\_\_\_\_  
SHERRY FREISINGER, City Clerk  
(SEAL)





# Boards, Commissions and Committees Application for Appointment



Arts Commission	<input checked="" type="checkbox"/>	Housing Commission	<input type="checkbox"/>	Planning Commission	<input type="checkbox"/>
Beach Preservation Committee	<input type="checkbox"/>	Library Board of Trustees	<input type="checkbox"/>	Senior Commission	<input type="checkbox"/>
Historic Preservation Commission	<input type="checkbox"/>	Parks & Recreation Commission	<input type="checkbox"/>	Traffic & Mobility Commission	<input type="checkbox"/>
Tourism Business Improvement District	<input type="checkbox"/>	Golf Lodging Business Improvement District	<input type="checkbox"/>	Agricultural Mitigation Fee Committee	<input type="checkbox"/>
CDBG Advisory Committee	<input type="checkbox"/>	Design Review Committee	<input type="checkbox"/>	Growth Management Plan Update Advisory Committee	<input type="checkbox"/>
Community-Police Engagement Commission	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

## Personal Information

*If applying for more than one, please indicate order of preference.*

Name <b>Michelle Breyer</b>		Date of Birth: <u>                    </u> <small>Required for Voter Registration Verification</small>
Home Address		District No. <u>2</u> <input checked="" type="checkbox"/>
City <b>Carlsbad</b>	ZIP <b>92008</b>	
Home Phone	Mobile	
E-mail		
Occupation <b>retired studio art teacher</b>		
Employer <b>San Marcos Unified School</b>		
Employer Address		
City <b>San Marcos</b>	ZIP <b>92069</b>	
Work Phone	Mobile	

## Acknowledgements

	Yes	No
I am a resident of the City of Carlsbad.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I am a registered voter in Carlsbad.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are you currently or have you ever been an officer of or employed by the City of Carlsbad? If yes, please explain below.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are you currently or have you ever been under contract with the City of Carlsbad? If yes, please explain below.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I am a Citizens Academy graduate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I am familiar with the responsibilities of the board/commission/committee(s) on which I wish to serve.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I am willing to be interviewed regarding my qualifications for appointment by the City Council or at the request of an individual Council member.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I am willing to file financial disclosure statements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I am willing to complete two hours of state mandated ethics training every two years.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please make sure that your text fits in the box provided or attach an additional sheet if needed.

**Explanations**

\* I tried to submit this electronically, but it wouldn't submit. Sorry the writing is so small.

**Please describe your educational background**

I have a BA in Sociology from UCLA with a minor in Diversified Liberal Arts, as well as a Multiple Subject Teaching Credential, English Credential, Art Credential and Masters of Education in Curriculum and Instruction from SDSU.

**Please describe relevant experience**

I have been the San Marcos Middle School Studio Art Teacher since 1998. My self written curriculum involved extensive Art and Cultural History as well current art trends and art appreciation. I created an Instagram for Middle School Art Teachers that had 14,000 followers when I retired (@smms\_studio\_art) I have instructed drawing, painting, printmaking, sculpture, metal tooling, and work with 3D imaging. I have traveled world wide and experienced public art at various levels and hope to see Art flourish here in Carlsbad where I have lived since 1986. I have been actively involved in Carlsbad events, growth, and community activities that I feel relate to this position.

**Please describe your current or past community involvement**

ArtSplash (see below)  
Annual Christmas Bureau--We have not only adopted families each year, but also volunteered at the distribution center to help organize and distribute gifts.  
Leo Carillo Ranch--I have participated in the Day of the Dead Celebrations each year in costume, as well as loaning artworks and painting a large photo banner for them to keep and reuse each year.  
Political involvement with candidates and measures over the years including the airport expansion.

**Please list all service on boards, commissions or committees, private or public agencies, (including non-profit organizations)**

ArtSplash Committee--For many years I helped organize and run the Family Carnival section of ArtSplash with booths and activities for all ages. Tonya Rodzach and I created the art activities, chalk squares, gathered and organized the materials, recruited the parent and student volunteers, set everything up, and cleaned everything up. We worked closely with Joni Miringoff and the ArtSplash Committee.  
Arts in Education--During our time at Kelly School I was the Parent Liason to go to City meetings and report back to Kelly School with the opportunities available for the month.  
Multiple School Committees in San Marcos for the Arts, curriculum, and instruction 1986-2024

**Additional information or comments**

I have been an active member of Carlsbad since 1986 and absolutely love our community and all that it has to offer. I just retired in January and am looking to volunteer my time, experience, and expertise. I am organized, dependable, and a very hard worker. I get along well with others and have learned from years of teaching middle school how to be diplomatic yet assertive:) I hope I am a good fit for your committee!

**Submittal Information**

Please select the submit button below to electronically submit application. If you prefer to print, please select "print form" button, sign and mail to:

City of Carlsbad  
City Clerk's Office  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008.

Signature Michelle Green Date 02/17/2024

\* Only required to sign if submitting paper form; if submitting electronically your submittal via e-mail is considered acknowledgement.

Clear form

Print form

Submit form



# Boards, Commissions and Committees Application for Appointment

RECEIVED  
 JAN 24 2024  
 CITY OF CARLSBAD  
 CITY CLERK'S OFFICE

Arts Commission	<input checked="" type="checkbox"/>	Housing Commission	<input type="checkbox"/>	Planning Commission	<input type="checkbox"/>
Beach Preservation Committee	<input type="checkbox"/>	Library Board of Trustees	<input type="checkbox"/>	Senior Commission	<input type="checkbox"/>
Historic Preservation Commission	<input type="checkbox"/>	Parks & Recreation Commission	<input type="checkbox"/>	Traffic & Mobility Commission	<input type="checkbox"/>
Tourism Business Improvement District	<input type="checkbox"/>	Golf Lodging Business Improvement District	<input type="checkbox"/>	Agricultural Mitigation Fee Committee	<input type="checkbox"/>
CDBG Advisory Committee	<input type="checkbox"/>	Design Review Committee	<input type="checkbox"/>	Growth Management Plan Update Advisory Committee	<input type="checkbox"/>
Community-Police Engagement Commission	<input type="checkbox"/>				

### Personal Information

*If applying for more than one, please indicate order of preference.*

Name <b>Nora J George</b>		Date of Birth:
Home Address		Required for Voter Registration Verification <u>District No. 3</u> <input checked="" type="checkbox"/>
City <b>Carlsbad</b>	ZIP <b>92011</b>	
Home Phone	Mobile	
E-mail		
Occupation <b>community volunteer</b>		
Employer <b>NA</b>		
Employer Address		
City	ZIP	
Work Phone	Mobile	

### Acknowledgements

	Yes	No
I am a resident of the City of Carlsbad.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I am a registered voter in Carlsbad.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are you currently or have you ever been an officer of or employed by the City of Carlsbad? If yes, please explain below.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are you currently or have you ever been under contract with the City of Carlsbad? If yes, please explain below.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I am a Citizens Academy graduate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I am familiar with the responsibilities of the board/commission/committee(s) on which I wish to serve.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I am willing to be interviewed regarding my qualifications for appointment by the City Council or at the request of an individual Council member.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I am willing to file financial disclosure statements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I am willing to complete two hours of state mandated ethics training every two years.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please make sure that your text fits in the box provided or attach an additional sheet if needed.

**Explanations**

Former City Planner, now community volunteer.

**Please describe your educational background**

Master City Planning, MA Public Administration — San Diego State University

**Please describe relevant experience**

Currently serving as Arts Commissioner, promoted and fundraised for the Visual & Performing Arts in local schools, former Parks & Rec Commissioner, former city planner, and have done extensive travel abroad as an arts aficionado.

**Please describe your current or past community involvement**

Current Arts Commissioner. Past Parks & Rec Commissioner, past Beach Commissioner, PTA executive officer for 15 years, Past Pres. Autism Society of America, North County, served on city committees including Carlsbad Tomorrow.

**Please list all service on boards, commissions or committees, private or public agencies, (including non-profit organizations)**

Carlsbad Commissioner (Arts, Parks & Rec, Beach), Carlsbad Tomorrow (Citizens Growth Mng), Pres. Autism Society of America (local chapters), PTA Exec Board at Sage Creek, Aviara Middle, & Pacific Rim Schools, VP Women Transportation Seminar

**Additional information or comments**

I am thoroughly enjoying my time on the Arts Commission. I just embarked on the Chestnut undercrossing project and I can hardly wait to see it come to fruition! Please see attached resume for my volunteer and professional experience.

**Submittal Information**

Please select the submit button below to electronically submit application. If you prefer to print, please select "print form" button, sign and mail to:

City of Carlsbad  
City Clerk's Office  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008.

Signature Nora J George Date 1/24/24

\* Only required to sign if submitting paper form; if submitting electronically your submittal via e-mail is considered acknowledgement.

Clear form

Print form

Submit form

# Nora Jimenez George

---

## PROFILE

I am a former city planner who “retired” to raise two children. Since then I’ve used my professional skills in volunteer positions to benefit my children and my community. My youngest is now at university so I wish to refocus my volunteering towards the arts and education.

## VOLUNTEER EXPERIENCE

ARTS COMMISSIONER, CITY OF CARLSBAD - 2021 - PRESENT

Advise city council on arts and culture matters with the goal of expanding current arts programs.

PARKS & RECREATION COMMISSIONER, CITY OF CARLSBAD — 2004-2008

Advised city council on parks & recreation issues. I instigated and helped fund an award-winning inclusion program for youth camps. I also launch the installation of ADA playground equipment.

BEACH COMMISSIONER, CITY OF CARLSBAD —2002-2004

Advised city council on beach erosion matters. Oversaw beach quality sand replenishment efforts and helped investigate off-coast berm and other erosion prevention strategies.

PTA/PTSA EXECUTIVE BOARD MEMBER, SAGE CREEK, AVIARA OAKS, PACIFIC RIM — 2006-2021

Served as Executive Vice-president, VP of Legislation, Parliamentarian, Secretary, and Historian. Chaired Reflections Art program (7 years), Chaired “Career Chats” program, Co-chaired JIVE (Jobs, Internships, Volunteering, Education) fair. Lobbied Sacramento on behalf of school district.

VISUAL & PERFORMING ARTS VOLUNTEERING — 2005-2021

Sage Creek HS - Music Guild grants writer, Music Guild Fundraising Chair

Aviara Oaks MS - art department grants writer, Fundraising Chair for art and orchestra.

Pacific Rim Elementary - wrote art grant, taught Art Masters (8 years) and City Stuff (2).

PRESIDENT, AUTISM SOCIETY OF AMERICA, NORTH SD COUNTY — 2005-2007

Grew chapter from 18 members to 300+ by redeveloping the Asperger’s Support Group.

BOARD MEMBER, AUTISM SOCIETY OF AMERICA, SAN DIEGO — 2007-2008

Merged both chapters into one to provide greater access to the Asperger’s Support Group.

## PROFESSIONAL EXPERIENCE

PROJECT MANAGER, O’ROARKE ENGINEERING, SAN MARCOS, CA — 1999-2000

Provided Extension of Staff services to City of Carlsbad Traffic Engineer: managed City’s 3rd Party Review process; Task Manager for City’s Integrated Transportation System project.

MANAGEMENT ANALYST, CITY OF CORONADO, CA — 1996-1999

Oversaw administrative function of Public Services Department (Parks, Sewer, Fleet & Beach)

ASSITANT TRANSPORTATION PLANNER, NORTH COUNTY TRANSIT, OCEANSIDE, CA— 1993-1996

Assisted with COASTER start-up. I was the initial planner for the SPRINTER light rail system.

ASSISTANT TRANSPORTATION PLANNER, SANDAG, SAN DIEGO, CA — 1990-1993

Managed transportation projects’ finances. Collaborated on long-range transportation planning.

## EDUCATION

SAN DIEGO STATE UNIVERSITY

Master of City Planning 1994

BA Public Administration 1990

## SKILLS

◆ Program Development

◆ Grants Writing

◆ Public Speaking/lecturer

◆ Native Spanish Speaker



# Boards, Commissions and Committees Application for Appointment

RECEIVED  
 FEB 12 2024  
 CITY OF CARLSBAD  
 CITY CLERK'S OFFICE

Arts Commission	<input checked="" type="checkbox"/>	Housing Commission	<input type="checkbox"/>	Planning Commission	<input type="checkbox"/>
Beach Preservation Committee	<input type="checkbox"/>	Library Board of Trustees	<input type="checkbox"/>	Senior Commission	<input type="checkbox"/>
Historic Preservation Commission	<input type="checkbox"/>	Parks & Recreation Commission	<input type="checkbox"/>	Traffic & Mobility Commission	<input type="checkbox"/>
Tourism Business Improvement District	<input type="checkbox"/>	Golf Lodging Business Improvement District	<input type="checkbox"/>	Agricultural Mitigation Fee Committee	<input type="checkbox"/>
CDBG Advisory Committee	<input type="checkbox"/>	Design Review Committee	<input type="checkbox"/>	Growth Management Plan Update Advisory Committee	<input type="checkbox"/>
Community-Police Engagement Commission	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

### Personal Information

*If applying for more than one, please indicate order of preference.*

Name <b>GITA K. NASSIRI</b>		Date of Birth: <span style="float: right;"><i>me</i></span>
Home Address		Required for Voter Registration Verification District No. <b>3</b> ✓
City <b>Carlsbad</b>	ZIP <b>92009</b>	
Home Phone	Mobile	
E-mail		
Occupation <b>Lawyer</b>		
Employer <b>Capital Legacy Law, Inc.</b>		
Employer Address		
City <b>Carlsbad</b>	ZIP <b>92009</b>	
Work Phone	Mobile	

### Acknowledgements

	Yes	No
I am a resident of the City of Carlsbad.	✓	
I am a registered voter in Carlsbad.	✓	
Are you currently or have you ever been an officer of or employed by the City of Carlsbad? If yes, please explain below.		✓
Are you currently or have you ever been under contract with the City of Carlsbad? If yes, please explain below.		✓
I am a Citizens Academy graduate.	✓	
I am familiar with the responsibilities of the board/commission/committee(s) on which I wish to serve.	✓	
I am willing to be interviewed regarding my qualifications for appointment by the City Council or at the request of an individual Council member.	✓	
I am willing to file financial disclosure statements.	✓	
I am willing to complete two hours of state mandated ethics training every two years.	✓	

Please make sure that your text fits in the box provided or attach an additional sheet if needed.

**Explanations**

[Empty box for Explanations]

**Please describe your educational background**

BA in Economics      CPA-licensed CA      I am a trust and probate lawyer.  
JD juris doctorate  
MBT Master's in Business Taxation

**Please describe relevant experience**

I believe in the importance of arts education. I also believe arts and culture have a positive impact on community and the growth of any city. I have always enjoyed arts and culture.

**Please describe your current or past community involvement**

I serve on the Carlsbad Library and Arts Foundation and other local non profits. Board am involved with

**Please list all service on boards, commissions or committees, private or public agencies, (including non-profit organizations)**

Carlsbad Library and Arts Foundation

**Additional information or comments**

I would respectfully like to request that I be appointed an additional term as an arts commissioner  
Thank you

**Submittal Information**

Please select the submit button below to electronically submit application. If you prefer to print, please select "print form" button, sign and mail to:

City of Carlsbad  
City Clerk's Office  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008.

Signature

*John Nassiri*

Date 2/14/2024

\* Only required to sign if submitting paper form; if submitting electronically your submittal via e-mail is considered acknowledgement.

Clear form

Print form

Submit form



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Sheila Cobian, Legislative & Constituent Services Director  
sheila.cobian@carlsbadca.gov, 442-339-2917

**Subject:** Adoption of Ordinance No. CS-468 Amending Carlsbad Municipal Code Chapter 11.32 by Adding Section 11.32.035 Titled Security of TGIF Concerts in the Park

**District:** All

### Recommended Actions

Adopt Ordinance No. CS-468 "An Ordinance of the City Council of the City of Carlsbad, California, amending the Carlsbad Municipal Code, Title 11, Chapter 32 by Adding Section 11.32.035 Security of TGIF Concerts in the Park."

### Executive Summary

The recommended action adopts Ordinance No. CS-468 addressing security screening practices at the TGIF Concerts in the Park. The amendment to the Carlsbad Municipal Code will allow for bag and person searches while meeting the legal protections of the Fourth Amendment, which protects people from unreasonable searches and seizures by the government. The purpose of screening attendees is to prevent specific types of weapons or unsafe and prohibited items from entering the concert space.

### Explanation & Analysis

Ordinance No. CS-468 was introduced and first read at the City Council meeting held on March 19, 2024. On a motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, the City Council voted 5-0 to introduce Ordinance No. CS-468. The second reading allows the City Council to adopt the ordinance.

### Fiscal Analysis

There is no fiscal impact from the recommended action.

### Next Steps

The City Clerk Services Department will have the ordinance, or a summary of the ordinance, published in a newspaper of general circulation within 15 days following adoption of the ordinance. The ordinance will be effective 30 days after its adoption.



### Environmental Evaluation

The City Planner found that the proposed actions are exempt from environmental review under the California Environmental Quality Act under CEQA Guidelines Section 15304(e), which applies to the minor or temporary use of land. Furthermore, the City Planner, through the process outlined in Carlsbad Municipal Code Section 19.04.060, posted a notice with this determination on November 29, 2023. No appeals of this determination were received in accordance with Carlsbad Municipal Code Section 21.54.140 and the decision is final.

### Exhibits

1. Ordinance No. CS-468

**ORDINANCE NO. CS-468**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AMENDING THE CARLSBAD MUNICIPAL CODE, TITLE 11, CHAPTER 32 BY ADDING SECTION 11.32.035 SECURITY OF TGIF CONCERTS IN THE PARK

WHEREAS, since the 1980s, the City of Carlsbad has hosted TGIF Concerts in the Parks; and

WHEREAS, TGIF Concerts in the Parks are free summer concerts where families, friends and neighbors gather to enjoy music in City of Carlsbad parks; and

WHEREAS, TGIF Concerts in the Park is the City of Carlsbad's largest community event; and

WHEREAS, 2023 attendance at TGIF Concerts in the Park surpassed that of any previous concert season and included one concert with more than 8,000 people in attendance; and

WHEREAS, the Carlsbad Police Department in collaboration with the Fire Department has conducted a public safety review of the current TGIF Concerts in the Parks operating conditions and made several recommendations to improve security at the concerts; and

WHEREAS, the City Council of the City of Carlsbad finds that instituting recommended security measures at TGIF Concerts in the Park is necessary to promote and ensure the safety and security of city employees, members of the public and performers at TGIF Concerts in the Park.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, ordains as follows that:

1. The above recitations are true and correct.
2. That Carlsbad Municipal Code Title 11, Chapter 32 is amended to add Section 11.32.035 to read as follows:

**11.32.035 Security of TGIF Concerts in the Park.**

- A. Purpose and intent. The city is committed to maintaining a safe outdoor concert series for the enjoyment of city residents and visitors. The purpose of this section is to promote the safety and security of all attendees of the TGIF Concerts in the Park held at any park within the city.
- B. Security screenings at TGIF concerts in the park.
  1. The City Manager or designee may establish security screening, which may include metal detectors and other screening equipment, at each point of entry to any TGIF Concert in the Park. If security screening is established by the City Manager or designee, all persons shall submit to the screening of their person and possessions as a condition of entry to the concert, except the following:
    - a. Current City of Carlsbad elected officials and employees, acting within the scope of their duties and upon a showing of valid identification, which may include a city-issued identification card;

- b. Current City of Carlsbad contractors and consultants, acting within the scope of their contract and upon a showing of valid identification; and
  - c. Sworn on-duty law enforcement personnel.
2. Unless exempt from security screening as provided in this section, anyone refusing to submit to the security screening or inspection shall be denied entrance to the concert.
  3. Signs shall be posted to alert the public when and where security screening is taking place.
  4. Any person who attempts to gain entry to a TGIF Concert in the Park after refusing to comply with the security screening procedures established by this section is guilty of a misdemeanor.
- C. Additional rules and procedures to promote public safety. The City Manager or designee is authorized to make and enforce additional rules and procedures necessary to implement the provisions of this chapter.

EFFECTIVE DATE: This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance, or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the 19th day of March, 2024, and thereafter.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM AND LEGALITY:

---

CINDIE K. McMAHON, City Attorney

---

KEITH BLACKBURN, Mayor

---

SHERRY FREISINGER, City Clerk  
(SEAL)



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Mandy Mills, Housing & Homeless Services Director  
mandy.mills@carlsbadca.gov, 442-339-2907

**Subject:** Public Hearing for the Issuance of Tax-Exempt Bonds by the California Municipal Finance Authority for the benefit of Metropolitan Area Advisory Committee for the Laurel Tree Apartments

**District:** 2

**Recommended Action**

Hold a public hearing, under the requirements of the Tax and Equity Fiscal Responsibility Act and the Internal Revenue Code of 1986 and adopt a resolution approving the issuance of the California Municipal Finance Authority Multifamily Housing Revenue Bonds for the benefit of Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc., or a subsidiary or affiliate thereof, in an aggregate principal amount not to exceed \$45 million for the purpose of financing or refinancing the acquisition, rehabilitation, improvement and equipping of Laurel Tree Apartments, a multifamily rental housing project located in Carlsbad, California.

**Executive Summary**

The Metropolitan Area Advisory Committee is the owner and operator of Laurel Tree Apartments, a 138-unit affordable apartment community at 1307 Laurel Tree Lane. The project was granted authority from the state of California to issue tax-exempt revenue bonds to refinance the project, and Metropolitan Area Advisory Committee is working with the California Municipal Finance Authority to issue the bonds.

For all or a portion of the bonds to qualify as tax-exempt, the City of Carlsbad is required under the federal Tax and Equity Fiscal Responsibility Act to conduct a public hearing, known as a TEFRA hearing, to provide an opportunity for community members to speak in favor of or against the use of tax-exempt bonds for the financing of the project.

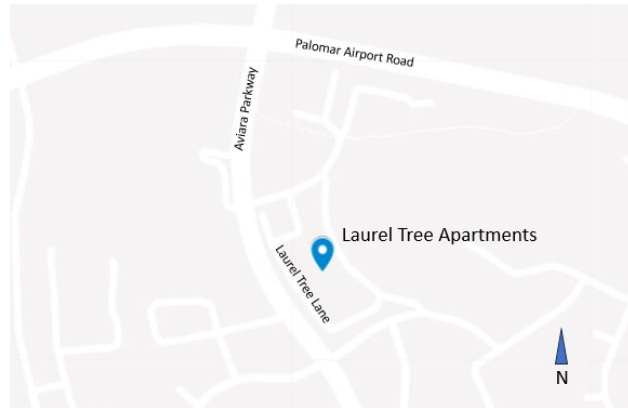
In addition, although the City of Carlsbad is not issuing the bonds or in any way obligated to repay them, the federal Internal Revenue Code requires that the financing be approved by the City Council because the proposed project is located within Carlsbad's jurisdictional boundaries.

## Explanation & Analysis

### **Project background**

In 1994 and 1996 the City Council approved loans totaling \$700,000 from the Redevelopment Low and Moderate Income Housing Fund and the city's Housing Trust Fund to assist the Metropolitan Area Advisory Committee with the construction of 138 affordable housing units.

The project, the Laurel Tree Apartments, located at 1307 Laurel Tree Lane, is south of Palomar Airport Road and east of Aviara Parkway. The project, developed by Metropolitan, satisfied the affordable housing requirement for other housing developments. The City of Carlsbad loan was paid off in 2014. The project is now eligible for refinancing, which can provide financing for renovations throughout the project.



The refinancing would cover acquisition and rehabilitation of the 24-year-old affordable housing development. All units will remain at affordable rents for lower income households.

The project includes 138 units for very low-income households earning between 40%-50% of the area median income. The development consists of two-, three- and four-bedroom units. One unit is reserved for the onsite manager. Project amenities include leasing and management offices, a business center, community room with kitchen, exercise room, centrally located laundry facilities, outdoor courtyard and picnic area and vegetable garden. The residents benefit from onsite supportive services.

The renovations will include replacing flooring, drywall repairs, painting, ceiling repairs, remodeling kitchens, bathroom repairs and adding dishwashers. Exterior renovations will include replacing roofs, exterior stucco, exterior paint, deck repairs and waterproofing, and making 10% of the units accessible to the disabled, asphalt repairs and accessibility repairs to parking and paths of travel.

### **Project bond financing**

The developer has secured financing for the project and is ready to proceed with the acquisition and rehabilitation of the affordable housing project. A large portion of the project financing includes \$37,530,050 million in tax-exempt bond financing. Although the project can only issue and use the bond amount that has been allocated by the state, this TEFRA action will approve a bond amount not to exceed \$45 million. By approving an amount in excess of what the project has been allocated, we can eliminate the need to reschedule and hold another TEFRA hearing in case the developer has to go back to the state for a supplemental bond allocation due to unforeseen increases in construction costs.

The borrower has asked the California Municipal Finance Authority to issue tax-exempt facility bonds for its qualified residential rental project in accordance with Section 142(a)(7) of the Internal Revenue Code. (The California Municipal Finance Authority was formed as a joint powers authority to help local governments, non-profit organizations and businesses through

the issuance of taxable and tax-exempt bonds aimed at improving the standard of living in California. The City of Carlsbad is a member of the authority, whose representatives and board of directors have considerable experience in bond financing.)

### **Public hearing and resolution**

Although the finance authority will issue the bonds, the Internal Revenue Code requires an “applicable elected representative” of the governmental unit hosting the project to approve the issuance of the bonds.

Once the City Council holds the required TEFRA hearing and adopts the required resolution, no other participation of the City of Carlsbad in the bond financing will be required.

All parties should clearly understand:

- The debt issued that is financed by the bonds is not debt of the City of Carlsbad in any way. All repayment of debt is the strict obligation of the borrower.
- All monitoring and administrative actions related to this issuance are the responsibility of the California Municipal Finance Authority.
- The City of Carlsbad’s participation in the issuance of these state bonds will not impact the city's appropriation limits and will not constitute any type of indebtedness by the city.

### **Public notification**

The required seven-day notice for the Tax and Equity Fiscal Responsibility Act public hearing was posted in a newspaper of general circulation on March 15, 2024, and on the city website. Copies of the notice are available in the Office of the City Clerk.

### **Options**

Staff recommend the City Council conduct the required Tax and Equity Fiscal Responsibility Act hearing and adopt the attached City Council resolution (Exhibit 1) in favor of the issuance of the bonds. This action would support the creation of more affordable housing within the City of Carlsbad. The City Council could choose to not approve the recommended resolution, but there would be no benefit to the city for doing so and this could result in this planned affordable housing development not being able to obtain the required financing, which would not advance the city’s efforts to help create more affordable housing.

### **Fiscal Analysis**

As noted above, the City of Carlsbad will have no financial, legal, moral obligation, liability or responsibility for the project or the repayment of the bonds for the financing of the project. There is no fiscal impact to the City of Carlsbad for the California Municipal Finance Authority to issue the bonds for this development.

The Municipal Finance Authority shares a portion of the issuance fees it receives with its member communities when it issues bonds. The city’s minor administrative and staff costs to prepare the reports and related documents required by the borrower and the finance authority will be reimbursed to the City of Carlsbad through a small portion of the bond issuance fee and be deposited into the Housing Trust Fund.

### **Next Steps**

City staff will forward the approved resolution to the California Municipal Finance Authority so its staff and the borrower can proceed with getting the bonds issued.

### **Environmental Evaluation**

This action does not constitute a project as defined under the California Environmental Quality Act in accordance with Public Resources Code Section 21065, in that these actions may not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

### **Exhibits**

1. City Council resolution

**RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS FOR THE BENEFIT OF METROPOLITAN AREA ADVISORY COMMITTEE ON ANTI-POVERTY OF SAN DIEGO COUNTY, INC., OR A SUBSIDIARY OR AFFILIATE THEREOF, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$45,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF LAUREL TREE APARTMENTS, A MULTIFAMILY RENTAL HOUSING PROJECT LOCATED IN CARLSBAD, CALIFORNIA

WHEREAS, Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc., a California nonprofit public benefit corporation (the "Sponsor"), on behalf of a limited partnership or other ownership entity to be created by an affiliate of the Sponsor for the purpose of owning the project described herein (such limited partnership or other ownership entity being referred to herein as the "Borrower"), has requested that the California Municipal Finance Authority (the "Authority") undertake a plan of finance, including the issuance from time to time of one or more series of revenue bonds in an aggregate principal amount not to exceed \$45,000,000 (the "Bonds"), to finance and refinance the acquisition, construction, improvement and equipping of a 138-unit qualified residential rental project (the "Project") to be owned and operated by the Borrower and located at 1307 Laurel Tree Lane in the City of Carlsbad, California (the "City"); and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code (the "Code"), the issuance of the Bonds by the Authority must be approved by the City Council of the City of Carlsbad because the Project is located within the territorial limits of the City of Carlsbad; and

WHEREAS, the City Council of the City of Carlsbad is the elected legislative body of the City and is one of the "applicable elected representatives" required to approve the issuance of the Bonds under Section 147(f) of the Code; and

WHEREAS, the Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Joint Exercise of Powers Agreement Relating to the California



Municipal Finance Authority, dated as of January 1, 2004 (the “Agreement”), among certain local agencies, including the City of Carlsbad; and

WHEREAS, pursuant to Section 147(f) of the Code, the City Council has, following notice duly given, held a public hearing regarding the issuance of the Bonds, and now desires to approve the issuance of the Bonds by the Authority;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. The City Council hereby approves the plan of finance for the Project, including the issuance of the Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitutes approval of the issuance of the Bonds by the Authority, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f) and (b) Section 4 of the Agreement.
3. The issuance of the Bonds shall be subject to the approval of the Authority of all financing documents relating thereto to which the Authority is a party. The City of Carlsbad shall have no responsibility or liability whatsoever with respect to the Bonds.
4. The adoption of this Resolution shall not obligate the City of Carlsbad or any department thereof to (i) provide any financing to acquire or construct the Project or any refinancing of the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, construction, rehabilitation, installation or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.
5. The officers of the City of Carlsbad are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.

6. The Clerk shall forward a certified copy of this Resolution to the Authority in care of its counsel:

Ronald E. Lee, Esq.  
Jones Hall, A Professional Law Corporation  
475 Sansome Street, Suite 1700  
San Francisco, California 94111

7. This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

---

KEITH BLACKBURN, Mayor

---

SHERRY FREISINGER, City Clerk  
(SEAL)



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 26, 2024

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** John Kim, City Traffic Engineer  
 john.kim@carlsbadca.gov, 442-339-2757

**Subject:** Approval of Plans, Specifications and Contract Documents and Authorization to Advertise for Bids for the Traffic Calming Plans for Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way

**Districts:** 1, 2, 3

**Recommended Actions:**

Adopt a resolution approving the plans, specifications and contract documents and authorizing the City Clerk to advertise for bids for implementing the traffic calming plans for Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way.

**Executive Summary**

Traffic safety is a top priority for the City of Carlsbad. To address speeding concerns on residential streets, the city developed the Carlsbad Residential Traffic Management Program. The program is designed to address speeding concerns on residential streets through a variety of traffic calming tools.

Staff have collaborated with residents on Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way to develop traffic calming plans for each street as outlined in the program. These plans are designed to slow traffic down by regularly spacing speed cushions along the length of each street. These speed cushions are smaller than speed bumps and designed so that drivers can travel over them comfortably at 20-25 mph. The traffic calming plans for these streets have met the criteria for neighborhood support as outlined in the program. A location map of the four streets is provided as Exhibit 3.

The City Council's approval is required to implement these plans under the program's project approval process. The program states that, "a duly noticed public meeting will be held by the City Council to receive the recommendations of the Traffic Safety Commission for Phase II implementation."<sup>1</sup>

<sup>1</sup> The Traffic Safety Commission was renamed the Traffic & Mobility Commission in 2019, and subsequently the Traffic Safety & Mobility Commission in 2023.

## Discussion

### Program overview

The Carlsbad Residential Traffic Management Program, which the City Council adopted in 2001 and revised in 2011, is a three-phase program that offers solutions at increasing levels of cost and complexity, as shown in Exhibit 2.

**Phase I:** The initial phase of the program focuses on education, enforcement and engineering strategies:

- Police presence and police enforcement
- Engineering tools such as speed limit signs, warning signs, pavement legends and temporary speed feedback signs

**Phase II:** If Phase I tools do not address the concerns and the minimum critical speed of the street is found to be 32 mph or higher, staff will meet with residents to design a plan that will address community concerns. The critical speed of the roadway, which is also known as the “85<sup>th</sup> percentile speed,” is the speed at which 85% of the drivers are traveling at or below on a roadway segment. Motorists traveling significantly above the 85<sup>th</sup> percentile speed are considered to be exceeding the safe and reasonable speed for road and traffic conditions.

Traffic calming strategies can include such features as:

- Speed cushions
- Traffic circles
- Narrowing lanes through striping
- Curb extensions

Phase II uses a public input process, including neighborhood meetings, to establish community consensus on a preferred traffic calming concept plan. A survey is mailed out to quantify community support for the preferred plan. If community support requirements are satisfied, the traffic calming plan is presented to the Traffic Safety & Mobility Commission for its input and recommendation and then to the City Council for project approval. Upon approval by the City Council, the approved traffic calming plan can be implemented.

**Phase III:** If the implemented Phase II solutions do not adequately address the reported issues, residents can request Phase III of the program, which considers further traffic calming strategies such as:

- Center island narrowing
- Raised intersections
- A lateral shift in lanes
- Realigned intersections
- Forced turn channelization
- Median barriers and traffic diverters

Because of the success of the Phase II measures, Phase III has not yet been requested or implemented on any street in the city since the traffic calming program was adopted in 2001.

### Evaluating community concerns

Residents told city staff they were concerned about speeding on Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way. In response to these concerns, staff initiated the traffic

management program’s Phase I process by deploying temporary speed feedback signs on these streets, as shown in Exhibit 3. The temporary speed feedback signs are typically deployed for a two-week period and serve a dual-purpose: to collect speed data when the speed display is off and, when the display is on, to highlight to drivers how fast they are going.

**Areas of concern**



Exhibit 3 is a more detailed map of the locations.

The measured critical speeds for each of these streets are summarized in the table below. The critical speeds measured on Park Drive, Black Rail Road and Carrillo Way meet the minimum 32 mph threshold to be eligible for Phase II of the traffic management program.

Street	Street limits	Critical speed
Park Drive	Monroe Street to Tamarack Avenue	32 mph
Black Rail Road	Poinsettia Lane to the northern terminus	33 mph
Plum Tree Road	Hidden Valley Road to Aviara Parkway	29 mph
Carrillo Way	Rancho Brasado to Rancho Caballo	32 mph

The critical speed for Plum Tree Road was measured at 29 mph, which is below the 32-mph threshold to be eligible for Phase II of the program. However, Plum Tree Road residents strongly desired traffic calming measures to be considered for their street and asked for an exception to allow Plum Tree Road to be included into the program’s Phase II. At its Oct. 3, 2022, meeting, the Traffic & Mobility Commission supported staff’s recommendation and approved Plum Tree Road as an exception into Phase II of the traffic management program, as shown in Exhibit 4.

## Neighborhood meetings

Neighborhood meetings were conducted for each of these streets with residents within each project area to discuss potential traffic calming strategies and to receive feedback from residents on the traffic calming concept plans that staff had developed for consideration., staff further refined the concept plans at each of the neighborhood meetings in collaboration with the meeting attendees. A summary of the neighborhood meetings as well as the preferred traffic calming improvements for each of the four streets are shown below:

Street	Limits	Meeting date	Preferred traffic calming improvements
Park Drive	Monroe Street to Tamarack Avenue	Feb. 16, 2023	Two speed cushions
Black Rail Road	Poinsettia Lane to the northern terminus	March 16, 2023	Three speed cushions
Plum Tree Road	Hidden Valley Road to Aviara Parkway	March 23, 2023	Three speed cushions and curb extensions
Carrillo Way	Rancho Brasado to Rancho Caballo	March 30, 2023	Six speed cushions*

\* The number of speed cushions on Carrillo Way have been reduced to four at the request of the Fire Department, as detailed below.

## Mail survey

After a preferred traffic calming concept plan was identified for each of the four streets, letters were sent to the residents and property owners that would have the proposed features directly in front of their homes. This provided residents and property owners another opportunity to express specific concerns and for staff to adjust the plan, if necessary. Based on the comments received, staff then finalized the preferred traffic calming plans for the four streets.

The Residential Traffic Management Program requires that most residents and property owners within the project area support the preferred plan, as determined by responses to a mailed survey. The survey is considered valid if 50% or more of the residents and non-resident owners return the completed survey. Positive support for the plan is indicated by 67% or more of the returned surveys in support of the preferred plan. The survey results for the four streets met the requirements outlined in the traffic management program, as shown in the following table:

Street	Surveys sent out	Surveys returned	Response rate	Number in support	Support rate	Met support criteria?
Park Drive	36	24	67%	23	96%	Yes
Black Rail Road	35	23	66%	23	100%	Yes
Plum Tree Road	197	120	61%	101	84%	Yes
Carrillo Way	83	42	51%	31	74%	Yes

### Traffic & Mobility Commission recommendation

Staff presented the results of the traffic calming program process for Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way to the Traffic & Mobility Commission on Aug. 7, 2023. After hearing staff's presentation and public comments, the Traffic & Mobility Commission voted 6/0/1, with Commissioner Garcia absent, in support of the traffic calming plans for all four streets, as shown in Exhibit 5.

### Emergency vehicle considerations

Before proceeding with the project, city staff reviewed the latest designs with the city's Fire Department. Speed cushions are designed with gaps, allowing fire engines to straddle the bump without significant slowing. However, because the Fire Department uses Carrillo Way as the main roadway to access the Rancho Carrillo community, the department requested reducing the total number of speed cushions on Carrillo Way from six to four, to minimize any potential delays in response time.

City staff supported the requested change because it provided the best balance between reducing speeding in the neighborhood and allowing emergency vehicles to pass through with minimal delay.

### Fiscal Analysis

Sufficient funding is available in the Traffic Improvement Program, Capital Improvement Program Project No. 6070, to complete the project. The available funds and estimated construction costs are shown in the following table:

<b>Traffic Improvement Program Capital Improvement Program Project No. 6070</b>	
Total appropriation to date	\$3,388,000
Total expenditures and encumbrances to date	-\$2,411,366
<b>Total available balance</b>	<b>\$976,634</b>
<b>Traffic Calming for Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way Capital Improvement Program Project No. 6070</b>	
Construction contract (engineer's estimate)	-\$225,000
Construction contingency (estimated)	-\$33,750
Construction management, inspection and material testing (estimated)	-\$33,750
<b>Total estimated construction costs</b>	<b>-\$292,500</b>
<b>Remaining balance</b>	<b>\$684,134</b>
<b>Additional appropriation needed</b>	<b>\$0</b>

Carlsbad Municipal Code Sections 3.28.040(C)(5) and 3.28.090(B) authorize the City Manager or designee to approve change orders in an amount equal to the contingency set at the time of project award, which for this project is \$33,750.

### Next Steps

Upon the City Council's approval, the City Clerk will advertise a request for bids for the project. Staff will review and evaluate the bids received and will identify the lowest responsive and responsible bidder.

Staff will then return to the City Council with a recommendation to award a construction contract to the identified lowest responsive and responsible bidder, which is expected to be in spring 2024. Construction is expected to begin by summer 2024 and be completed by fall 2024.

### Environmental Evaluation

The City Planner has determined that the project is exempt from the California Environmental Quality Act under CEQA Guidelines Section 15301(c), which covers the repair, maintenance, or minor alteration of existing public structures or facilities involving negligible or no expansion of use. The improvements to these streets involve negligible expansion of the current use.

### Exhibits

1. City Council resolution
2. Carlsbad Residential Traffic Management Program
3. Location map
4. Oct. 3, 2022, Traffic & Mobility Commission Meeting minutes
5. Aug. 7, 2023, Traffic & Mobility Commission Meeting minutes
6. [Project plans, specifications and contract documents](#) (on file at the Office of the City Clerk)



**RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING THE PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR IMPLEMENTING THE TRAFFIC CALMING PLANS FOR PARK DRIVE, BLACK RAIL ROAD, PLUM TREE ROAD AND CARRILLO WAY

WHEREAS, the City Council of the City of Carlsbad, California has determined that the plans, specifications and contract documents for traffic calming on Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way, Capital Improvement Program, or CIP, Project No. 6070, or Project, have been completed to the satisfaction of staff; and

WHEREAS, on May 8, 2001, the City Council adopted Resolution No. 2001-139, approving the Carlsbad Residential Traffic Management Program to provide the policies and guidelines for traffic management on residential public streets; and

WHEREAS, on May 24, 2011, the City Council adopted Resolution No. 2011-115, amending the CRTMP; and

WHEREAS, the Carlsbad Residential Traffic Management Program requires the City Council to hold a “duly noticed public meeting... to receive recommendations of the Traffic Safety Commission for Phase II implementation”; and

WHEREAS, the Traffic Safety Commission was renamed as the Traffic and Mobility Commission in 2019; and

WHEREAS, on Aug. 7, 2023, the Traffic and Mobility Commission recommended approval of the Project; and

WHEREAS, the Traffic and Mobility Commission was renamed as the Traffic Safety and Mobility Commission in 2023; and

WHEREAS, the public input process and mail survey conducted for the Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way satisfied the requirements of the Carlsbad Residential Traffic Management Program; and

WHEREAS, the city contracted with STC Traffic, Inc., a traffic engineering firm, to develop the construction plans, cost estimate and specifications; and

WHEREAS, city engineering staff reviewed the plans, cost estimate and specification developed by STC Traffic and determined that the work met the city’s engineering codes, standards, and policies, and that the proposed work to reduce roadway speed on Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way; and

WHEREAS, there are sufficient Traffic Improvement Program funds available to complete the Project; and

WHEREAS, the City Planner has determined that the project is exempt from the California Environmental Quality Act, or CEQA, under CEQA Guidelines Section 15301(c), which covers the repair, maintenance, or minor alteration of existing public structures or facilities involving negligible or no expansion of use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the plans, specifications and contract documents for traffic calming on Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way, CIP Project No. 6070, are approved and are on file at the City Clerk’s Office.
3. That the City Clerk is authorized and directed to publish in accordance with state law, a Notice to Contractors inviting bids for the construction of the project, in accordance with the plans, specifications and contract documents referred to in this resolution.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the \_\_ day of \_\_\_\_\_, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
KEITH BLACKBURN, Mayor

\_\_\_\_\_  
SHERRY FREISINGER, City Clerk  
(SEAL)

# Carlsbad Residential Traffic Management Program



May 2011

# Carlsbad Residential Traffic Management Program



**May 2011 Revision**

Traffic Division  
Transportation Department

# Acknowledgments

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## May 2011 Program Update

### CITY OF CARLSBAD CITY COUNCIL

Matt Hall – Mayor  
Ann J. Kulchin – Mayor Pro Tem  
Mark Packard  
Keith Blackburn  
Farrah Douglas

### TRAFFIC SAFETY COMMISSION

Gordon P. Cress  
Jack Cumming  
Steve Gallagher  
Guy J. Roney, III  
Jairo Valderrama

### CITY OF CARLSBAD ENGINEERING DEPARTMENT

Skip Hammann – Transportation Director  
John Kim – Traffic Division Manager  
Doug Bilse – Traffic Signal Systems Engineer  
Jim Murray – Associate Engineer

### CITY OF CARLSBAD FIRE DEPARTMENT

Mike Davis – Fire Marshal  
Chris Heiser – Fire Division Chief

### CITY OF CARLSBAD POLICE DEPARTMENT

Lt. Marc Reno – Traffic Supervisor

## May 2001 Program Development

### CITY OF CARLSBAD CITY COUNCIL

Claude A. Lewis – Mayor  
Ann J. Kulchin – Mayor Pro Tem  
Ramona Finnila  
Matt Hall  
Julianne Nygaard

### CARLSBAD RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM COMMITTEE

Courtney Heineman – Chairperson  
Kip McBane – Vice-Chairperson  
Tom Blake  
Howard Heffner  
John Murphey  
Michael Ott  
Jim Stachoviak

### CITY OF CARLSBAD ENGINEERING DEPARTMENT

Lloyd B. Hubbs - Public Works Director  
Robert T. Johnson, Jr. – Deputy City Engineer, Transportation  
Michele Masterson – Management Assistant  
Jim Murray – Associate Engineer  
Jannae DeSiena – Senior Office Specialist

### CITY OF CARLSBAD POLICE DEPARTMENT

Sgt. Kelly Cain – Traffic Supervisor

### MEETING MINUTES

Dianna Scott – Minutes Clerk

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## **EXECUTIVE SUMMARY**

In all areas of Carlsbad, daily commuter traffic or other types of traffic drive on neighborhood streets. Speeding and/or excessive volumes may cause residents to become alarmed about safety and quality of life. When the tranquility and ambiance of the neighborhood is disrupted by drivers speeding or trying to find short-cuts, concerned citizens contact City officials.

This scenario, repeated each day in some areas of the City, alerted the City Council to the need for a comprehensive citywide program to minimize excessive speeds and high volumes in neighborhoods. Similar problems in California and throughout the country have inspired engineering solutions called traffic calming, which is a method of slowing cars and discouraging cut-through traffic. With traffic calming in mind, the City Council elected to use a citizen-based approach to develop such a program, appointing a committee of seven citizens to work with staff in developing solutions for any Carlsbad neighborhoods seriously affected by traffic problems.

The citizen's committee developed a three-phase approach to addressing traffic problems in Carlsbad neighborhoods. After reviewing and evaluating programs from many cities, the committee recommended a program it suitable for Carlsbad and which would achieve the three goals that must be met if traffic calming is to be successful. The first requirement is support of the residents in any neighborhood where such calming is needed. Second, the traffic calming measures must meet with the approval of emergency agencies concerned about response times, as well as the needs of other utilities whose large vehicles could be adversely affected or damaged by the traffic calming measures. Finally, the residents must be willing to live with the actual traffic calming measures designed to slow traffic and cut-through traffic volumes in their neighborhood.

This document represents the first revision to the initial program developed by the Carlsbad Residential Traffic Management Program Committee. The primary reasons for revising the program were to add lower cost traffic management tools such as residential stop signs and speed cushions and to establish benchmark criteria for the funding of future traffic calming projects. The revised program is divided into the following three phases:

Phase I: application of enforcement and education to resolve non-compliance issues.

Phase II: utilizing engineering-based measures to increase compliance with posted speed limits and discourage cut through traffic.

Phase III: development and implementation of a comprehensive plan comprised of traditional traffic calming measures to address traffic issues while enhancing the residential character of the street.

Ultimately leading to improvement in the quality of life of affected neighborhoods, the Carlsbad Residential Traffic Management Program is still another way in which the City provides for the health, safety and welfare of its citizens.

## CARLSBAD RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM

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### INTRODUCTION

Virtually every day, on many residential streets, Carlsbad residents are faced with the potentially dangerous intrusion of speeding vehicles and/or cut-through traffic. Carlsbad streets have experienced escalating traffic impacts due to population and employment growth. As a result, an increasing number of citizens have expressed concerns to City officials, the Police Department and Engineering staff about these traffic problems.

Carlsbad residents are not unique in voicing such concerns. Cities throughout the United States have struggled with the issue of escalating traffic speeds and volumes on residential streets. As a result, citizens have asked that their neighborhood quality of life be improved through a reduction of vehicle speeds and volume. Many desire the simple pleasure of being able to walk or ride bicycles through their neighborhoods without fear of vehicular traffic, a key factor in neighborhood livability.

"Livable" cannot be precisely defined as it relates to community or neighborhood. However, the residents' expectation that fewer vehicles should be speeding down neighborhood streets is an indication of their desire to reside in a livable neighborhood. Characteristics of such a desirable neighborhood include:

- a sense of community
- a safe place to walk or bicycle
- interaction among neighbors
- a general feeling of security and safety
- the opportunity for residents to enjoy their homes and property
- streets that do not penalize drivers traveling at the posted speed limit

"Traffic calming" is a term that has, in recent years, become synonymous with providing the means to slow vehicles, reduce cut-through traffic volumes and help achieve a livable community. Through the use of a variety of measures, physical or otherwise, traffic calming helps reduce the undesirable effects of the motor vehicle in residential neighborhoods.

In response to the concerns of Carlsbad residents, the City Council has established the Carlsbad Residential Traffic Management Program, referred to as the CRTMP, to address neighborhood concerns about unwanted traffic. The Institute of Transportation Engineers (ITE), an international organization of transportation professionals, has defined traffic calming as:

*"The combination of mainly physical measures that reduces the negative effects of motor vehicle use, alters driver behavior and improves conditions for non-motorized street users."*

Carlsbad's Residential Traffic Management Program is designed to have significant neighborhood involvement. Staff plans to work closely with residents to identify problems and their solutions and to gather the support necessary to ensure the success of any traffic calming plan that may merit adoption. Communication with the residents at each step is critical and the urgency of plan development will not



be allowed to override the need for thorough understanding, commitment and approval by the neighborhood.

Since neighborhood involvement is the key, the program is designed to solicit and encourage residents' active participation in identifying concerns, developing reasonable solutions and supporting the final outcome. In the traffic engineering field, the manner in which this occurs is a process that contains the elements of the "4E's":

Education  
Engineering  
Enforcement  
Enhancement

By utilizing the "4E" process, which incorporates a comprehensive, integrated involvement of concerned residents, the challenge of identifying and resolving problems can successfully take place.

The basic elements of the 4E process include:

- Education: Providing resource materials and information to residents to inform them about all aspects of traffic calming.
- Engineering: Physical measures and other techniques utilized in the traffic calming program that are based upon input and concurrence by residents, engineering principles, financial and environmental considerations.
- Enforcement: Police presence and selective enforcement of vehicle code violations.
- Enhancement: Using special treatments in the physical measures through design and/or landscaping features to improve livability, aesthetics, community pride.

This program has been established with and conforms to authority and responsibility given to local authorities by the California Vehicle Code to protect the health and welfare of its citizens. Additionally, it meets one of the goals in the Circulation Element of the General Plan that states Carlsbad is a "City with an integrated transportation network, serving local and regional needs, which accommodates a balance of different travel modes based upon safety, convenience, attractiveness, costs, environmental and social impacts".

It is the policy of the State of California that all persons have an equal right to use public streets and that no agency may restrict the use of streets to only certain individuals. With certain exceptions provided for in the California Vehicle Code, the specific authority to regulate travel upon streets can only occur in specific instances related to:

- implementation of the Circulation Element of the General Plan
- criminal activity
- regulating or prohibiting processions or assemblages
- streets dividing school grounds to protect students attending such schools or school grounds

Requests to implement the CRTMP will ultimately be considered through the process outlined in this program. Careful consideration will be given to each request to ensure that it meets State law and the criteria contained in the program.

## **GOALS**

The City Council established the CRTMP as a countermeasure to intrusion by excessive traffic and/or higher than normal vehicle speeds in the neighborhood and thus, to help improve the quality of life. With a defined traffic management process and established procedures contained in this document, Carlsbad residents will have the measures and techniques ("tools") at their disposal to avert many negative impacts associated with vehicular traffic on residential streets.

The goals of a traffic management program include:

- improving the quality of life in the neighborhood
- creating safe streets by reducing the collision frequency and severity
- reducing negative effects of motorized vehicles
- design of features that encourage self-enforcement

## **PROGRAM STRATEGIES**

The City of Carlsbad strives to achieve neighborhood livability through implementation of current standards and policies. Managing traffic is a key component in this endeavor and one that is vital for promoting characteristics of livable neighborhoods. Therefore, strategies are needed to identify and address issues revolving around speeding, excessive volumes and safety concerns on residential streets when it occurs. These strategies include:

- developing recommendations that adhere to State law
- satisfactorily addressing legal and liability issues
- preserving reasonable emergency vehicle access and response time consistent with response standards
- maintaining reasonable vehicular access
- promoting neighborhood safety for pedestrians, bicyclists, motorists and residents
- encouraging and incorporating citizen participation in identifying traffic calming measures and techniques
- utilizing City resources and funds efficiently and effectively
- utilizing a combination of education, engineering, enforcement and enhancement (4E's)
- maintaining, encouraging and enhancing pedestrian, bicycle, transit and alternative modes of travel
- balancing on-street needs (such as parking) with the reasonable and safe function of the street
- considering achievable options for funding

According to the ITE resource, "Transportation and Land Development, 2<sup>nd</sup> Edition", residential streets should ideally be designed and constructed to a "residential neighborhood scale" to achieve vehicle speeds and traffic volumes consistent with typical neighborhood uses. Residential neighborhood scale is

typically accomplished by restricting roadway length so that a driver slows, stops, or makes a significant turning movement every 300-700 feet. Drivers tend to comply with speed limits in residential neighborhoods when the effective, uninterrupted street length is less than 700 feet.

Complaints related to excessive vehicle speeds often originate on residential streets that have not been designed to this residential neighborhood scale. The CRTMP attempts to resolve these types of speeding issues by installing a series of traffic management measures to reduce the effective street length so that a driver slows, stops, or makes a significant turning movement every 300 to 700 feet. Traffic management measures are recommended to be spaced, on average, at approximately 500 foot intervals. The traffic management strategies included in the CRTMP toolbox are designed to work in concert with one another to limit the effective, uninterrupted length of an existing street to approximately 500 feet, which should result in a reduction in vehicle speeds and render the route less attractive to cut-through traffic.

## **PROCEDURES**

The procedures to implement traffic management measures and techniques are described on the following pages and are referred to as phases. In general, the established procedures are consistent with the methodology currently used in Carlsbad to address any traffic-related concerns. The procedures require, and are designed to encourage, substantial neighborhood participation, following the process used by staff to formulate solutions to problem locations and the methods for proposing those solutions to the Traffic Safety Commission and City Council for final resolution.

Carlsbad's Residential Traffic Management Program has been developed as a three-phase program, consisting of the following structure approach:

- Phase I : Enforcement and Education
- Phase II : Traffic Management
- Phase III : Traffic Calming

The program is designed in such a way that residents of each street with identified problems, and with neighborhood support and commitment, can play a part in the program. The cost, complexity, effectiveness and impact to residents increase with each phase. Phase I features are generally considered simple improvements that can be initiated internally and provided by city staff. Phase II consists of cost-effective traffic management features that may reduce vehicle speeds but may also penalize those who drive at the legal speed limit. Phase III features are the most effective at traffic calming but are expensive and may negatively impact parking.

## **PROGRAM ELIGIBILITY**

Participation in the Carlsbad Residential Traffic Management Program requires the following:

1. The subject street must meet the legal definition of residence district (as defined by the California Vehicle Code) or designated school zone (as defined by the California Manual on Uniform Traffic Control Devices).
2. The subject street must have a curb-to-curb width of 40 feet or less.
3. A letter sent by a resident or residents requesting that staff consider a subject street for inclusion into the CRTMP process.

Any street that does not meet the program eligibility criteria but is nevertheless considered by city staff to be a candidate for traffic calming will be scheduled for review and possible approval by the Traffic Safety Commission. If the Commission's review leads to the conclusion that the street merits an exception, it will be processed through the CRTMP as if program eligibility criteria were met. Any street recommended by the Traffic Safety Commission as not qualifying for an exception may be requested by a citizen to be reviewed by the City Council for a final determination. The exception process may be used for consideration for inclusion into each phase of the program.

## **PHASE I: EDUCATION AND ENFORCEMENT**

When a resident, or group of residents, from a neighborhood has a traffic-related concern that they believe should be addressed by the Carlsbad Residential Traffic Management Program and have sent a letter to the Traffic Division of the Transportation Department, the process will be initiated in the following manner.

### **Step 1 Initiate Traffic Request (TR) Procedure**

Upon receipt of the correspondence and verification that the subject street satisfies program eligibility requirements, staff will initiate a Traffic Request (TR) that includes the information contained in the letter. The TR is an internal logging and tracking system in the Transportation Division used to initiate action and file correspondence. An engineer will be assigned to investigate and conduct an engineering study of the street(s).

### **Step 2 Investigation/Studies**

Staff will gather preliminary data about the expressed concern. Field reviews and appropriate traffic studies will be conducted. They may include:

- geometric conditions of the road
- parking availability/restrictions
- location of existing traffic control devices
- speed surveys
- volume counts
- pedestrian counts
- collision analysis
- other studies as determined appropriate

Phase I strategy will be formulated after the data is collected.

### **Step 3 Coordination with the Police and Fire Departments**

Staff will discuss with the Police Department solutions that can be addressed through enforcement. An enforcement strategy will be prepared and implemented by the officer in charge of the Traffic Division of the Police Department. Concurrently, staff will discuss with the Fire Marshal emergency response route issues and other fire safety issues.

### **Step 4 Issue Work Order**

Implementation of Phase I can be accomplished by city forces. Staff can usually issue work orders for the installation of signs or striping or implementation of speed feedback signs.

### **Step 5 Communication with Residents**

Information on appropriate traffic calming strategies and techniques proposed to address the identified concern is shared with the person or group that initiated the request, including information about the issuance of work orders. Staff also outlines the engineering and enforcement approach that will be utilized to mitigate neighborhood concerns.

**Step 6 Monitor**

Effectiveness of the implemented measures and/or strategies is monitored by Engineering Department staff and, as appropriate, by the Police Department. The resident or group originating the request is then informed of the monitoring results.

## **PHASE II: TRAFFIC MANAGEMENT**

If all applicable Phase I options have been completed and do not appear to adequately address the problem after being in place for an appropriate amount of time as determined by the city staff, Phase II of the CRTMP may be considered.

### **Step 1 Written Request**

Phase II will be initiated when an affected resident that resides on the street where the concern exists sends a letter to the Traffic Division of the Transportation Department requesting Phase II consideration. The letter will be generated by a resident, following discussions with city staff to review what might be accomplished through Phase II of the program.

### **Step 2 Phase II Eligibility Determination**

Not all residential streets and/or residential areas will qualify to participate in Phase II of the Carlsbad Residential Traffic Management Program based upon the established process. Eligibility criteria for Phase II are as follows:

1. Completion of Phase I of the CRTMP; and
2. The 85<sup>th</sup> percentile speed (critical speed) must be 32 miles per hour or greater as determined by a speed survey(s).

Both of the eligibility criteria must be met for a street to be considered for further processing through the CRTMP. However, on a case-by-case basis, city staff may determine exceptions. A street considered as an exception must be approved by the Traffic Safety Commission.

### **Step 3 Determine Project Area of Influence (PAOI)**

The street or streets significantly impacted by neighborhood concerns or potential solutions, including all dwelling units or other land uses bordering the subject street or streets, comprise the Project Area of Influence (PAOI). The PAOI will be established by city staff, with input from the neighborhood representatives. The establishment of the PAOI by staff shall consider the implementation of measures on a roadway system as opposed to singular, isolated installations.

### **Step 4 Phase II Concept Plan**

All residents from the PAOI will be invited to a neighborhood meeting hosted by the city. At the meeting, staff will explain the Phase II process that may lead to installation of the traffic management measures proposed for their neighborhoods. Discussion will include:

- neighborhood concerns
- traffic data gathered
- results from Phase I
- potential Phase II solutions
- advantages/disadvantages of specific Phase II features
- Phase II approval process

A Fire Department representative will be invited to attend the meeting to explain response needs of the emergency service providers and any concerns with potential traffic management on the candidate

street. Also, a Police Department representative will be invited to attend the meeting to respond to questions about enforcement issues.

Staff, using the data collected in Phase I, and working with affected residents, will draft a plan of proposed Phase II measures within the boundaries of the PAOI. Since Phase II measures are limited in application, they may not be appropriate for a given situation. For example, if a subject street does not feature intersections, residential STOP signs would not be appropriate. Staff will work with residents to prepare the Phase II concept plan which will be presented to the neighborhood via mail survey for support.

The concept plan will be presented to the Traffic Safety Coordinating Committee to allow city staff such as Fire Department and Police Department representatives to review and comment.

#### **Step 5 Mail Support Survey for Phase II Concept Plan**

A mail support survey will be conducted by City staff upon completion of the Phase II concept plan developed by staff. The purpose of the survey will be to determine if the neighborhood (as defined by the PAOI) is in favor of the proposed plan.

Residents and non-resident owners within the PAOI are eligible to participate in the mail support survey. Distribution of the support survey will be conducted by the City through the mail. The survey will be considered valid if a minimum of 50% of the residents contacted fill out and return the completed survey. Staff will then analyze the returns to determine if 67% or more of the PAOI community responding supports the Phase II plan.

If the Phase II concept plan includes measures with vertical deflection such as speed cushions or speed tables, support for these measures from residents directly affected will be highly desirable. Staff will work with these residents and will strive to balance the concerns of individual residents with the overall success of the concept plan as a system of interdependent features. Since the success of Phase II will be dependent on the spacing of proposed features, the removal of any measure from the concept plan due to lack of support may have a detrimental effect on the concept as a whole.

If 50% of the surveys are not returned, an outreach program may be initiated by the resident(s). Re-survey will occur after all steps established in the outreach program are completed. A re-survey will be valid if 50% or more of the surveys are returned to staff. If the plan is not approved by 67% or more of the returned surveys, the resident(s) may request that staff develop an alternative plan or abandon their efforts. A revised Phase II plan will be tested by the support survey process in this step. If the revised plan fails to garner support of the residents in the PAOI after the second survey, no further surveys will be conducted by City staff for a minimum of one year.

#### **Step 6 Final Approval by the City Council**

The approved Phase II concept plan will be brought forward to the Traffic Safety Commission for recommendation and to hear public testimony on the matter. A duly noticed public meeting will be held by the City Council to receive the recommendations of the Traffic Safety Commission for Phase II implementation. If Council decides that Phase II is acceptable as presented, it will so indicate by adopting an ordinance authorizing installation of residential STOP signs and/or other proposed measures and authorizing the appropriation of any necessary funds. The Council may consider other



options such as returning to the neighborhood for refinement of the Phase II concept plan or proceeding to Phase III of the CRTMP.

**Step 7 Phase II Implementation**

Implementation of Phase II, in most cases, will be performed by city forces via work orders issued by staff.

**Step 8 Phase II Monitoring**

Phase II measures that have been installed will be monitored for effectiveness during the first year following completion of the installation. Staff will analyze traffic data results, accident history, observed deficiencies and/or impacts of the Phase II measures, comments, and suggestions or complaints received.

If some residents of the neighborhood believe that the impacts and results of Phase II do not meet their expectations, they may request removal of the permanent measures. The request for removal must follow the Traffic Calming Measures Removal Process and be submitted at least one year from date of Phase II installation.

## **PHASE III: TRAFFIC CALMING**

If applicable Phase II options have been evaluated and do not appear to adequately address the problem as described previously, Phase III of the CRTMP may be considered. Phase III of the CRTMP is designed to allow traditional traffic calming measures to be used in areas where Phase II options have not adequately resolved the traffic issues. Due to the potential fiscal impacts of Phase III and probable impacts to parking capacity and limit access to properties, residents will be required to first utilize Phase II measures before requesting to proceed to Phase III. Phase III measures will be limited to locations where re-routed traffic will only impact higher classified roadways. Residents have the option to bypass Phase II only if funding is privately secured and all Phase III criteria are satisfied.

### **Step 1 Written Request**

Phase III will be initiated when the affected residents send a letter to the Traffic Division of the Transportation Department requesting Phase III consideration. The letter will be generated by the residents following discussions with city staff, study of Police Department results of Phase II, and anticipation of what might be accomplished through further utilization of the CRTMP process. The Phase III process will require an evaluation of a qualification criteria as well a neighborhood-initiated support petition.

### **Step 2 Project Scoring and Qualification Criteria**

Candidate streets will be evaluated on the following factors and associated points for the purpose of establishing a project score for funding considerations. Streets with a score exceeding 50 points will be eligible for Phase III.

Criteria and points assigned are as follows:

1. Travel Speed (maximum 40 points):  
6 points for each mile per hour the 85<sup>th</sup> percentile speed is over 32 miles per hour.
2. Traffic Volumes (maximum 30 points):  
Typical weekday ADT divided by 100 and rounded to the nearest whole number or the weekday peak hour volume divided by 10 and rounded to the nearest whole number.
3. Collision History (maximum 15 points):  
Five points will be assigned for each correctable collision on a street, including intersections, within the past five years. A correctable collision is one that might have been prevented by the installation of a traffic control device or traffic calming measure.
4. Sidewalks (maximum 5 points):  
5 points if no sidewalk or pedestrian pathway exists on either side of the street.  
5 points if no sidewalk or pedestrian pathway exists along at least one side of the street.
5. School Proximity (5 points maximum):  
5 points if school grounds abut the candidate street.  
3 points if the PAOI is within 500 feet of school grounds.  
1 point if the PAOI is located within 1,000 feet of school grounds.

6. Pedestrian Crossings (5 points maximum):

5 points if a school crosswalk (yellow crosswalk) is located on a street in the PAOI.

5 points if a major or midblock crosswalk is located on a street in the PAOI. A major crosswalk is defined as having 10 or more pedestrians crossing per hour during any eight hours of a typical weekday.

A maximum total of 100 points may be given for the street under consideration, using the Traffic Management Program Priority Scoring Worksheet. **A minimum score of 51 points is required for the subject street to qualify for Phase III.**

# Carlsbad Residential Traffic Management Program

## Phase III Qualification Criteria

### Scoring Worksheet

This worksheet will be completed by City of Carlsbad staff. It will be used to assign points to a street for Phase III qualification and prioritization of a potential specific neighborhood traffic calming project.

Name of neighborhood (street location): \_\_\_\_\_

	Points
<b>1. Travel Speed (40 pts. max.)</b> For each mile per hour the 85 <sup>th</sup> percentile speed is over 32 miles per hour, 6 points will be assigned. Critical Speed: _____	_____
<b>2. Traffic Volumes (30 pts. max.)</b> Total weekday ADT divided by 100, rounded to nearest whole number or weekday peak hour volume divided by 10, rounded to nearest whole number (use higher number) Volume: _____ Date Counted: _____	_____
<b>3. Collision History (15 pts. max.)</b> Five points for each correctable collision during the past 5 years Number of collisions: _____	_____
<b>4. Sidewalks (5 pts. max.)</b> No sidewalk or pedestrian pathways exists on either side of the street = 5 points No sidewalk or pedestrian pathway exists along at least one side of the street = 5 points	_____
<b>5. School Proximity (5 pts. max.)</b> School grounds abut candidate street = 5 points PAOI is located within 500 feet of school grounds = 3 points PAOI is located within 1,000 feet of school grounds = 1 point	_____
<b>6. Pedestrian Crossings (5 pts. max.)</b> School crosswalk (yellow crosswalk) is located on a street in the PAOI = 5 points Major or midblock crosswalk is located on a street in the PAOI = 5 points	_____
<b>Total Score:</b>	_____

\_\_\_\_\_  
 Evaluator Date

**A MINIMUM SCORE OF 51 POINTS IS REQUIRED TO QUALIFY FOR PHASE III.**

### **Step 3 Neighborhood Support Petition**

If the subject street meets the Phase III Qualification Criteria, concerned residents will need to establish resident support for continuation of the Phase III process. The support petition is initiated by the neighborhood representative and serves as the mechanism to establish that residents' support the City's consideration of a Phase III traffic calming project. Documentation of support for consideration of a future project is indicated by a simple majority (50% plus one signature) of those eligible individuals located within the PAOI that sign the petition. The petition form will be developed by staff but it will be the responsibility of residents to circulate the petition and submit the results.

### **Step 4 Project Funding**

Upon satisfaction of Steps 2 and 3 of the Phase III process, the subject street may be considered for funding as a future project through the Capital Improvement Program (CIP) process. If more than one CRTMP project is submitted in a given fiscal cycle, priority will be established by the Phase III Qualification Criteria scoring. Many different fiscal factors must be considered to establish if and to what level funds will be allocated for projects on the priority list. Staff will recommend a funding level and the City Council will consider and adopt the annual budget before the fiscal year ending on June 30.

As an alternative to the City funding the design and construction of Phase III improvements, residents may choose to collect funds themselves in any manner they choose, including the formation of an assessment district. This private funding must be for 100% of the project cost including design, construction, inspection, administration and contingency costs associated with the project. Private funds must be deposited with the city prior to proceeding to Step 4.

Phase III will not proceed until funding source is identified and funds are secured.

### **Step 5 Kick-off Meeting with the Neighborhood**

All individuals from the PAOI will be invited to a neighborhood kick-off meeting hosted by the City. At the meeting, staff will explain to those in attendance the Phase III process that may lead to installation of the traffic calming measures proposed for their neighborhoods. Discussion will include:

- neighborhood concerns
- traffic data gathered
- results from Phase I and II
- potential solutions
- traffic calming plan development process
- before and after traffic study process

A Fire Department representative will attend the meeting to explain response needs of the emergency service providers and any concerns the Fire Department has with potential traffic calming on the candidate street. Also, a Police Department representative will attend the meeting to respond to questions about enforcement issues.

### **Step 6 Develop the Conceptual Neighborhood Traffic Calming Plan**

By meeting and working closely with the residents, staff will be able to assist in:

- assessing neighborhood needs
- identifying alternatives
- developing initial plans or solutions
- finalizing the comprehensive plan based upon
  - sound engineering principles
  - neighborhood input
  - state-of-the-art traffic calming practices

Throughout design development of the conceptual plan, all residents within the PAOI will be provided updates and will be encouraged to offer input. The residents will be actively involved in all aspects of developing the comprehensive neighborhood traffic calming plan and will be expected to commit the time and effort needed to develop a successful plan. Directly affected residents and property owners will be notified and involved with the development of the conceptual plan.

The length of time needed to develop the conceptual plan is dependent upon the complexity of the issues, the level of neighborhood involvement and support, project cost and the willingness of the residents to aggressively pursue plan development. The series of meetings leading to completion of a final conceptual plan for presentation to the neighborhood could take six months or longer.

#### **Step 7 Mail Support Survey for Final Conceptual Plan**

A mail support survey will be conducted by city staff upon completion of the conceptual plan developed by residents and staff and evidence of a generally favorable consensus on the plan by interested residents. The purpose of the survey will be to determine if the neighborhood (PAOI) is in favor of the proposed plan by a super majority (67% or more).

Residents and non-resident owners within the PAOI will be included in the survey, essentially following the eligibility procedures addressed in Phase II. If necessary, and as determined by city staff based upon the proposed conceptual traffic calming plan, additional properties may be included or excluded by expanding or reducing the boundaries of the PAOI. The revised PAOI will become the new PAOI for purposes of the survey and other communications with residents affected by the proposed traffic calming project.

Distribution of the support survey will be conducted by the City through the mail. The survey will be considered valid if a minimum of 50% of those contacted fill out and return the survey. Staff will then analyze the returns to determine if 67% or more of the PAOI community responding supports proceeding to the final plans, specifications and estimates (PS&E) stage and for the installation of temporary features. Staff will notify by mail all individuals within the PAOI of the survey results and the next steps in the process.

If 50% of the surveys are not returned, an outreach program must be developed by the residents with the assistance of staff. Re-survey will occur after all steps established in the outreach program are completed.

A re-survey will be valid if 50% or more of the surveys are returned to staff. If the plan is not approved by 67% or more of the returned surveys, the residents may choose to develop an alternative plan or abandon their efforts. A revised conceptual plan, after an appropriate outreach program, will be tested by the support survey process in this step. If a conceptual plan fails to garner support of the residents in

the PAOI after the second survey, no further surveys will be conducted by city staff for a minimum of one year.

If neighborhood support for the Phase III traffic calming concept plan is established, staff can proceed to Step 8.

**Step 8 Environmental Review**

Upon confirming the neighborhood support for the Phase III concept plan and funds have been identified, allocated and approved, staff will initiate environmental review of the proposed project through the City of Carlsbad Planning Department. Generally, traffic calming improvements proposed within the existing street right-of-way are found to be exempt from detailed environmental review.

**Step 9 Complete Final Design**

Final design of the traffic calming plan can be started by staff concurrent with processing the environmental document. However, the final plan cannot be completed beyond the 30% stage until environmental certification is received and funding for the project is secured. Depending upon the complexity of the final plan, a consultant may be hired by the city. After completion of the final design, staff will initiate installation of temporary measures to simulate the effect of the proposed permanent traffic calming measures. The Police and Fire Departments will have considerable input during the final design.

**Step 10 Final Approval by the City Council**

The approved Phase III design plan will be brought forward to the Traffic Safety Commission for recommendation and to hear public testimony on the matter. A duly noticed public meeting will be held by the City Council to receive the recommendations of the Traffic Safety Commission for the final traffic calming project and to hear public testimony on the matter. If Council decides the project is acceptable, it will so indicate by adopting a resolution authorizing advertising for construction bids, thus taking the first step toward installation of the project. If, on the other hand, the Council does not support the proposal, staff may be directed to abandon the plan, or to return to the neighborhood for refinement of the plan, or to take no further action.

**Step 11 Project Construction**

Construction of the approved project, in most cases, will be performed by a licensed contractor selected through the city's formal construction bidding process. After a contractor is selected by the city, individuals within the PAOI will be notified of the construction schedule.

**Step 12 Project Monitoring**

Traffic calming projects that have been constructed will be monitored for effectiveness during the first year following completion of the installation and also during the second year after the installation.

If residents of the neighborhood believe that the traffic calming measures, impacts and results do not meet their expectations, they may request removal of the permanent measures. The request for removal must follow the Traffic Calming Measures Removal Process and be submitted at least one year from date of Phase III installation.

## **Traffic Calming Measures Removal Process (Phase II and III)**

Individuals within a neighborhood may determine that one or more traffic calming measures should be removed. If so, a petition favoring removal and signed by 80% of the eligible individuals within the PAOI or expanded PAOI, if applicable, must be sent to staff. Eligibility criteria for signing the petition will be the same as for previously indicated voting procedures (one signature per household or property). A sample petition is provided on the next page for use by the neighborhood contact person to collect signatures.

Staff will review the petition, determine if the 80% threshold is met and notify all residents and non-resident owners within the PAOI of the results. No removal petition will be accepted by staff during the test period when temporary measures are being reviewed.

If the petition has 80% or more valid signatures, it will be submitted to the Traffic Safety Commission for consideration. All individuals within the PAOI will be notified in writing of the meeting and will have the opportunity to address the Commission with their concerns. The Traffic Safety Commission recommendation, whether to deny or sustain the removal petition, will be forwarded to the City Council.

All residents and non-resident owners within the neighborhood PAOI will be notified by mail of the date when the City Council will consider their request for removal of the traffic calming measure(s). Each interested resident will have the opportunity to address the City Council. A final decision will be made by the City Council based upon staff input, Traffic Safety Commission recommendations and citizen comments. As appropriate, staff will initiate action on the City Council's decision. All residents and non-resident owners within the PAOI will be notified of the City Council decision by mail.



**PETITION**

**REQUEST TO REMOVE TRAFFIC CALMING MEASURE(S)  
CARLSBAD RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM**

CONTACT PERSON: \_\_\_\_\_ DATE: \_\_\_\_\_

CONTACT PERSON ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

CONTACT PERSON TELEPHONE: \_\_\_\_\_

The undersigned state they that they are requesting that the City of Carlsbad consider removing the traffic calming measure(s) installed on \_\_\_\_\_ (street name).

The measure or measures to be removed are: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

The undersigned further state they have read the Travel Calming Removal Process section contained in the Carlsbad Residential Traffic Management Program.

<b>Name (please print)</b>	<b>Address (please print)</b>	<b>Telephone</b>	<b>Signature</b>
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***(attach additional sheets as necessary)***

## **PROGRAM UPDATE PROCEDURES**

It is intended that the Carlsbad Residential Traffic Management Program be dynamic and subject to change. Traffic calming measures, techniques and/or methodologies continue to evolve. What was once in favor and popular to implement may have been subsequently found by agencies to be undesirable, unworkable or unacceptable to the neighborhood.

Revisions to the Carlsbad Residential Traffic Management Program (CRTMP) are expected. When revisions are suggested, a formal review and approval process of the revision(s) will be followed.

Steps in the revision/update process are as follows:

### **Step 1 Initiation of Revision**

A change or revision may be initiated by the City Council, staff or a citizen. It is suggested that the requested revision be made in writing, with the reasons for or intent of the revision clearly stated. A compelling reason to initiate the update process or to change the process must be offered to be favorably received.

### **Step 2 Review by Staff**

Suggested revisions will be thoroughly researched and reviewed by staff to determine if they are appropriate for inclusion in the Carlsbad Residential Traffic Management Program. Other City departments will also be consulted and, as necessary, comments from stakeholders will be solicited. Changes to traffic calming measures, procedures or methodologies will only be considered by the Traffic Safety Commission once a year, unless such measures, procedures or methodologies are determined to be illegal.

### **Step 3 Response to Initiator**

Staff will respond in writing to the individual proposing the revisions, commenting on their suitability or requesting additional information as needed. Revisions deemed unacceptable by staff will not be processed further. Revisions recommended by staff for further consideration will be scheduled for discussion at a Traffic Safety Commission meeting. Only those suggested revisions that significantly enhance the overall Carlsbad Residential Traffic Management Program will be considered for acceptance and submitted to the Traffic Safety Commission.

### **Step 4 Review by the Traffic Safety Commission**

All revisions proposed during any 12-month period will be reviewed by the Traffic Safety Commission at the end of such period. The recommendations of the TSC on all such proposed revisions will be forwarded to the City Council. The TSC review meetings will be duly noticed and open to the public for their input on revisions or changes.

**Step 5 Review and Approval by the City Council**

In a public meeting, the City Council will consider the recommendations of the Traffic Safety Commission. Staff may be directed by the Council either to implement the revisions to the program and the supporting documents or to take no action on the requested revision. Noticing procedures for the Council meeting will be the same as for the Traffic Safety Commission meeting and all interested residents will be encouraged to attend the Council meeting to make their opinions known.

Proposed revisions will not interfere with or delay the processing of a neighborhood traffic calming program in progress. A neighborhood that has started development of its traffic calming program will continue the process without change.

## **Measures Not Recommended for Use**

Several traffic management measures were evaluated and determined to be unsuitable for use in Carlsbad. Listed following are measures not recommended for installation on public streets and, therefore, not proposed for consideration as part of a neighborhood traffic calming project.

### Rumble Strip

A rumble strip is an alteration to the paved street surface by various techniques to draw the driver's attention to a roadway condition. This measure is not acceptable in a residential neighborhood due to the noise and vibration created when a vehicle is driven over the rumble strip.

### One-Way Street

A one-way street may encourage increased speeds and may result in additional traffic volumes on a nearby street due to diverted traffic. On a residential street, confusion and wrong-way travel may result as a one-way street is an atypical encounter for drivers when leaving a single-family residence.

### Miscellaneous Non-Standard Devices

Signs and/or striping not recognized by the State of California Department of Transportation (Caltrans) as an official traffic control device shall not be used in the public right-of-way. These signs typically include CHILDREN AT PLAY, SLOW and others. Non-official signs are of the novelty type, many have messages that are misinterpreted by drivers, have no legal meaning and their use can expose the City to tort liability. These types of signs do not command the attention or respect of drivers that are repeat users of the street. Using signs that are not officially approved may give a false sense of security to residents. Additionally, the signs raise expectations that some degree of protection is provided through their use when, in reality, this is not the case.

### Cul-de-Sacs and Road Closures

Streets have been designed and constructed to facilitate multiple points of egress for the residents and multiple ways for an emergency vehicle to respond to an incident. Basic circulation patterns are intended to remain. Streets will not be truncated through the construction of a barrier to cause a road closure or by converting the end of the street into a cul-de-sac through construction of a turnaround.

## **ACRONYMS AND GLOSSARY**

California Vehicle Code	A document published by the Department of Motor Vehicles containing laws relating to the use of streets and the operation of vehicles thereon.
Circulation Element	Comprehensive plan in Carlsbad for the safe and efficient movement of people and goods.
Critical Speed (85 <sup>th</sup> percentile)	The speed at which 85% of the vehicles are traveling at or below.
General Plan	A document required by law that contains the overall goals, objectives and policies for development of the City.
ITE	Institute of Transportation Engineers
Midblock	Any point located between two successive intersections.
NTCC	Neighborhood Traffic Calming Committee
PAOI	Project Area of Influence
PS&E	Plans, specifications and estimates used to construct projects.
Traffic Calming	The combination of mainly physical measures that reduces the negative effects of motor vehicle use, alters driver behavior and improves conditions for non-motorized street users—ITE definition.
CRTMP	Carlsbad Residential Traffic Management Program
Toolbox	Traffic calming measures ("tools") used to reduce vehicle speeds and/or minimize volumes on residential streets.
TR	Traffic Request. Used by transportation staff to log, file and track project requests.
TSC	Traffic Safety Commission
Warrants	Established, objective criteria used to evaluate traffic conditions.

EXHIBIT 1

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RESOLUTION NO. 2011-115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING THE REVISED CARLSBAD RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM THAT ESTABLISHES THE POLICY FOR TRAFFIC CALMING ON RESIDENTIAL STREETS.

WHEREAS, the City of Carlsbad is committed to recognizing the residential character of its residential public streets; and

WHEREAS, the City has responded to concerns regarding traffic issues in neighborhoods; and

WHEREAS, the City has determined that speeding and excessive traffic volumes on residential streets are to be discouraged; and

WHEREAS, through the traffic management process, the City desires to have a logical, consistent, and viable methodology for managing traffic issues in residential neighborhoods; and

WHEREAS, the policies, procedures and methodology for traffic management on residential public streets are specified in the Carlsbad Residential Traffic Management Program, as revised May 2011.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That City Council hereby establishes that the policy, standards and methodology to be considered for managing traffic on residential public streets is set forth in the Carlsbad Residential Traffic Management Program, as revised May 2011, and any subsequent revisions thereof.

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PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council  
of the City of Carlsbad on the 24<sup>th</sup> day of May , 2011, by the following vote to wit:

AYES: Council Members Hall, Kulchin, Blackburn, Douglas, Packard.

NOES: None.

ABSENT: None.

  
MATT HALL, Mayor

ATTEST:

  
LORRAINE M. WOOD, City Clerk  
(SEAL)



## TRAFFIC CALMING TOOLBOX

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Traffic control devices are those official signs and striping placed in the public right-of-way and recognized by the public such as STOP signs, curve warning signs, centerline striping, etc. These devices have been officially approved by the State of California Department of Transportation (Caltrans) pursuant to legislative authority provide for in the California Vehicle Code.

Traffic calming measures, however, have evolved to include features that may not be officially approved through legislative action by the State of California. Commonly referred to as “tools”, the traffic calming measures or features available for use in Carlsbad are available in this program’s “toolbox”.

Each tool listed is unique and has a specific purpose for addressing residential street traffic concerns that require some form of traffic calming. Each tool has its own set of advantages and disadvantages and a range of costs. More than just a structural feature on a street, traffic calming tools also encompass education, enforcement, engineering and enhancement.

The following pages identify tools that have been endorsed and available for use in Carlsbad. They were chosen for:

- Appropriateness to address traffic concerns in Carlsbad.
- Acceptability to stakeholders including the Fire and Police Departments.
- Suitability for use in residential neighborhoods.

Each traffic calming measure is briefly described, application for usage listed, and possible advantages and disadvantages outlined. Estimated costs have been provided when the cost of the measure was able to be determined.





## Phase I Education

### Description:

Conversations, meetings, e-mails, letters and handouts to residents regarding neighborhood traffic and pedestrian safety issues.

### Application:

Traffic education is intended to make residents aware of local residential speed limits and other neighborhood traffic and safety concerns.



### Advantages:

- Allows residents to express views and obtain answers.
- Identifies issues of concern and solutions.

### Disadvantages:

- Effectiveness may be limited.
- Potentially time consuming.
- Limited audience.

### Special Considerations:

- Meetings need to stay focused on specific traffic issues.

### Cost:

- Varies (staff time and published materials).

## Phase I

# Police Presence

### Description:

Police vehicles drive through or stop for a few minutes on residential streets to observe driver behavior.

### Application:

Police presence is used to make a visual showing in residential neighborhoods to help discourage speeding.



### Advantages:

- Shows an enforcement presence.
- May help slow vehicle speeds.

### Disadvantages:

- Presence without enforcement has limited effectiveness.
- Limited police resources.

### Special Considerations:

- Typically only effective when officer is present.
- Used on residential streets with complaints of speeding.

### Cost:

- N/A

## Phase I

# Police Enforcement

### Description:

The Police Department deploys motorcycle or automobile officers to perform targeted enforcement on residential streets.

### Application:

Targeted police enforcement used to make drivers aware of local speed limits and to reduce speeds by issuing citations.



### Advantages:

- Effective, visible enforcement.
- Driver awareness increased.
- Can be used on short notice.
- Can reduce speeds temporarily.

### Disadvantages:

- Temporary measure.
- Requires long-term use to be effective.
- Limited police resources.

### Special Considerations:

- Typically only used on residential streets with documented speeding problems.
- Typically only effective while officer is actually monitoring speeds.
- Benefits are short-term without regular periodic enforcement.
- Expensive.

### Cost:

- N/A

## Phase I

# Speed Feedback Signs

### Description:

A portable device equipped with a radar unit that detects, displays and records the speed of passing vehicles. The sign can be set to display the speed on its screen or show a blank screen for data collection only.

### Application:

May help discourage speeding on neighborhood streets through education (when set on display mode) by showing drivers their current speed.



### Advantages:

- Effective educational tool.
- Good public relations tool.
- Encourages speed compliance.
- Can reduce speeds temporarily.

### Disadvantages:

- Not an enforcement tool.
- Ineffective on multi-lane roadways.
- Less effective on high volume streets.
- Limited Police Department resources to install

### Special Considerations:

- Can be installed on a street light standard where a resident indicates there is a speeding problem.
- Typically only effective in reducing speeds when the sign is present and set on display mode.
- Some motorists may speed up to try to register a high speed (when on display mode).
- Recommend for temporary use only.

### Cost:

- \$5,000 each unit

## Phase I

# Speed Limit Signs

### Description:

25 mile per hour speed limit signs are installed on neighborhood residential streets that meet the legal definition of a RESIDENCE DISTRICT.

**Application:** Speed limit signing encourages slower vehicle speeds along residential streets. Signs are only installed along streets where speeding is a problem.



### Advantages:

- Clearly indicates prima facie speed limit.
- Usually popular with residents.
- Low cost of installation.

### Disadvantages:

- Not effective by themselves.
- May add to sign clutter.
- Increased cost of sign maintenance.

### Special Considerations:

- Typically only installed on streets where speeding is a documented problem.
- Requires police enforcement to be effective.

### Cost:

- \$200 per sign.

## Phase I

# Speed Limit Pavement Legends

### Description:

Painting of speed limit legends on the roadway adjacent to speed limit signs.

### Application:

Speed limit pavement legends increase driver awareness of the speed limit to help reduce speeding.



### Advantages:

- Supplement to speed limit signs.
- May help reduce speeds.
- Usually popular with residents.

### Disadvantages:

- Not effective or legal by themselves.
- Increase in maintenance cost.

### Special Considerations:

- Should only be installed on streets where speeding is a documented problem.

### Cost:

- \$350 per legend.

## Phase I

# Warning Signs

### Description:

Standard warning signs give drivers advanced notice of roadway conditions.

### Application:

Warning signs advise motorists to reduce their speed.



### Advantages:

- Informs motorists of roadway conditions.
- Low cost of installation.

### Disadvantages:

- May add to sign clutter.
- Increased cost of sign maintenance.
- Not a regulatory sign.

### Special Considerations:

- Advisory only, cannot be enforced.

### Cost:

- \$200 per sign.



## Phase I

# Neighborhood Speed Monitoring Program

### Description:

Resident writes down the license plate number of vehicle(s) observed to be speeding noting date, time & location. Information is called in to the Traffic Division of the Police Department. The Police Department sends a letter to the registered vehicle owner informing them their vehicle was observed to be speeding on the stated street on the specified date, time & location. The vehicle owner is informed that residents are very concerned about speeding & are requested to observe the 25 mph residential speed limit.

### Application:

The Neighborhood Speed Monitoring Program helps to discourage speeding through neighborhood & Police Department involvement, awareness & neighborhood peer pressure.



### Advantages:

- Encourages speed compliance.
- Creates neighborhood involvement and awareness.

### Disadvantages:

- Not an enforcement tool.
- Requires Police Department resources to send letters.

### Cost:

- police Department staff time to send out letters.

## Phase II

# Residential STOP Signs

### Description:

Residential stop signs may be considered for installation under special circumstances for speed reduction at intersections on residence district streets.

### Application:

The installation of residential stop signs at intersections reduces the uncontrolled length of a street, which may help to reduce vehicle speeds on the street.



### Advantages:

- May help reduce vehicle speeds within 150-200 feet of intersection.
- Favored by many residents.
- Low cost of installation.

### Disadvantages:

- Non-enforcement may lead to a general non-compliance of stop signs.
- May divert traffic to other streets.
- Emergency response times slightly impacted.
- Increased maintenance costs
- May lead to increased noise/air pollution
- Not as effective as horizontal defluctive measures such as traffic circles.

### Special Considerations:

- To control vehicle speeds, the recommended spacing of this traffic calming measure on a residential street is typically between 300 to 700 feet.
- Requires stop limit line and stop legend to be painted on the street which may lead to sign clutter.
- Requires stop limit line and stop legend to be painted on the street.

### Cost:

- \$2,000 (two approaches) - \$4,000 (four approaches).

## Phase II

# Speed Table

### Description:

Speed tables are constructed 3 to 4 inches above the elevation of the street. They feature ramps on the approaches and a flat top, typically about the length of a passenger car.

### Application:

Speed tables help reduce vehicle speeds at mid-block locations.



### Advantages:

- Reduces vehicle speeds.
- Access not affected.
- Generally results in a gentler ride as compared to speed lumps.

### Disadvantages:

- May increase noise.
- Emergency response times affected.
- Increased maintenance costs.
- Perception of reducing property values.
- May not be as aesthetically pleasing as chicanes.

### Special Considerations:

- Requires special signing and markings which may lead to sign clutter.
- Careful attention required for drainage issues and other design issues.
- Works well in combination with curb extensions and curb radius reductions.
- At existing crosswalk locations, a crosswalk may be painted on the proposed speed table.

### Fire Department and Police Department Evaluation:

Fire Department and Police Department shall have final approval of speed table locations and spacing.

### Cost:

- \$8,000 - \$14,000 each (prefabricated).

## Phase II

# Speed Cushions

### Description:

Prefabricated rubber or field formed asphalt approximately 3 inches in height and 7-12 feet in length installed in a series across a roadway. Transverse cuts across the cushion allow some emergency vehicles to pass without vertical deflection.

### Application:

Reduce vehicle speeds without significantly impacting some emergency vehicle response time.



### Advantages:

- Reduces vehicle speeds.
- May reduce vehicle volumes.

### Disadvantages:

- May increase noise.
- Aesthetics.
- May divert traffic to other streets.
- Perception of reducing property values.
- Increased maintenance costs.
- Some emergency vehicles impacted by slowing response times.

### Special Considerations:

- Requires special signing and markings.
- To control vehicle speeds, the spacing must be carefully evaluated.

### Fire Department and Police Department Evaluation:

Fire Department and Police Department shall have final approval of speed lump locations and spacing.

### Cost:

- \$4,000 - \$6,000 each (prefabricated).

## Phase II

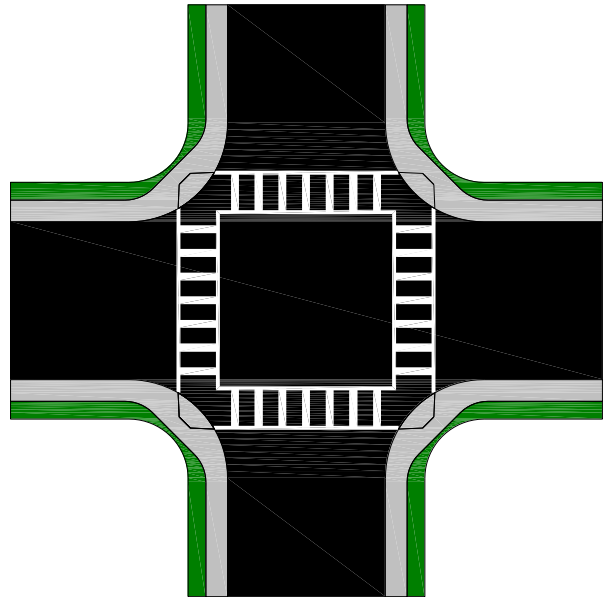
# High Visibility Crosswalks

### Description:

High visibility crosswalks established by painting stripes between the crosswalk's outer boundary stripes.

### Application:

High visibility crosswalks increase crosswalk visibility to drivers.



### Advantages:

- More visible to the driver than traditional crosswalks.

### Disadvantages:

- May give false sense of security to pedestrians.
- Higher maintenance costs.

### Special Considerations:

- Should only be considered at controlled intersections where painted crosswalks already exist.
- Pedestrians may place too high a reliance on its ability to control driver behavior.
- Can be used at high pedestrian volume crossing locations.

### Cost:

- \$1500 to \$7,000 each.

## Phase II

# Narrowing Lanes (Striping)

### Description:

Striping used to narrow traffic lanes. The "extra" pavement width can be used to create or add to bicycle and/or parking lanes. Lane striping can also be used to visually simulate the hardscape features that define the horizontal traffic calming measures found in Phase III.

### Application:

Narrowing lanes with striping used to help slow vehicle speeds. Horizontal measures can be simulated with striping but are not as effective as Phase III traffic calming measures that use hardscape to deflect traffic.

### Advantages:

- Can be quickly implemented in some circumstances.
- May reduce travel speeds.
- May improve safety.



### Disadvantages:

- Not effective as stand-alone measure.
- May lead to loss of parking.
- Increases regular maintenance.
- Some residents may oppose striping on neighborhood streets.
- Increases resurfacing costs.

### Special Considerations:

- Narrowed travel lanes create "friction" to help slow vehicle speeds.
- Can be installed quickly.
- Designated bicycle lanes and/or parking lanes can be created.
- Adds centerline and edgeline striping to neighborhood streets.

### Cost:

- \$0.75 per linear foot.

## Phase II

# Neighborhood Signs

### Description:

Neighborhood signs involve the use of special signs such as "ENTERING A TRAFFIC CALMED NEIGHBORHOOD" to increase motorist awareness.

### Application:

Neighborhood signs help reduce speeding on residential streets.



### Advantages:

- May increase driver awareness.
- May cause drivers to slow down.
- Low cost of installation.

### Disadvantages:

- May have no lasting effect.
- Can create false sense of security.
- Adds to sign clutter.
- Increased cost of sign maintenance.
- Not a standard MUTCD sign.

### Special Considerations:

- Installed at entry points to a neighborhood.

### Cost:

- \$\$200 per sign.

## Phase III

# Turn Restrictions via Signs

### Description:

Standard "No Left Turn", "No Right Turn", or "Do Not Enter" signs used to prevent undesired turning movements onto residential streets.

### Application:

Turn restriction signing used to reduce cut-through traffic on residential streets.



### Advantages:

- Redirects traffic to main streets.
- Reduces cut-through traffic.
- Low cost.

### Disadvantages:

- May divert traffic to other streets.
- Inconvenient to residents.
- Enforcement required.
- Adds to sign clutter.
- Violation rates can be high without enforcement.

### Special Considerations:

- Installed at entry points of a neighborhood to prevent traffic from entering.
- Has little or no effect on speeds for through vehicles.
- With active enforcement, violation rates can be reduced.

### Cost:

- \$200 per sign.



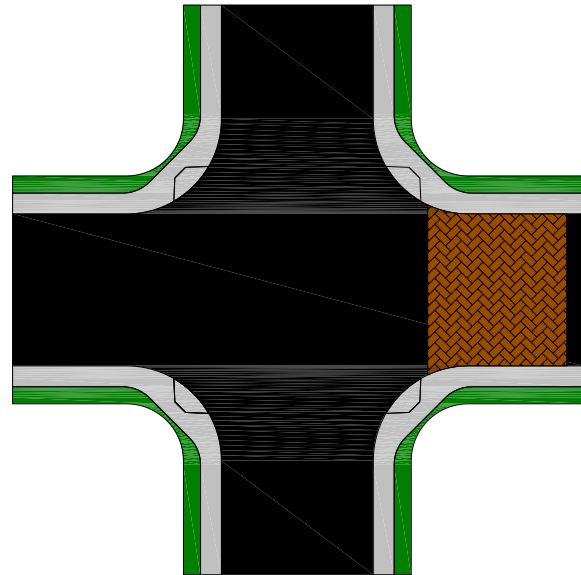
# Textured Pavement

## Description:

Textured pavement is installed in the roadway typically to provide an entry statement to the neighborhood.

## Application:

Used as a visual cue for drivers to slow down.



## Advantages:

- Aesthetic/visual enhancement.
- Provides entry statement to traffic calmed area.

## Disadvantages:

- Increase in maintenance.
- Increase in noise.
- Expensive.

## Special Considerations:

- Textured pavement has minimal influence on drivers routine behavior.
- Overall speeds and volumes are usually only minimally influenced.

## Cost:

- \$10 per square foot.

## Phase III

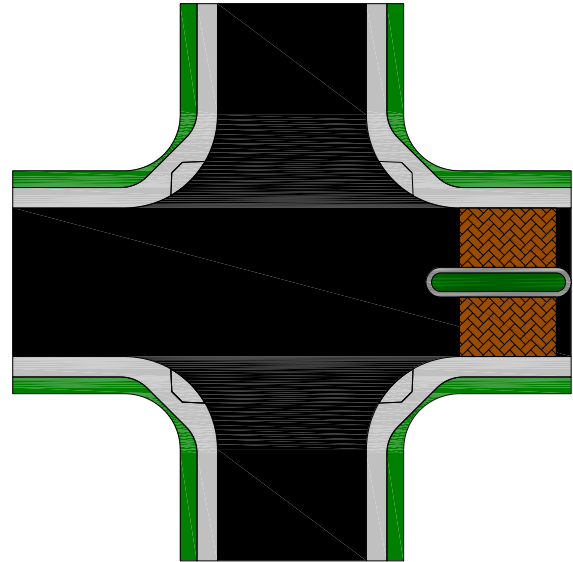
# Entry Treatment

### Description:

Entry treatments consist of raised landscaped median islands and textured pavement features and are located at entries to neighborhoods.

### Application:

Entry treatments help reduce speed. They provide visual cues to drivers they are entering a residential area or that surrounding land uses are changing.



### Advantages:

- May reduce vehicle speeds.
- Creates an identify for the neighborhood.
- May reduce cut-through traffic.
- Opportunity for landscaping.

### Disadvantages:

- Increase in noise.
- May require removal of parking.
- Can impede truck movements.
- Creates physical obstruction.
- Increase in maintenance.

### Special Considerations:

- Entry treatments have minimal influence on drivers routine behavior.
- Overall speeds and volumes are usually only minimally affected.
- Entry treatments make drivers more aware of the neighborhood environment.
- Care should be taken not to restrict pedestrian visibility at adjacent crosswalk.

### Cost:

- \$21,000 to \$35,000 per approach.

## Phase III

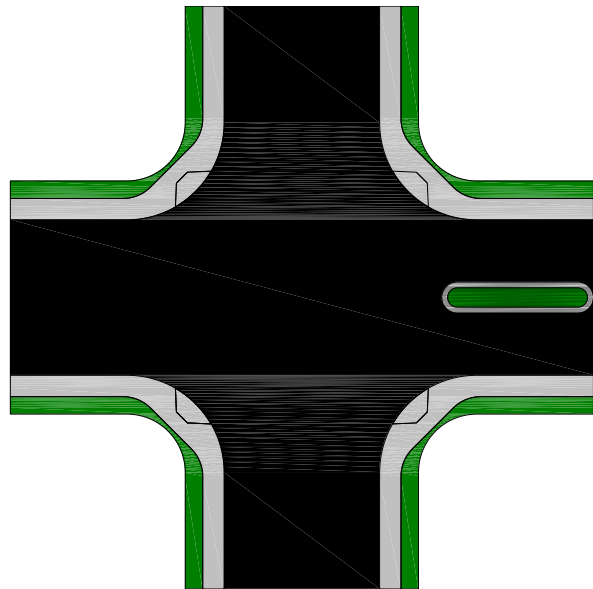
# Center Island Narrowing

### Description:

Center island narrowing is the construction of a raised island in the center of a wide street.

### Application:

Center islands are installed on wide streets to help lower speeds and/or to prohibit left-turning movements. They also provide a mid-point refuge area for pedestrians.



### Advantages:

- Reduces vehicle speeds.
- Can reduce vehicle conflicts.
- Reduces pedestrian crossing width.
- Landscaping opportunity.

### Disadvantages:

- May require parking removal.
- May reduce driveway access.
- May impact emergency vehicles.
- May divert traffic to other streets.

### Special Considerations:

- When used to block side street access, may divert traffic.
- May visually enhance the street with landscaping.
- Bicyclists prefer not to have travel way narrowed.

### Cost:

- \$14,000 to \$28,000 each.

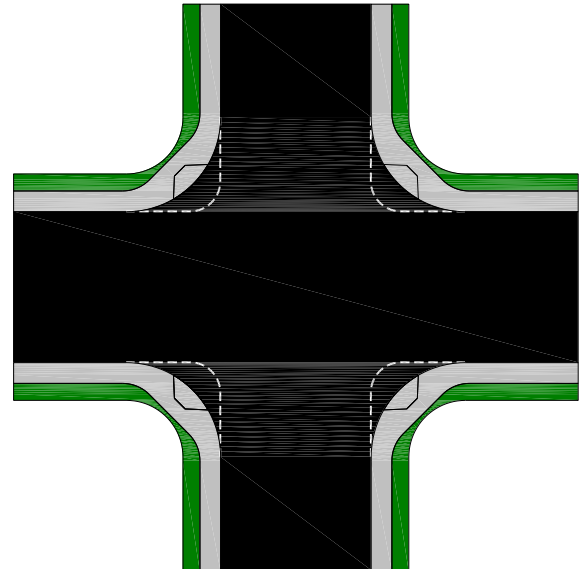
## Curb Radius Reduction

### Description:

Removal of existing larger radius curb returns at an intersection and construction of smaller radius curb returns.

### Application:

Curb radius reductions slow vehicle turning speeds and shorten pedestrian crossing distance.



### Advantages:

- Shorter pedestrian crossing width.
- Slower vehicle turning speeds.
- Opportunity for landscaping.

### Disadvantages:

- Impacts large vehicle turns.

### Special Considerations:

- Careful attention needs to be given to drainage issues and turning radii.

### Cost:

- \$12,000 to \$18,000 (four-leg intersection)

## Phase III

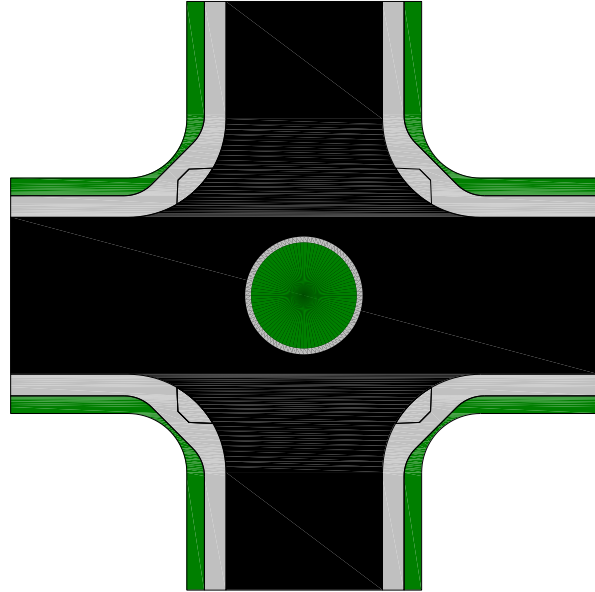
# Traffic Circle

### Description:

Traffic circles are raised circular islands installed in an existing intersection. Traffic circles require drivers to slow down to maneuver around the circle.

### Application:

Traffic circles provide speed control.



### Advantages:

- Effectively reduces vehicle speeds.
- Reduces collision potential.
- Better side-street access.
- Opportunity for landscaping.

### Disadvantages:

- May increase bicycle/automobile conflicts.
- Can increase emergency vehicle response time.
- Can restrict large vehicle access.
- Expensive.
- Some left-turning vehicles must negotiate circle clockwise.

### Special Considerations:

- Traffic circles are best used in a series or with other devices.
- About 30 feet of curbside parking must be prohibited in advance of circle.
- Requires the installation of signs and pavement markings.
- Traffic circles are less effective at T-intersections.

### Fire Department and Police Department Evaluation:

Fire Department and Police Department shall have final approval of traffic circle locations.

### Cost:

- \$20,000 to \$35,000 per intersection.

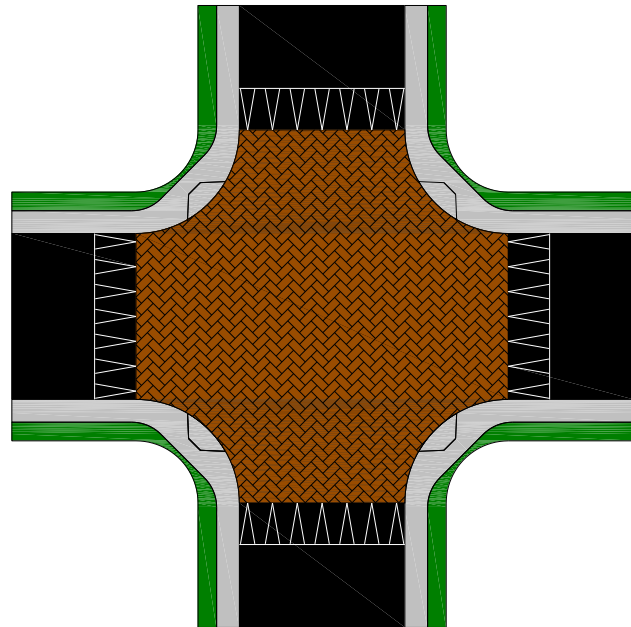
# Raised Intersection

## Description:

A raised intersection is a flat, raised area covering an entire intersection. There are ramps on all approaches. The plateau is generally about 4" high. Typically, the raised intersection is finished with textured pavement.

## Application:

Raised intersections reduce vehicle speeds and provide for safer pedestrian crossings.



## Advantages:

- Effectively reduces vehicle speeds.
- Enhances pedestrian safety.
- Can be aesthetically pleasing.

## Disadvantages:

- Expensive to construct and maintain.
- Requires drainage modifications.
- Affects emergency vehicle response time.
- May require bollards around corners.

## Special Considerations:

- Makes intersections more pedestrian-friendly.
- Special signing is required.

## Fire Department and Police Department Evaluation:

This measure is one of the least acceptable to the Fire Department and the Police Department and its use requires extensive evaluation of the specific location and impacts to emergency response times.

## Cost:

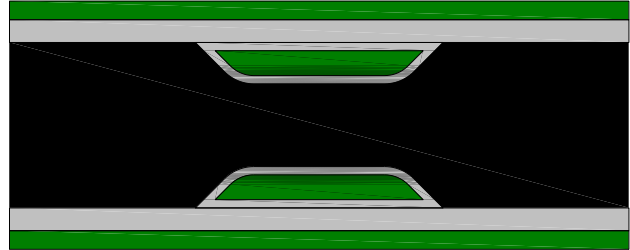
- \$48,000 to \$110,000 per intersection.

## Phase III

# Mid-Block Choker

### Description:

Mid-block chokers are curb extensions that narrow a street by extending the curbs towards the center of the roadway. The remaining street cross-section consists of two narrow lanes.



### Application:

Reduces speeds by narrowing the roadway so two vehicles can pass slowly in opposite directions.

### Advantages:

- Effectively reduces vehicle speeds.
- Shorter pedestrian crossing width.
- Improves sight distance.
- Opportunity for landscaping.

### Disadvantages:

- May require parking removal.
- May create hazard for bicyclists.
- May create drainage issues.
- May impede truck movements.
- May impact driveway access.

### Special Considerations:

- Preferred by many emergency response agencies to other measures.
- Provide excellent opportunities for landscaping.

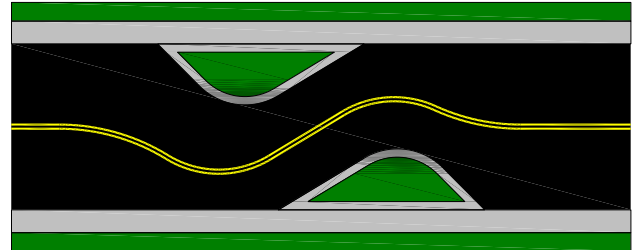
### Cost:

- \$14,000 per location

## Lateral Shift

### Description:

A lateral shift is the construction of curb extensions into the roadway that creates a horizontal deflection drivers must negotiate.



### Application:

A lateral shift helps reduce vehicle speeds.

### Advantages:

- Effectively reduces vehicle speeds.
- Low impact on emergency vehicles.
- Opportunity for landscaping.

### Disadvantages:

- Loss of parking.
- Increased maintenance.
- May impact driveways.
- May be expensive.

### Special Considerations:

- Most effective when traffic volumes are approximately equal in both directions.
- May increase conflicts with pedestrians and bicyclists.

### Cost:

- \$14,000 to \$28,000 per location.

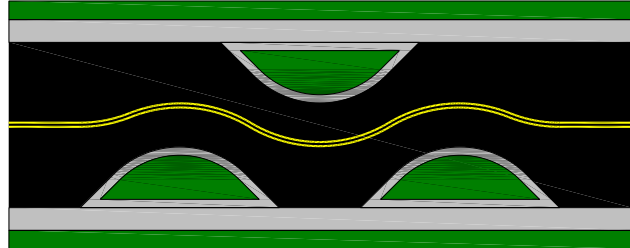


## Phase III

# Chicane

### Description:

A chicane is a series of two or more staggered curb extensions on alternating sides of a roadway. The horizontal deflection causes motorists to reduce speed.



### Application:

Chicanes help reduce vehicle speeds.

### Advantages:

- Effectively reduces vehicle speeds.
- Low impact on emergency vehicles.
- Opportunity for landscaping.

### Disadvantages:

- Loss of parking.
- Increased maintenance.
- May impact driveways.
- May be expensive.

### Special Considerations:

- May require removal of substantial amounts of on-street parking.
- Most effective when traffic volumes are approximately equal in both directions.
- May increase conflicts with pedestrians and bicyclists.
- Provide landscaping opportunities.
- Most residents would have their driveways affected.

### Cost:

- \$40,000 to \$80,000 per location.

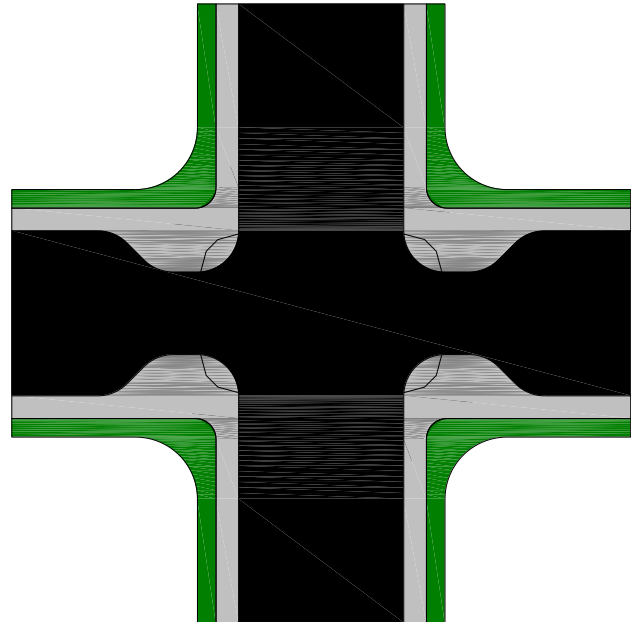
# Intersection Bulb-Out

**Description:**

Intersection bulb-outs narrow the street by extending the curbs toward the center of the roadway.

**Application:**

Used to narrow the roadway and to create shorter pedestrian crossings. They also influence driver behavior by changing the appearance of the street.



**Advantages:**

- Improve pedestrian visibility.
- Shorter pedestrian crossing width.
- May reduce vehicle speeds.
- Opportunity for landscaping.

**Disadvantages:**

- May require parking removal.
- May create hazard for bicyclists.
- May create drainage issues.
- Impacts large vehicle turns.

**Special Considerations:**

- Intersection bulb-outs at transit stops enhance service.
- May require landscape maintenance to preserve sight distances.

**Fire Department Evaluation:**

- Intersection Bulb-Outs shall be restricted to only one of the two intersecting streets.

**Cost:**

- \$14,000 to \$28,000 (four-leg intersection).

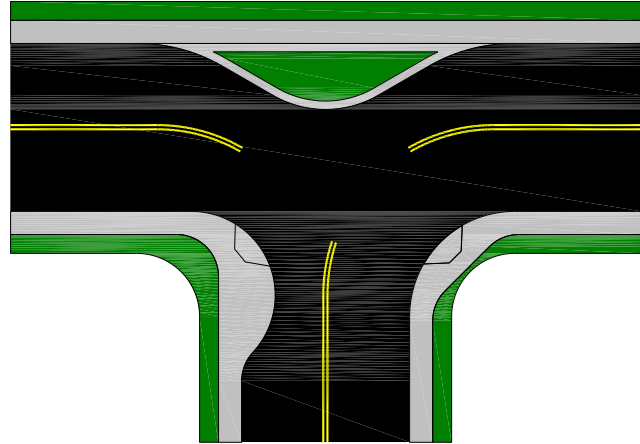
## Realigned Intersection

### Description:

"T" intersections are realigned/modified by constructing horizontal deflection which forces previous straight-through movements to make slower turning movements.

### Application:

Realigned intersections help reduce vehicle speeds.



### Advantages:

- Reduces vehicle speeds.
- No significant impact on emergency and transit service.
- May discourage through traffic.
- Opportunity for landscaping.

### Disadvantages:

- Removal of parking required.
- Increased maintenance.
- May divert traffic to other streets.

### Special Considerations:

- Reduces vehicle speeds near intersection.
- May change STOP sign configuration and affect emergency response times.
- Careful attention needs to be made to drainage issues.

### Cost:

- \$14,000 to \$28,000 each intersection.

## Phase III

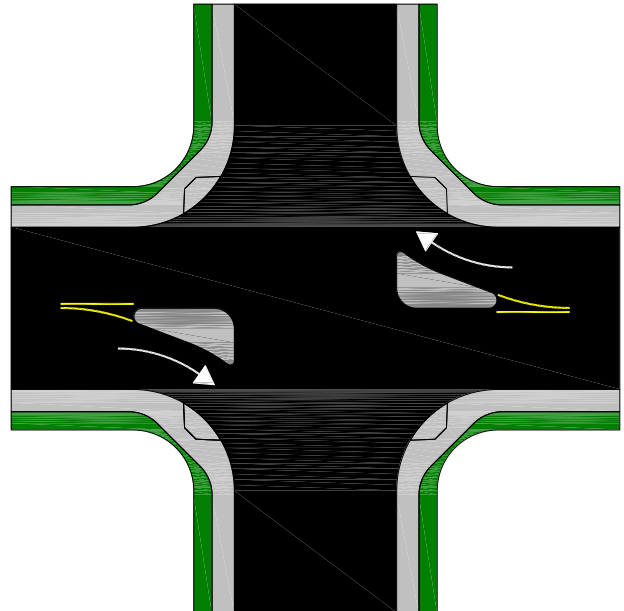
# Forced Turn Channelization

### Description:

Forced turn channelization are raised median islands that restrict specific movements at an intersection.

### Application:

Forced turn channelization reduces traffic volumes/cut-through traffic.



### Advantages:

- Reduces cut-through traffic.
- More self-enforcing than signs.
- Shorter pedestrian crossing distances.

### Disadvantages:

- May divert traffic to other streets.
- Can increase trip lengths.

### Special Considerations:

- Has little or no effect on speeds for through vehicles.
- In emergency situations, emergency vehicles can gain access.
- May increase emergency response times.

### Cost:

- \$7,000 to \$14,000 per approach.

## Phase III

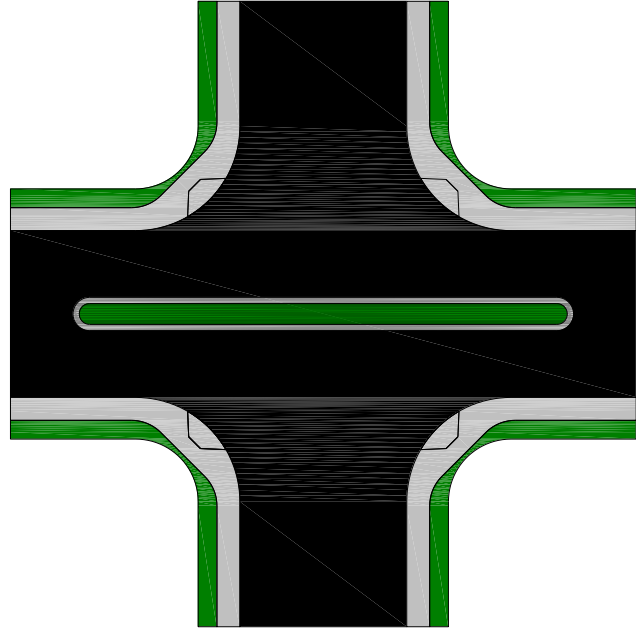
# Median Barrier

### Description:

Median barriers are raised islands constructed through intersections that prevent left turns and side street through movements.

### Application:

Median barriers reduce cut-through traffic.



### Advantages:

- Redirects traffic to other streets.
- Reduces cut-through traffic.
- Provides pedestrian refuge area.
- Opportunity for landscaping.

### Disadvantages:

- Redirects traffic to other streets.
- Increases trip lengths.
- May impact emergency response.
- Creates physical obstruction.

### Special Considerations:

- Should not be used on critical emergency response routes.
- Landscaping needs to be carefully designed to not restrict visibility for motorists, bicyclists and pedestrians.

### Fire Department and Police Department Evaluation:

This measure is one of the least acceptable to the Fire Department and Police Department; its use requires extensive evaluation of the specific location and impacts to emergency response times.

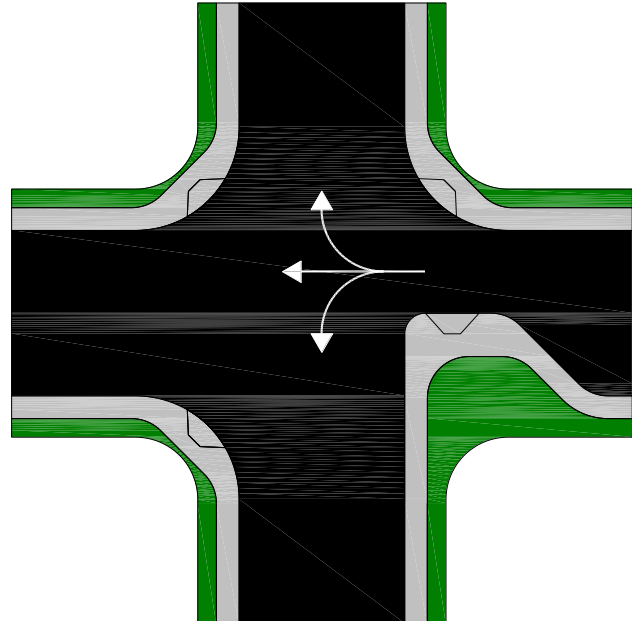
### Cost:

- \$14,000 to \$28,000 each.

# Semi-Diverter

**Description:**

Semi-diverters are curb extensions that restrict movements into a street. They are constructed to approximately the center of the street, obstructing one direction of traffic. A one-way segment is created at the intersection, while two-way traffic is maintained for the rest of the block.



**Application:**

Semi-diverters reduce traffic volume.

**Advantages:**

- Reduces cut-through traffic.
- More self-enforcing than signs.
- Reduces pedestrian crossing widths.
- Opportunity for landscaping.

**Disadvantages:**

- May divert traffic to other streets.
- May increase trip lengths.
- May require the removal of parking.
- Increased maintenance.

**Special Considerations:**

- Restricts access into street while allowing residents access within block.
- Potential use must consider how residents will gain access.
- In emergency situations, emergency vehicles can gain access.
- May increase emergency response times.

**Fire Department and Police Department Evaluation:**

This measure is one of the least acceptable to the Fire Department and Police Department; its use requires extensive evaluation of the specific location and impacts to emergency response times.

**Cost:**

- \$20,000 to \$28,000 each.

## Phase III

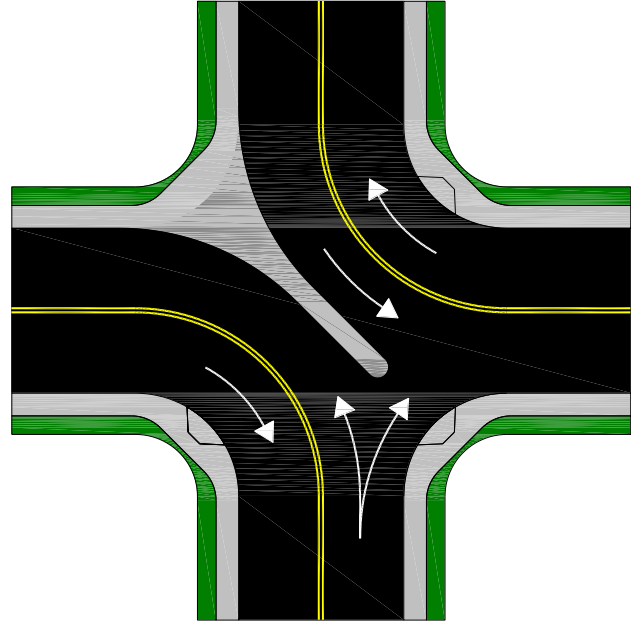
# Partial Diverter

### Description:

Partial diverters are raised areas placed diagonally across a four-legged intersection (3/4 closure). They prohibit through movements by creating two "L" shaped intersections, with one leg having a right turn.

### Application:

Partial diverters help reduce cut-through traffic. They also minimally decrease speeds near the intersection.



### Advantages:

- Reduces cut-through traffic.
- Minimal impact to emergency access.
- Reduces collision potential.
- Opportunity for landscaping.

### Disadvantages:

- Redirects traffic to other streets.
- May increase trip lengths.

### Special Considerations:

- Problem(s) may be shifted to other streets unless a comprehensive area plan is developed.
- Less impact to circulation than a full street closure.
- Can be attractively landscaped.

### Fire Department and Police Department Evaluation:

This measure is one of the least acceptable to the Fire Department and Police Department; its use requires extensive evaluation of the specific location and impacts to emergency response times.

### Cost:

- \$20,000 to \$48,000 each.

## Phase III

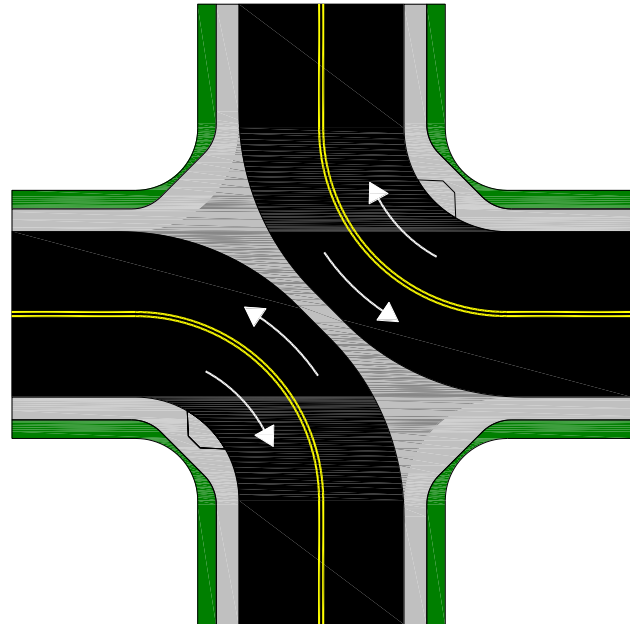
# Diagonal Diverter

### Description:

Diagonal diverters are raised areas placed diagonally across a four-legged intersection. They prohibit through movements by creating two "L" shaped intersections.

### Application:

Diagonal diverters reduce traffic volumes. They also minimally decrease speeds near the intersection.



### Advantages:

- Reduces cut-through traffic.
- Self-enforcing.
- Reduces vehicle conflicts.
- Opportunity for landscaping.

### Disadvantages:

- Increases out of direction travel.
- Increases trip lengths.
- Impedes emergency vehicles.

### Special Considerations:

- Can be designed to allow emergency vehicle access.
- Can be designed to allow pedestrian and bicycle access.
- Problem(s) may be shifted to other streets unless a comprehensive area plan is developed.
- Less impact to circulation than a full street closure.

### Fire Department and Police Department Evaluation:

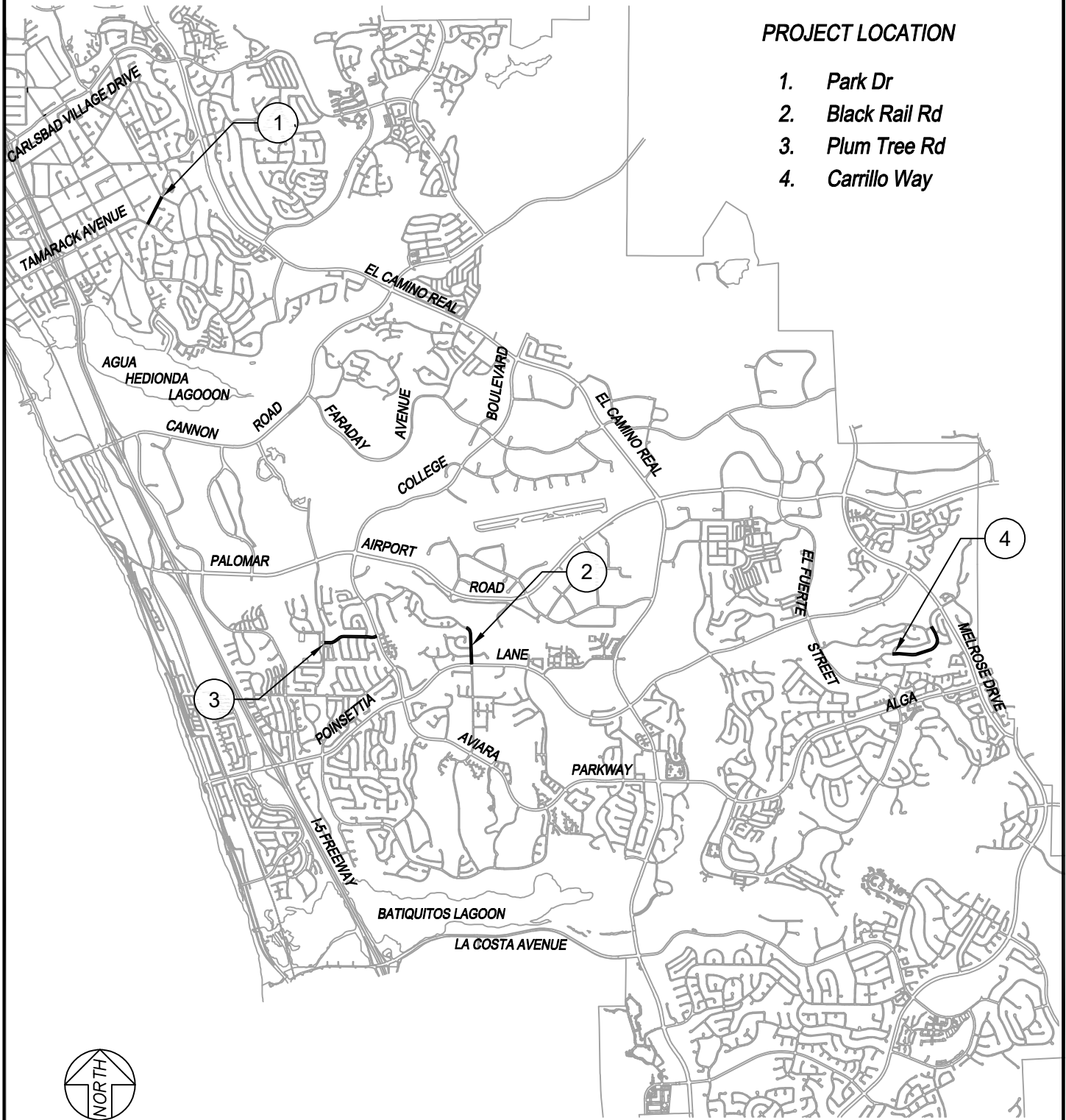
This measure is one of the least acceptable to the Fire Department and Police Department; its use requires extensive evaluation of the specific location and impacts to emergency response times.

### Cost:

- \$25,000 to \$52,000 each.



# LOCATION MAP



## PROJECT LOCATION

- 1. Park Dr
- 2. Black Rail Rd
- 3. Plum Tree Rd
- 4. Carrillo Way



NOT TO SCALE

## TRAFFIC CALMING

*Park Dr, Black Rail Rd, Plum Tree Rd and Carrillo Way*

EXHIBIT

3



## TRAFFIC AND MOBILITY COMMISSION

# Minutes

Council Chambers  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

Oct. 3, 2022, 4:00 p.m.

**CALL TO ORDER:** 4:02 p.m.

**ROLL CALL:** Perez, Linke, Penseyres, Fowler, Coelho and Proulx  
Absent: Newlands

**PLEDGE OF ALLEGIANCE:** Chair Perez led the Pledge of Allegiance

**APPROVAL OF MINUTES:**

Minutes of the Special Meeting held Aug. 18, 2022.

Motion by Vice-Chair Linke, seconded by Commissioner Proulx to approve the minutes of Aug. 18, 2022, meeting as presented. Motion carried, 6/0/0/1 (Absent: Commissioner Newlands)

Minutes of the Regular Meeting held Sept. 6, 2022.

Motion by Vice-Chair Linke, seconded by Commissioner Proulx to approve the minutes of Aug. 18, 2022, meeting as amended. Motion carried, 6/0/0/1 (Absent: Commissioner Newlands)

**PUBLIC COMMENT:**

*Tim Morgan spoke about the intersection of Tamarack Avenue and Valley Street and its Phase II of the Traffic Calming Study. There was a lack of engagement and community involvement, and the HAWK signal is putting our community / neighbors in a dangerous situation.*

*Rod Hafeti spoke about speeding around Snug Harbor. The average speed limit noted during the study was over 40-mph in a 25-mph zone. He asked the Commission to consider traffic calming measures.*

*Brian Connor spoke about being proactive and requiring that the residents park their cars in the garage. Residents continue to leave many vehicles on the street, and this causes safety issues for pedestrians. Other cities enforce this issue and charge a permit fee to park vehicles on the street.*

**CONSENT CALENDAR:**

Motion by Commissioner Vice-Chair Linke, seconded by Commissioner Proulx to approve Consent Item Nos. 1 and 2. Motion carried: 6/0/0/1 (Absent: Newlands)

1. EL CAMINO REAL ROADWAY IMPROVEMENTS FROM SUNNY CREEK ROAD TO JACKSPAR DRIVE, CAPITAL IMPROVEMENT PROGRAM PROJECT NO. 6094 – The Traffic & Mobility Commission supported staff's recommendation to approve the plans and specifications of the intersection improvements at El Camino Real from Sunny Creek Road to Jackspar Drive, Capital Improvement Program, or CIP, Project No. 6094.

Vice-Chair Linke inquired about the exception language on Item 1.

Associate Engineer Miles responded that the exception is the second paragraph background for green paint in the bike lane conflicts. We will be working with traffic to add green paint in the bike lane conflict areas.

2. EL CAMINO REAL ROADWAY IMPROVEMENTS FROM POINSETTIA LANE TO CAMINO VIDA ROBLE, CAPITAL IMPROVEMENT PROJECT NO. 6072 – The Traffic & Mobility Commission supported staff's recommendation to approve the plans and specifications of the intersection improvements at El Camino Real from Poinsettia Lane to Camino Vida Roble, Capital Improvement Program, or CIP, Project No. 6072.

#### **DEPARTMENTAL REPORTS:**

3. POLICE REPORT REGARDING TRAFFIC & MOBILITY-RELATED MATTERS DURING THE MONTH OF SEPTEMBER 2022 – Receive a presentation from a representative of the City of Carlsbad's Police Department that provide an overview of traffic and mobility-related police matters during the month of August 2022. (Staff Contact: Acting Sergeant George Zavala, Police Department)

**Staff's Recommendation:** Receive a presentation

Acting Sergeant Zavala presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk)

Commissioner Coelho asked how the Police Department collect the community concerns and how do they aggregate them so that they make the list shown in the presentation.

Acting Sergeant Zavala responded that they receive emails and phone calls from the community with the mentioned concerns.

Vice-Chair Linke inquired about the multiple bicycle fatalities that happened in the month of August and if the police department could share the information.

Acting Sergeant Zavala replied that one of the bicycle fatalities was caused by reckless driving. The investigations on both fatalities are still ongoing and have potential criminal processing and filing.

4. APPROVE PLUM TREE ROAD AS AN EXCEPTION INTO PHASE II OF THE CARLSBAD RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM AND ALL-WAY STOP ANALYSIS AT THREE INTERSECTIONS –
  - 1) Approve Plum Tree Road as an exception to the Phase II of the Carlsbad Residential Traffic Management program.
  - 2) Support staff's recommendation to not install all-way stop on Plum Tree Road at Red Knot Street, Robinea Drive and Windflower Drive. (Staff Contact: Lindy Pham and Miriam Jim, Public Works)

**Staff's Recommendation:** Receive a presentation

Associate Engineer Pham and Senior Engineer Jim presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk)

Commissioner Coelho asked staff to elaborate on what it means to be in the Carlsbad Residential Traffic Management Program. What is the path we are on if we know that we are not installing all-way stops?

Associate Engineer Pham responded that the process is the following: during the neighborhood meetings, staff will present traffic calming strategies and other options that residents can consider such as speed cushions or a traffic circle. Staff will receive comments and then go back and finalize the conceptual plan and send out a survey to all the residents in the project area. The results of the survey will determine whether we move forward with the project or not.

Commissioner Proulx clarified that staff will go back and review other options for the area, and she inquired what is currently staff recommendation.

Associate Engineer Pham responded that staff is recommending that the commission grants approval of the exception into phase two of the Carlsbad Traffic Management Program. The critical speed is below the 32-mph threshold, so they are not currently eligible for any traffic calming measures.

Commissioner Fowler asked if speed cushions are the only option left.

Associate Engineer Pham said that speed cushions would be the most effective option in this area.

Vice-Chair Linke said that he supports the recommendation to approve the exception and added that speed cushions are self-enforcing, and this approach should be used on all of the residential streets that have speeding issues.

Chair Perez inquired about what speed cushion is compared to a speed bump.

Associate Engineer Pham responded that speed bumps are often found in commercial parking areas as they are narrower and more abrupt. Speed cushions are more gradual. They are about 12 feet wide and span the length of the roadway bed.

Commissioner Coelho commented that this is an opportunity to look beyond Plum Tree Road to get the change that we want at Poinsettia Park to enhance the conditions. Maybe add alternate entrances to the park, or striping on Paseo Del Norte.

Commissioner Penseyres commented that when we use the critical speed of 32-mph this still means that 15 percent of the people are driving faster than that. If residents are asking for solutions, then we need to look way beyond the 32-mph threshold. Speeding is the most common cause of serious injuries and fatalities on these residential streets.

Commissioner Proulx inquired about the distance between the two stop signs on Plum Tree Road.

Associate Engineer Pham responded that there is an intersection between the two stop signs and we don't have the distance noted in the presentation. Residents have complained that vehicles do not always stop at these stop signs. We will work with the residents to find a solution once they are accepted into the CRTMP.

Motion by Commissioner Coelho, seconded by Commissioner Proulx to approve staff recommendations for items 1 and 2. Motion carried: 6/0/0/1 (Absent: Newlands)

5. PRESENTATION ABOUT COMPLETE STREETS IN CARLSBAD AND ACTIONS TAKEN SINCE THE AUG. 23, 2022, PROCLAMATION OF A LOCAL TRAFFIC SAFETY EMERGENCY - Receive a presentation about complete streets in Carlsbad and actions taken since the Aug. 23, 2022, proclamation of a local traffic safety emergency. (Staff Contact: Tom Frank, Public Works)

**Staff's Recommendation:** Receive a presentation

Transportation Director Frank presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk)

Chair Perez asked staff to go over the process of what will happen at the meeting being held on Oct. 27, 2022.

Transportation Director Frank said that the meeting on Oct. 27, will be a commissioners meeting. There are 44 options on attachment A for consideration. We will be looking for your recommendations for City Council.

Chair Perez inquired if they ask questions about the 44 options presented.

Transportation Director Frank says that yes, the commission can ask questions on the options.

Commissioner Coelho asked how this will overlay with City Council's meetings and their timeline?

Transportation Director Frank responded that City Council directed staff to get the public input as well as the Planning Commission and the Traffic & Mobility Commission. On Nov. 8, 2022, staff will present the recommendations received from the Planning Commission, the Traffic & Mobility Commission and from the public to the City Council.

Commissioner Coelho asked if the intent is to review all 44 items and provide a recommendation or to provide a recommendation on all 44 items?

Transportation Director Frank responded that it is to review the options and provide recommendations to the City Council.

Commissioner Proulx asked about education, engineering and enforcement, the three E's. Assuming that relates to the comments which show changing laws, controlling speed and more enforcement. It looks like change laws is not part of the three E's. Did this come out of the community input?

Transportation Director Frank said that was part of the communications input effort which was used to tailor the approach for the three E's.

Commissioner Proulx asked how staff will accommodate the change laws suggestion.

Transportation Director Frank said that will be covered under the enforcement efforts.

Commissioner Penseyres inquired about Assembly Bill 43 if it is already in effect.

Transportation Director Frank said that he does not have this information about Assembly Bill 43 which provides cities more flexibility to set their speed limits on their residential roadways. Cities would not have to comply with the 85-percentile rule. We are reviewing what a work plan would look like to review the speed limits throughout the city.

Commissioner Penseyres inquired if staff are monitoring driver behavior before and after to see how they are responding to the green paint?

Transportation Director Frank said that he does not believe staff have gone out to do an evaluation of traffic operations since we have put down the recent green markings. It is something that we will be looking at in the future.

Commissioner Penseyres said that one of the projects was to consider rumble strips. The rumble strips would be installed where there are buffered bike lanes. The rumble strips would be on the inner stripe of the buffer. Is that correct? How did you decide to make it the inner stripe versus the outer stripe?

Transportation Director Frank said this is correct and would be for higher speed roadways. It is something that could be considered and would be brought in front of the public for discussion. We would reach out to the bicycle clubs for input as well. The rumble strip would be inside of the outer bike lane stripe. It is the bike lane stripe on the inside closest to the vehicle. The intent is to notify the driver if they are weaving over the initial bike lane line. It also provides more room for the bicyclists to ride side by side if they choose to.

Vice-Chair Linke asked about whether the staff plans to present any aspect of this plan to City Council again before the meeting on Nov. 8, 2022.

Transportation Director Frank said that staff is required as part of the emergency proclamation to go back to City Council every 60 days. They will be going back to City Council on Oct 18, 2022, and he is sure there will be some mention of the actions taken as part of the Safer Streets Together Program. City Council has already acted on Option A which is moving forward. City Council will be considering options in addition to Option A on Nov. 8, 2022.

Vice-Chair Linke asked about one of the aspects of Option A which is vision zero commitment. Can staff present to us what that commitment actually entails at the next meeting. As an example, on the vision zero website it says the absolute core strategy focuses in on speeds. The goal is for all non-arterial streets to have a speed limit of 20-mph. On arterial streets the absolute limit should be 30 to 35-mph. It is a step too far to say that all arterial streets should have a speed limit of 30 to 35-mph. In the absence of making that the speed limit on arterial streets it is to have protected bike lanes with physical barriers and automated speed enforcement. What is the goal for our arterial streets as far as the speed limit, the installation of protected bike lanes and the installation of the automated speed enforcement?

Deputy City Manager Gomez responded that at the City Council meeting they discussed Vision Zero. The intent is for staff to return with a draft resolution supporting the Vision Zero concept and then City Council will task and direct staff to come back with an action plan on how we are going to move forward. It is in concept at this point and there won't be any additional information by the Oct. 27, meeting. City Council

has indicated that they want staff to move forward with Vision Zero and staff will look at that and will be asking for assistance on developing the plan.

Vice-Chair Linke asked if the Traffic and Mobility Commission will have a chance to review the resolution on Oct 27, special meeting before it goes before City Council.

Transportation Director Frank responded that there is no time schedule given for staff to return to address the Vision Zero resolution. The local agency gets to tailor their own Vision Zero program and therefore changing speed limits on Palomar Airport Road and El Camino Real down to 35-mph would be a serious consideration. He does not see the community getting behind that change. Staff will look at what makes sense for City of Carlsbad.

Deputy City Manager Gomez said that on the special meeting on Oct. 27, the Traffic and Mobility Commission will have the ability to weigh in on what they would like to see for the City of Carlsbad.

Commissioner Coelho asked if each segment of road will be evaluated individually for Vision Zero and hopes that we are not just going to blanket the entire city with one speed limit.

Commissioner Proulx said that she also viewed the website and understands that Vision Zero are strategies that we can implement within the city and not specific ideas that we have to implement. We can do what works within our community. Are we looking to hire a consultant to write this plan?

Vice-Chair Linke asked if Option C could be considered without the \$44 Million school bussing program? In his opinion, speed cushions and access plans would be more effective than crosswalks.

Deputy City Manager Gomez said the questions should be deferred until the special meeting.

#### **CITY TRAFFIC ENGINEER COMMENTS:**

Transportation Planning and Mobility Manager Schmidt said last week he sent out an email outlining the process for the Commissioners to agendaize an item. There are three opportunities for bike training this month. On Oct. 4, there is a Smart Cycling Class being held virtually from 6:00 pm – 9:00 pm.

You can register through the San Diego County Bike Coalition.

On Oct 15, there is Smart City Cycling and that is in the city of Encinitas. This is an abbreviated course from 9:00 a.m. to 12:00 pm.

On Oct 18, there is a bicycle friendly driver course virtually from 12:00 pm – 1:00 pm.

On Oct 25, is the Annual Boards and Commissioners Event and he encourages everyone to attend to celebrate their hard work.

#### **TRAFFIC AND MOBILITY COMMISSION COMMENTS:**

Commissioner Penseyres said they had a Smart Cycling class for the City of Carlsbad Police Department this past week. The intent is for these police officers to go on and take a league certified seminar so they can become instructors and teach others.

Vice-Chair Linke brought up the public comment on Valley Street and Tamarack Avenue and inquired if staff has an update. There was a promise that staff would evaluate how it is working. Are there any

metrics that will be used to evaluate how well it is working?

Transportation Director Frank said that staff has committed to a three-phase approach to addressing traffic concerns at the intersection of Tamarack Avenue and Valley Street. You heard about Phase A which we are moving forward with. We have a public meeting scheduled for next week to assess the speeding between Skyline Drive and Adams Street. The second phase is addressing the traffic signal and intersection improvements that are nearly complete. What staff committed to was returning to the Traffic and Mobility Commission within six months of completion of those improvements. We will be analyzing what will be included in that study which will be both quantitative and qualitative. We will review what operations have taken place. The third phase is what we consider our transformative project on Tamarack Avenue and that is following our Sustainable Mobility Plan. That is not going to be worked on until the next fiscal year due to staff's workload. There will be plenty of public outreach opportunities. We have been addressing some construction related issues tied to the improvements and are working with our existing contractor and staff to alleviate some of these concerns.

Vice-Chair Linke brought up the other public comment about speeding in Snug Harbor. Is there an update on this issue?

Transportation Director Frank said staff will follow-up on that.

Vice-Chair Linke inquired if there is an update on the Multi-Modal Level of Service since the last meeting of the Ad-Hoc Committee meeting on Aug. 3, 2022.

Transportation Planning and Mobility Manager Schmidt replied that the consultant is updating the tool and performing the field work analysis. Once completed they will have another ad-hoc committee meeting to present the results and consequently bring to the Traffic and Mobility Commission.

Commissioner Penseyres asked to see the results in advance to have time to look at what is being done and provide feedback. He said something good to come out of the City Council meeting last week is that they want to give the Traffic and Mobility Commission about a month to review all the documents. Do we know how soon before the meeting that we will have the information in front of us?

Transportation Planning and Mobility Manager Schmidt said that he can commit to provide the ad-hoc Committee a sufficient amount of time to review the results.

Vice-Chair Linke wants to remind everyone about the Communication Plan. It says when City Staff plans to bring forward an item related to the Work Plan for action to the Planning Commission or the City Council, staff will seek an advisory recommendation from the Commission beforehand. He says the plan they were presented today falls under the Traffic and Mobility Commissions duties and we should be reviewing it and in contact with some of the City Council members. Staff then decided to bring it to the Traffic and Mobility Commission as an information only item but not for feedback. The City Council has since voted to have us review it. He is frustrated as when he first joined the Traffic and Mobility Commission three years ago they were being bypassed on the most significant issues. He feels we are reverting back to that and that there are a lot of issues that we have been bypassed on. Staff has gone directly to City Council with items that are on our Work Plan. We need to get back to the point where our Commission is reviewing these items.



Chair Perez commented on the pedestrian bridge between Cannon Road and El Camino Real that is operational, and it is beautiful. Lastly, schools are working on sustainability. For Hope Elementary, is there something we can do about idle parking? Is there something we can do to bring attention to this issue? Can we provide information on this or on greenhouse gas?

Transportation Director Frank said that staff are working with Hope Elementary to develop their safe routes to school and access plan. Please let us know of any specific people you are talking with that we can reach out to about the idle parking.

**ADJOURNMENT:**

Chair Perez adjourned the Traffic & Mobility Commission Special Meeting on Oct. 3, 2022, at 6:30 p.m.



**Eliane Paiva, Minutes Clerk**



## TRAFFIC AND MOBILITY COMMISSION

# Minutes

Council Chambers  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

Aug. 7, 2023, 4 p.m.

**CALL TO ORDER:** 4:02 p.m.

**ROLL CALL:** Coelho, Fowler, Penseyres, Proulx, Newlands, and Kohl.  
Garcia – Absent.

**PLEDGE OF ALLEGIANCE:** Chair Coelho led the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

Minutes of the Regular Meeting held on June 5, 2023

Motion by Commissioner Newlands, seconded by Commissioner Kohl to approve the minutes of the Regular Meeting held on June 5, 2023, as presented. Motion carried, 6/0/1 (Garcia – Absent).

**PUBLIC COMMENT:**

*Sonja Pratt spoke about the dangers of the intersection at Chestnut Avenue and Adams Street due to lack of visibility and she shared concerns about speeding on Chestnut Avenue.*

*Scott Carcella spoke about the dangerous driving on Chestnut Avenue and he suggested adding stop signs, roundabouts, or speedbumps to improve the road.*

*Jeff Pratt spoke about his concerns regarding speeding and dangerous driving on Chestnut Avenue.*

**CONSENT CALENDAR:**

Motion by Vice-Chair Fowler, seconded by Commissioner Kohl to approve Consent Item No. 1. Motion carried, 6/0/1 (Garcia – Absent).

1. **TRAFFIC CALMING PLANS FOR VICTORIA STREET, HIGHLAND DRIVE, MONROE STREET, NUEVA CASTILLA WAY, CIRCULO SEQUOIA AND CELINDA DRIVE** – Support staff recommendations to the City Council to approve the plans and specifications for the Traffic Calming Plans for Victoria Street, Highland Drive, Monroe Street, Nueva Castilla Way, Circulo Sequoia and Celinda Drive, Capital Improvement Program Project No. 6070. (Staff Contact: Lindy Pham and Miriam Jim, Public Works Department).

*Scott Engle spoke in favor of the traffic calming plans on Victoria Street and Highland Drive but questioned the number of features. He recommended traffic observations to be performed after implementation of measures to see their effectiveness.*

**DEPARTMENTAL REPORTS:**

2. POLICE REPORT REGARDING TRAFFIC & MOBILITY-RELATED MATTERS DURING THE MONTHS OF MAY AND JUNE 2023, INCLUDING NOTABLE NEWS FOR THE MONTH OF JULY – Receive a presentation from a representative of the City of Carlsbad’s Police Department that will provide an overview of traffic and mobility-related police matters during the months of May and June 2023, including notable news for the month of July. (Staff Contact: Alonso DeVelasco, Police Department).

**Staff’s Recommendation:** Receive the presentation.

Lieutenant Alonso DeVelasco presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

The Commission received the PowerPoint presentation by Lieutenant DeVelasco.

In response to Commissioner Kohl’s inquiry about the possibility of placing motor units on the intersection of Chestnut Avenue and Adams Street a couple times a week for strict enforcement, Lieutenant DeVelasco explained that it is possible to request that officers be placed there to increase enforcement. He further explained that since the school year is approaching, enforcement around the schools is going to increase.

Chair Coelho requested that the Commission receive periodic updates on traffic speedbumps such as those placed on Tamarack Avenue.

3. TRAFFIC CALMING PLANS FOR PARK DRIVE, BLACK RAIL ROAD, PLUM TREE ROAD, CARRILLO WAY AND CARLSBAD RESIDENTIONAL TRAFFIC MANAGEMENT PROGRAM EXCEPTION FOR HUMMINGBIRD ROAD – 1) Receive the presentation based on the findings contained in this report and the Carlsbad Residential Traffic Management Program; and  
2) Support staff’s recommendation for the proposed traffic calming plans on Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way; and  
3) Support staff’s recommendation to approve Hummingbird Road from Batiquitos Drive to Rock Dove Street as an exception into Phase II of the Carlsbad Residential Traffic Management Program. (Staff Contact: Lindy Pham and Miriam Jim, Public Works Department).

**Staff’s Recommendation:** Receive the presentation and support staff’s recommendations.

Associate Engineer Lindy Pham and Senior Engineer Miriam Jim presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

The Commission received the the PowerPoint presentation by Associate Engineer Pham and Senior Engineer Jim.

*Nichola Riggle spoke in favor of the traffic calming plans.*

In response to Vice-Chair Fowler’s inquiry about the term “cost effective” traffic calming, Senior Engineer Jim explained that it is used to distinguish between Phase II and Phase III when

they implement traffic calming measures. She further added that Phase II starts with cost effective solutions, such as speed bumps, features that can be implemented relatively quickly and Phase III involves more complex solutions such as realigning intersections and turn restrictions.

Motion by Commissioner Kohl, seconded by Commissioner Proulx to support staff's recommendation for the proposed traffic calming plans on Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way and to approve Hummingbird Road from Batiquitos Drive to Rock Dove Street as an exception into Phase II of the Carlsbad Residential Traffic Management Program. Motion carried, 6/0/1 (Garcia – Absent).

4. REVISE SPEED LIMIT ON SOUTHBOUND CARLSBAD BOULEVARD BETWEEN 1,400 FEET SOUTH OF MANZANO DRIVE AND ISLAND WAY – Support staff's recommendation to the City Council to revise speed limit on southbound Carlsbad Boulevard between 1,400 feet south of Manzano Drive and Island Way from 50 mph to 45 mph. (Staff Contact: Miriam Jim and John Kim, Public Works Department).

**Staff's Recommendation:** Support staff's recommendation.

Senior Engineer Miriam Jim and City Traffic Engineer John Kim presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

The Commission received the PowerPoint presentation by Senior Engineer Jim and Traffic Engineer Kim.

In response to Commissioner Kohl's inquiry about lowering the speed limit further to 40 mph, City Traffic Engineer Kim explained that Assembly Bill 43 enacted changes in the California Manual on Uniform Traffic Control Devices that allows local agencies more flexibility in lowering speed limits. He further added that towards early next year staff should have recommendations regarding the possibility of lowering speed limits based on AB43.

In response to Commissioner Kohl's inquiry about performing another traffic study, if the 45-mph speed limit were implemented, to see if the 85<sup>th</sup> percentile drops below 40 mph, City Traffic Engineer Kim explained that engineering studies have shown that critical speeds do not typically vary over time unless the conditions of the road have changed or traffic volumes change. He further explained that if everything were to stay the same, there would be no reason to believe that the roadway speed would change.

Motion by Commissioner Proulx, seconded by Commissioner Kohl to support staff's recommendation to the City Council to revise speed limit on southbound Carlsbad Boulevard between 1,400 feet south of Manzano Drive and Island Way from 50 mph to 45 mph. Motion carried, 6/0/1 (Garcia – Absent).

5. STATUS UPDATE ON CAPITAL IMPROVEMENT PROGRAM NO. 6028 COLLEGE BOULEVARD AND PALOMAR AIRPORT ROAD IMPROVEMENTS AND CAPITAL IMPROVEMENT PROGRAM NO. 6034 MELROSE DRIVE AND PALOMAR AIRPORT ROAD – Receive status update report on Capital Improvement Program (CIP) No. 6028 College Boulevard and Palomar Airport Road

Improvements and CIP No. 6034 Melrose Drive and Palomar Airport Road Improvements. (Staff Contact: Tom Frank, Public Works Department).

**Staff's Recommendation:** Receive the report.

Transportation Director Tom Frank presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

The Commission received the PowerPoint presentation by Transportation Director Frank.

In response to Chair Coelho's inquiry about the possibility of restricting U-turns at an intersection during rush hour, Transportation Director Frank responded that staff would look into it and provide additional information at a following Commission meeting.

Chair Coelho recommended further contemplation on not allowing U-turns at the intersection.

6. ACTIVE TRANSPORTATION MONITORING PROGRAM – YEAR TWO – Receive a presentation and provide input to city staff on the Draft Active Transportation Monitoring Program Report. (Staff Contact: Nathan Schmidt, Public Works Department).

**Staff's Recommendation:** Receive the presentation and provide input.

Transportation Planning & Mobility Manager Nathan Schmidt presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

The Commission received the PowerPoint presentation by Transportation Planning & Mobility Schmidt.

Chair Coelho recommended the addition of information on the costs associated with public transportation, specifically for buses and the Coaster.

#### **CITY TRAFFIC ENGINEER COMMENTS:**

Transportation Planning & Mobility Manager Schmidt commented that SANDAG has opened a public response window where people can provide comments with specific locations on an interactive map.

City Traffic Engineer Kim commented that the Tamarack Avenue expedited traffic calming project is nearly complete with four of the five features completed.


In response to Commissioner Kohl's question about the traffic signal time at Fire Station No. 2, City Traffic Engineer Kim explained that staff have been working with the fire department to address observed signal delays. He further added that they had either addressed it or will do so shortly.

#### **COMMISSION COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:**

In response to Commissioner Kohl's inquiry regarding the city's status on the fiberoptic connection network, City Traffic Engineer Kim responded that he would ask Senior Engineer Mangohig to provide a thorough presentation at a future Commission meeting.

Commissioner Kohl commented that signal problems can be reported to 442-339-5331. Transportation Planning & Mobility Manager Schmidt commented that general traffic issues can be reported to 442-339-5332.

**ADJOURNMENT:** Chair Coelho adjourned the Traffic & Mobility Commission Regular Meeting on Aug. 7, 2023, at 6:55 p.m.

  
Eliane Paiva  
Secretary

Plans, specifications and contract documents  
(on file in the Office of the City Clerk)