



CITY OF CARLSBAD – AGENDA

Item No. 6
Supporting Document 8
March 12, 2008

AB# 19,154	AUTHORIZATION TO APPROPRIATE FUNDS FOR BUENA VISTA LIFT STATION FORCEMAIN (VC4)	DEPT. HEAD <i>[Signature]</i>
MTG. 9/11/07		CITY ATTY. <i>[Signature]</i>
DEPT. ENG		CITY MGR. <i>[Signature]</i>

RECOMMENDED ACTION:

Adopt Resolution No. 2007-235 authorizing the appropriation of funds for the Buena Vista Lift Station Forcemain (VC4).

ITEM EXPLANATION:

Background - The forcemain, originally constructed in 1963, conveys wastewater from the Buena Vista Lift Station to a gravity interceptor sewer located west of Interstate 5. This forcemain is part of the Vista/Carlsbad Interceptor Sewer system, and is referred to as Reach VC4. The forcemain is jointly owned by the City's of Vista and Carlsbad. Through an agreement with the City of Vista, dated February 26, 2003, Carlsbad is responsible for operation and maintenance.

The original forcemain was 16-inch diameter asbestos cement pipe (ACP) located entirely within Jefferson Street. When Interstate 5 was constructed around 1968, a new bridge overpass was built for Jefferson Street and a two barrel pipeline, consisting of 16-inch diameter ACP, was constructed in the bridge. The original forcemain was connected to one pipe barrel in the bridge.

Around 1970, two 16-inch diameter reinforced plastic mortar pipes (RPMP) were constructed to replace the easterly-most portion of the original ACP forcemain because of a realignment of Jefferson Street. One of the RPMP pipes was connected to the original 16-inch diameter ACP forcemain.

In 1975, a 24-inch diameter ductile iron pipe (DIP) was constructed in Jefferson Street in parallel to the original ACP forcemain. On one end, the 24-inch DIP connected to the other 16-inch RPMP pipe and the other end connected to the remaining 16-inch pipe barrel located in the bridge crossing Interstate 5. At that point in time, the forcemain consisted of two pipelines with one operating as a standby forcemain.

Around 1982, the RPMP pipes were abandoned and a 24-inch diameter DIP was extended from the lift station west to the existing 24-inch DIP installed in 1975. A final modification to the forcemain occurred in 1996 with the installation of a wye connection with a plug valve to allow wastewater to be conveyed into the original 16-inch diameter ACP line.

Forcemain Break - On April 1, 2007, a break occurred on the DIP portion of the forcemain constructed in 1982. The location of the pipe break is not in the lagoon, but follows the original alignment of Jefferson Street.

FOR CITY CLERKS USE ONLY				
COUNCIL ACTION:	APPROVED	<input checked="" type="checkbox"/>	CONTINUED TO DATE SPECIFIC	<input type="checkbox"/>
	DENIED	<input type="checkbox"/>	CONTINUED TO DATE UNKNOWN	<input type="checkbox"/>
	CONTINUED	<input type="checkbox"/>	RETURNED TO STAFF	<input type="checkbox"/>
	WITHDRAWN	<input type="checkbox"/>	OTHER – SEE MINUTES	<input type="checkbox"/>
	AMENDED	<input type="checkbox"/>		

MINUTES

MEETING OF : CITY COUNCIL (Regular Meeting)
DATE OF MEETING: September 11, 2007
TIME OF MEETING: 6:00 p.m.
PLACE OF MEETING: City Council Chambers

CALL TO ORDER: Mayor Lewis called the Meeting to order at 6:00 p.m.

ROLL CALL was taken by the City Clerk, as follows:

Present: Lewis, Kulchin, Hall, Packard and Nygaard.
Absent: None.

APPROVAL OF MINUTES:

On a motion by Mayor Pro Tem Kulchin, minutes of the following meetings were approved as presented:

Minutes of the Regular Meeting held August 7, 2007.
Minutes of the Joint Special Meeting held August 7, 2007.
Minutes of the Regular Meeting held August 14, 2007.
Minutes of the Special Meeting held August 15, 2007.
Minutes of the Special Meeting held August 28, 2007.

PRESENTATIONS:

Mayor Lewis presented a Proclamation to Emergency Preparedness Coordinator David Harrison in recognition of National Preparedness Month, September 2007.

Mayor Lewis presented a Proclamation to Victoria Nihiser of the Daughters of the American Revolution in recognition of Constitution Week, September 17 – 26, 2007.

Council concurred to hear the remainder of the agenda prior to Public Hearing Item No. 17 – Bressi Ranch Village Center SDP 06-17 and to continue Departmental Report Item No. 19 to the September 18, 2007 Council Meeting.

CONSENT CALENDAR:

Item No. 3 was pulled for discussion.

ACTION: On a motion by Mayor Pro Tem Kulchin, Council affirmed the action of the Consent Calendar, Items #1, #2 and #4 through #13 as follows:

AYES: Lewis, Kulchin, Hall, Packard and Nygaard.
NOES: None.

WAIVER OF ORDINANCE TEXT READING:

Council waived the reading of the text of all Ordinances and Resolutions at this Meeting.

1. AB #19,145 – REPORT ON CITY INVESTMENTS.
Council accepted the City Treasurer's Report on City Investments as of July 31, 2007.
2. AB #19,146 – ADVERTISE FOR BIDS.
Council adopted **RESOLUTION NO. 2007-227**, approving contract documents, plans and specifications, and authorizing the City Clerk to advertise for bids for the picnic shelters at Stagecoach and Calavera Hills Community Parks, Project No. 39361.
3. AB #19,147 – ACCEPTANCE OF DONATION.
This item was pulled for discussion.
4. AB #19,148 – AMENDMENT TO AGREEMENT.
Council adopted **RESOLUTION NO. 2007-229**, approving the ratification of Amendment No. 4 to the agreement with Tiburon, Incorporated, for the purchase of police computer-aided dispatch and mobile data systems.
5. AB #19,149 – FINAL MAP FOR CARLSBAD MEDICAL VILLAGE.
Council adopted **RESOLUTION NO. 2007-230**, approving the Final Map for Carlsbad Medical Village, CT 05-19, and authorizing the map to be recorded.
6. AB #19,150 – NOTICE OF COMPLETION.
Council adopted **RESOLUTION NO. 2007-231**, accepting the construction on the Erosion Repairs and Drainage Improvements Re-Bid for Leo Carrillo Ranch Historic Park as complete, and directing the City Clerk to file a Notice of Completion, Project No. 45011.
7. AB #19,151 – FINAL MAP FOR OCEAN ESTATES.
Council adopted **RESOLUTION NO. 2007-232**, approving the Final Map for Ocean Estates, CT 04-22, and authorizing the map to be recorded.
8. AB #19,152 – ACCEPTANCE OF DONATION.
Council adopted **RESOLUTION NO. 2007-233**, accepting a donation from Mrs. Ruth Olsman to the Fire Department for Emergency Medical Services and authorizing the appropriation of funds.
9. AB #19,153 – FINAL MAP FOR ROBERTSON RANCH EAST VILLAGE MASTER TENTATIVE MAP.
Council adopted **RESOLUTION NO. 2007-234**, approving the Final Map for Robertson Ranch East Village Master Tentative Map, CT 02-16, and authorizing the map to be recorded.
10. AB #19,154 – APPROPRIATION OF FUNDS.
Council adopted **RESOLUTION NO. 2007-235**, authorizing the appropriation of funds for the Buena Vista Lift Station Forcemain (VC4) Improvement Project.
11. AB #19,155 – APPROVAL OF AGREEMENT.
Council adopted **RESOLUTION NO. 2007-236**, approving an agreement with T.Y. Lin International to prepare the Carlsbad Bridge Preventive Maintenance Program, and authorizing the appropriation of funds, Project No. 6022.

12. AB #19,156 – PURCHASE OF FIRE RESCUE AMBULANCE AND REPLACEMENT EQUIPMENT.

Council adopted **RESOLUTION NO. 2007-237**, authorizing the purchase of a fire rescue ambulance and replacement equipment.

13. AB #19,161 – PURCHASE OF FURNITURE, FIXTURES AND EQUIPMENT FOR SENIOR CENTER EXPANSION AND REFURBISHING PROJECTS.

Council adopted **RESOLUTION NO. 2007-240**, authorizing the purchase of furniture, fixtures and equipment for the Senior Center expansion and refurbishing project.

DISCUSSION OF CONSENT CALENDAR ITEM:

3. AB #19,147 – ACCEPTANCE OF DONATION.

Recreation Services Manager Mick Calarco gave a brief PowerPoint Presentation (on file in the Office of the City Clerk) containing photos of more than 85 volunteers from North Coast Church performing community service activities such as building trails, performing landscaping and painting at Leo Carrillo Ranch Historic Park.

Senior Pastor Paul Savona of North Coast Church expressed his appreciation for the opportunity to serve at the Leo Carrillo Ranch Historic Park.

ACTION: On a motion by Mayor Pro Tem Kulchin, Council adopted **RESOLUTION NO. 2007-228**, accepting a donation of goods and services from North Coast Church for the Leo Carrillo Ranch Historic Park.

AYES: Lewis, Kulchin, Hall, Packard and Nygaard.

NOES: None.

ABSENT: None.

ORDINANCE FOR INTRODUCTION:

14. AB #19,157 – CITY COUNCIL COMPENSATION.

City Attorney Ron Ball titled the Ordinance.

ACTION: On a motion by Mayor Pro Tem Kulchin, Council introduced **ORDINANCE NO. NS-858**, amending Title 2, Chapter 2.04 of the Carlsbad Municipal Code by the amendment of Section 2.04.010 to increase the compensation of the Mayor and Members of the City Council.

AYES: Lewis, Kulchin, Hall, Packard and Nygaard.

NOES: None.

ABSENT: None.

ORDINANCES FOR ADOPTION:**15. AB #19,158 – ESTABLISH A PRIMA FACIE SPEED LIMIT.**

City Attorney Ron Ball titled the Ordinance.

ACTION: On a motion by Mayor Pro Tem Kulchin, Council adopted **ORDINANCE NO. NS-857**, amending Title 10, Chapter 10.44 of the Carlsbad Municipal Code by the addition of Section 10.44.820 to establish a prima facie 40 mile per hour speed limit on Town Garden Road from El Camino Real to Alicante Road.

AYES: Lewis, Kulchin, Hall, Packard and Nygaard.

NOES: None.

ABSENT: None.

16. AB #19,159 – ESTABLISH STOP CONTROLS.

City Attorney Ron Ball titled the Ordinance.

ACTION: On a motion by Mayor Pro Tem Kulchin, Council adopted **ORDINANCE NO. NS-856**, amending Title 10, Chapter 10.28 of the Carlsbad Municipal Code by the addition of Section 10.28.930, to require stops on Janis Way at the intersection of Donna Drive.

AYES: Lewis, Kulchin, Hall, Packard and Nygaard.

NOES: None.

ABSENT: None.

PUBLIC COMMENT:

Hope Wrisley, 2080 Basswood Avenue, came forward to address Council. Ms. Wrisley encouraged the citizens of Carlsbad and the Council to bring picnic lunches and attend the "Parties in the Parks" scheduled for Sunday, September 16, 2007 from 11:00 a.m. to 3:00 p.m.

Ms. Wrisley stated that the "Parties" would be held in the following parks:

- Pine Avenue Park
- Stagecoach Park
- Hidden Canyon Park
- Poinsettia Park

PUBLIC HEARING:**17. AB #19,160 – BRESSI RANCH VILLAGE CENTER.**

Council concurred to consider this item following Departmental Report Item No. 20.

ADJOURNMENT TO THE JOINT SPECIAL MEETING OF THE CARLSBAD CITY COUNCIL AND CARLSBAD MUNICIPAL WATER DISTRICT.

Mayor Lewis adjourned to the Joint Special Meeting of the Carlsbad City Council and Municipal Water District at 6:24 p.m. with five Council Members present.

RECONVENE CITY COUNCIL MEETING

Mayor Lewis adjourned the Special Meeting of the Carlsbad Municipal Water District and reconvened the City Council Meeting at 6:38 p.m. with five Council Members present.

DEPARTMENTAL AND CITY MANAGER REPORTS:**19. AB #19,163 – CITYWIDE RECORDS MANAGEMENT PROGRAM PRESENTATION.**

Council concurred to continue the item to the meeting of September 18, 2007.

20. AB #19,164 – SENIOR COMMISSION APPOINTMENTS.

ACTION: On a motion by Mayor Lewis, Council adopted **RESOLUTION NO. 2007-242**, re-appointing Mike O'Connell to the Senior Commission; and,

Adopted **RESOLUTION NO. 2007-243**, re-appointing Anna Hopkins to the Senior Commission.

AYES: Lewis, Kulchin, Hall, Packard and Nygaard.

NOES: None.

ABSENT: None.

PUBLIC HEARING:**17. AB #19,160– BRESSI RANCH VILLAGE CENTER.**

Senior Planner Christer Westman and Senior Civil Engineer John O'Donnell presented the staff report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

Mr. Westman gave an overview of the following components of the Bressi Ranch Village Center Site Development Plan:

- Commercial Lots
 - Proposed Trader Joe's
 - Proposed Stater Brothers
- Boys and Girls Club
- Mixed-Use Site Plan
- Architecture

In closing, Mr. Westman commented that staff and Council have received several letters (on file in the Office of the City Clerk) both in opposition and in support of the proposed project.

In response to an inquiry from Council Member Nygaard, Mr. O'Donnell confirmed that the Boys and Girls Club will be accessed from Bressi Ranch Way.

In response to an inquiry from Mayor Lewis, Mr. O'Donnell explained that the elimination of the road between the Boys and Girls Club and the park would not result in a safety hazard. He further explained that the elimination of the road will ensure that headlights do not shine into the residential homes adjacent to the proposed Village Center.

Mayor Lewis asked staff to explain the noise mitigation measures relating to deliveries to the proposed Trader Joe's supermarket.

Mr. Westman explained that a six foot wall in addition to a masonry wall near the loading dock will help eliminate delivery noise from disturbing the residential neighborhood adjacent to the proposed Trader Joe's. He further explained that site specific conditions exist in relation to how and when deliveries can be made.

The applicant, Jeff Williams of LNR Bressi Commercial, Inc., 4275 Executive Square, La Jolla, came forward to address Council. Mr. Williams reviewed a PowerPoint Presentation (on file in the Office of the City Clerk) illustrating details of the proposed Site Development Plan for the Bressi Ranch Village Center.

Mayor Lewis opened the duly noticed Public Hearing at 7:10 p.m.

Keith Hubbs, 6318 Eatondale, Carlsbad, expressed concerns relating to the maintenance of the Village Square/Town Green currently maintained by the Bressi Ranch Homeowner's Association. In closing he commented that if the Village Square/Town Green is to be utilized by the public, perhaps the developer of the Village Center should participate in the maintenance costs.

John Albandi, 2680 Bressi Ranch Way, Carlsbad, came forward to address Council. Mr. Albandi presented a PowerPoint Presentation (on file in the Office of the City Clerk) illustrating concerns relating to the elimination of a street that was once part of the conceptual master plan presented to the Bressi Ranch homeowners.

In closing, Mr. Albandi requested that the buildings proposed for the Center be orientated towards the Village Square.

Natasha Maldy, Carlsbad, spoke in support of the project as presented.

Jeff Sobczyk, 462 Stevens Avenue, Solana Beach, representing Solana Estates, came forward to address Council. Mr. Sobczyk also spoke in support of the project.

Heather Gerzky, Carlsbad, a member of the Mulberry Homeowners Board of Directors, came forward to address Council. Ms. Gerzky explained that the Mulberry homeowners are in support of the project provided conditions submitted to the Planning Department from the developer (on file in the Office of the City Clerk) are implemented.

Kathleen Cocker, 6325 Shamrock Place, expressed concerns relating to noise levels in her neighborhood. Ms. Cocker also stated that she prefers the concept plan as opposed to the plan being proposed at this time.

Chris Atkinson, Carlsbad, expressed his support for the project.

Ron Sipiora, Chief Professional Officer of the Carlsbad Boys and Girls Club, came forward to address Council. Mr. Sipiora spoke in support of the project as presented and stated that if a road were placed between the Boys and Girls Club and the Village Square/Town Green, the Boys and Girls Club would need to significantly reduce the size of their project.

In response to an inquiry from Council Member Hall, Mr. Sipiora explained that the Boys and Girls Club will serve approximately 200 children each day.

Jaycee Johnson, Carlsbad, expressed concerns relating to the potential for increased traffic on existing streets if the street between the Boys and Girls Club and the Village Square/Town Green is not constructed as illustrated in the Bressi Ranch concept map.

Marla Hollender, Heather Court, Carlsbad, also expressed concerns relating to the elimination of the road illustrated on the concept map between the Boys and Girls Club and the Village Square/Town Green.

Brian Bark, Hancock Circle, Carlsbad, requested that the road between the Boys and Girls Club and the Village Square/Town Green on the concept map be included in the current Site Development Plan. In conclusion, Mr. Bark also requested that Trader Joe's have multiple entry points.

Igor Mameshin, 2677 Echo Avenue, Carlsbad, requested that the proposed Stater Brothers store be reduced in size and that the developer build the road between the Boys and Girls Club and the Village Square/Town Green originally seen on the Bressi Ranch concept map. In closing, Mr. Mameshin asked that the Council consider all options and arrive at a solution that benefits everyone.

Jeff Fogerty, 6220 Liberty Place, Carlsbad, expressed concerns relating to the safety of individuals in the Village Square/Town Green as a result of the elimination of the street that was originally on the Bressi Ranch concept map. Mr. Fogerty requested that the street be included in the current Site Development Plan.

Nancy Keanan, the architect for the Boys and Girls Club, 2132 Placido Court, Carlsbad, came forward to address Council. Ms. Keanan spoke in support of the project as presented.

Roxy Hubbs, 6318 Heather Court, Carlsbad, expressed concerns relating to the aesthetics of the proposed Site Development Plan.

RECESS:

Mayor Lewis declared a recess at 8:01 p.m. Council reconvened at 8:09 p.m., with five members present.

Donna Diaspatton, 6375 Huntington Drive, Carlsbad, came forward to address Council. Ms. Diaspatton expressed concerns relating to maintenance of the Village Square/Town Green and requested that the street between the Boys and Girls Club and the Village Square/Town Green originally on the Bressi Ranch concept map be included in the Site Development Plan.

In response to an inquiry from Council Member Hall, Ms. Diaspatton stated that she lives five blocks from the proposed project.

Pat Maldi, 258 Juniper Avenue, Carlsbad, spoke in support of the project as presented. Ms. Maldi also commented that involvement in the Boys and Girls Club is a positive experience for children.

Peter Katz, 6310 Huntington Drive, Carlsbad, came forward to address Council. Mr. Katz reviewed a PowerPoint presentation (on file in the Office of the City Clerk) hi-lighting suggested modifications to the proposed Site Development Plan.

Norlin Peongrow, Village Green Drive, Carlsbad, came forward to address Council. Ms. Peongrow expressed concerns relating to potential traffic congestion within the Bressi Ranch neighborhood. In conclusion, she requested that the street between the Boys and Girls Club and the Village Square/Town Green that was originally on the Bressi Ranch concept map be included in the Site Development Plan.

Jennifer Benasia, Divitra Drive, Carlsbad, spoke in support of the proposed project.

Steve Roe, 2613 Town Garden Road, Carlsbad, also spoke in support of the project as presented. Mr. Roe commented that when purchasing his home he understood that the concept map shown was an artist's rendition of what the Site Development Plan *could* look like and not necessarily what the final plan would look like.

Tara Clark, 2641 Hancock Circle, Carlsbad, spoke in support of building a street between the Boys and Girls Club and the Village Square/Town Green with retractable bollards to allow the road to be closed if necessary. Ms. Clark also commented that there had been an increase in crime in the Bressi Ranch neighborhood and that a road would provide natural surveillance.

In response to an inquiry from Council Member Hall relating to the increased crime in Bressi Ranch, Ms. Clark explained in addition to garages being broken into, pool furniture had been vandalized.

Gary Arnold, Town Garden Road, Carlsbad, asked that the road between the Boys and Girls Club and the Village Square/Town Green on the concept map be included in the current Site Development Plan. In conclusion Mr. Arnold stated that he purchased his home in Bressi Ranch based on what was presented on the concept map.

Rob Weibert, 2713 Paradise, Carlsbad, expressed his support for the project as presented by staff.

Mike Levek, 6277 Alverton Drive, Carlsbad, also spoke in support of the project as presented.

Cathy Finn, Carlsbad, expressed concerns relating to the safety of individuals in the Village Square/Town Green if a street is not constructed between the Boys and Girls Club and the Village Square/Town Green.

Kelly McLoughlin, 6245 Alverton Drive, Carlsbad, spoke in support of the project as proposed.

Barbara Mercado, Carlsbad, spoke in opposition to the following features of the proposed project:

- Boys and Girls club utilizing the Village Square/Town Green every day. Ms. Mercado explained that the park was built for the residents of Bressi Ranch.
- Location and orientation of windows in the proposed Trader Joe's. Ms. Mercado suggested that windows face the Village Square/Town Green.
- 24-hour or drive-thru pharmacy

In response to an inquiry from Mayor Pro Tem Kulchin, Ms. Mercado explained that a drive – thru pharmacy would adversely affect the walkability of the neighborhood.

In response to an inquiry from Council Member Packard, Ms. Mercado stated that she lives about two blocks from the Village Center.

Sean Current, 2684 Bressi Ranch Way, Carlsbad, requested that the road between the Boys and Girls Club and the Village Square/Town Green on the concept map be included in the Site Development Plan. In conclusion, Mr. Current stated that he would like to have the park surrounded by streets.

Patty Walters, 6320 Montecito Drive, Carlsbad, came forward to address Council. Ms. Walters spoke in support of the proposed project as presented by staff.

Amanda Rodriguez, a resident of Bressi Ranch, spoke in support of building a street between the Boys and Girls Club and the Village Square/Town Green with retractable bollards. In closing, Ms. Rodriguez expressed concerns relating to who would be responsible for maintenance costs of the Village Square/Town Green if utilized by the Boys and Girls Club.

Randall Mason, 6329 Encanto Drive, Carlsbad, came forward to address Council. Mr. Mason expressed concerns relating to the aesthetics of the proposed project.

Harry Grove, 2681 Alameda Circle, Carlsbad, expressed concerns relating to the elimination of a street that was once part of the conceptual master plan presented to the Bressi Ranch homeowners.

Brian Grove, 2644 Bressi Ranch Way, Carlsbad, also expressed concerns relating to the elimination of the street presented on the concept plan.

Seeing no one else wishing to speak, Mayor Lewis closed the Public Hearing at 9:05 p.m.

Bill Hofman of Hofman Planning and Engineering, 5900 Pasteur Court, Carlsbad, came forward to address Council on behalf of the applicant. Mr. Hofman explained that the concept map referred to by the Bressi Ranch residents was never intended to be a Precise Development Plan.

Mr. Hofman further explained that a street had never been approved between the Village Park and Boys and Girls Club. In closing he commented that Trader Joe's will be providing an outdoor dining area and an additional entry per conditions of the Planning Commission.

In response to an inquiry from Mayor Pro Tem Kulchin, Mr. Williams confirmed that LNR met with the homeowner's groups on two occasions.

Mr. Williams explained that in addition to the delivery trucks turning off their engines when unloading, a ten wall will be constructed between Trader Joe's loading dock and the homeowners in an effort to mitigate noise from the trucks.

Mayor Pro Tem Kulchin requested that the developer elaborate on the lighting proposed for the paseo planned for the area along the Boys and Girls Club.

Mr. Williams explained that LNR will be providing decorative lighting every 30 to 40 feet along the paseo.

In response to an inquiry from Mayor Lewis, Police Chief Zoll confirmed that the visibility and circulation pattern proposed for the project are acceptable.

In response to Council, Mr. Williams confirmed that the proposed pharmacy drive-thru is conditioned to be closed at 11:00 p.m.

Mayor Lewis requested that Ron Sipiora, Chief Professional Officer of the Carlsbad Boys and Girls Club, come forward to address maintenance concerns relating to the Village Square/Town Green adjacent to the proposed Boys and Girls Club.

Mr. Sipiora explained the Boys and Girls Club is not party to an agreement for the maintenance of the park.

City Attorney Ron Ball stated that the Bressi Ranch Homeowner's Covenants, Conditions and Regulations (CC&R's) addressed the maintenance of the park. He further explained that only the commercial buildings are before Council this evening and the question is whether any other participant can be conditioned to participate in the cost of the maintenance of the park.

In response to an inquiry from Council Member Nygaard, Mr. Williams explained that LNR has been working on plans to develop the property for approximately three to four years and without anchor retail stores the property would be difficult to market.

Mayor Lewis confirmed with City Attorney Ron Ball that the developer could be conditioned to participate in an agreement for maintenance costs of the Village Square/Town Green.

Council Member Packard confirmed with staff that the developer of the Bressi community anticipated that the Village Park would be used by the general public.

Mr. Hoffman stated that LNR is willing have a condition placed on the project to enter into a "fair share" agreement with the Homeowner's Association for the maintenance costs of the Village Square/Town Green.

Council Member Nygaard suggested that a condition be placed on the project that the store fronts facing the roads will be the main entrances of the stores.

Mr. Westman stated that a restriction could be placed on the retailers through the CC&R's to ensure that the main entrances of the stores are those adjacent to the roads.

City Attorney Ron Ball suggested that the documents be returned to his office to memorialize the proposed conditions and returned to Council at a later date for approval.

Council Member Packard confirmed with staff that the list of conditions proposed by the developer to mitigate the noise concerns of the Mulberry Homeowner's Association (on file in the Office of the City Clerk) were acceptable.

Mr. Ball stated that he would like to review the conditions proposed by the developer to ensure that they are legally enforceable prior to approval by Council.

In response to an inquiry from Council Member Packard, Mr. Westman confirmed that staff is comfortable with the validity of the Environmental Impact Report prepared for the proposed project.

In response to an inquiry from Mayor Lewis, Mr. Westman explained that if the noise standards are violated, code enforcement would be responsible for addressing the concerns.

Mr. Ball further explained that a condition could be crafted to allow new conditions to be added at a later date to mitigate noise standards violations if necessary.

Mayor Lewis confirmed with staff that the Planning Commission's decision was to require a ten foot wide walkway (paseo) between the Boys and Girls Club and Village Square/Town Green rather than a road.

In response to Council, Mr. Westman explained that the project is also conditioned to submit a lighting plan to ensure that the residential community adjacent to the proposed project will not be impacted by lighting sources included in the project.

Council comments ensued regarding their support for the proposed project with the inclusion of the conditions discussed at this meeting.

ACTION: On a motion by Mayor Pro Tem Kulchin, Council directed the City Attorney to prepare additional documents to implement the following conditions and return to Council at a later date for approval:

- Conditions further mitigating noise impacts generated by the development.
- Requiring the commercial center to pay its "fair-share" of the maintenance costs of the Village Square/Town Green.
- Requiring the store fronts to have their primary entrance on streets where feasible.

AYES: Lewis, Kulchin, Hall, Packard and Nygaard.

NOES: None.

ABSENT: None.

COUNCIL REPORTS AND COMMENTS:

Mayor Lewis and Council Members reported on activities and meetings of some committees and sub-committees of which they are members.

CITY MANAGER COMMENTS: None.

CITY ATTORNEY COMMENTS: None.

ADJOURNMENT:

By proper motion, the Regular Meeting of September 11, 2007, was adjourned at 10:16 p.m.



LORRAINE M. WOOD, CMC
City Clerk

Sheila R. Cobian
Deputy City Clerk

The material specified for the pipe where the break occurred is 24-inch diameter ductile iron pipe (DIP) cement mortar lined, thickness class 51, with an 8-mil polyethylene encasement. An investigation into the pipeline break by a corrosion consultant indicates that the most probable cause of the break was due to external corrosion of the pipe at a hole in the polyethylene encasement which most likely existed at the time of construction. The iron corroded over a period of time, measured in years, down to the cement liner. The exposed area of the liner continued to grow in size as the supporting iron receded. The sewage was discharged when the membrane of cement liner, corrosion product, and supporting fill could not contain the pressure.

Recommendation – Cathodic protection can be installed to halt further corrosion of the exterior of the existing forcemain. Although this would prevent further metal loss, there is still the possibility that there are similar areas along the forcemain where only the cement liner remains and, therefore, staff is recommending that the forcemain be replaced. The City has a future Capital Improvement Project (CIP) which calls for a parallel forcemain to be constructed to replace this existing pipeline. It is recommended that this CIP project be moved forward and staff begin the engineering design process. The project would consist of a parallel forcemain and also improvements to the existing forcemain including a slip liner, valve improvements, and redundancy features to enhance reliability of the forcemain delivery system.

ENVIRONMENTAL IMPACT:

This project is a Class 6 categorical exemption (information collection) and is therefore exempt from environmental review pursuant to Section 15306 of the California Environmental Quality Act (CEQA). A Notice of Exemption will be filed by the Planning Director upon project approval.

FISCAL IMPACT:

The Engineer's Estimate for the first phase costs of the Buena Vista Lift Station Forcemain Improvement Project is shown in Table 1.

TABLE 1

PROJECT	ESTIMATED COSTS	FUNDING SOURCE
Preliminary Design Report, Environmental Review and Permits	\$200,000	Sewer
Final Design, Plans and Specifications	\$300,000	Replacement Funds
PROJECT TOTAL COST	\$500,000	
CURRENT APPROPRIATION	NONE	
ADDITIONAL APPROPRIATION REQUIRED	\$500,000*	

*The actual cost will be split between the Cities of Vista and Carlsbad; 89.6% and 10.4%, respectively. Carlsbad will invoice Vista for their share of the work.

The budget includes only the cost for the preliminary design report, environmental review, permits and final design. This project is not in the current Fiscal Year 2007-2008 CIP Program. Staff is requesting that an appropriation from the Sewer Replacement Fund be approved at this time to perform the work listed above. Sufficient funds are available in the Sewer Replacement Fund to accommodate the cost for the first phase of this project. Any recommended improvements for construction will be appropriated in the future based on the results of the preliminary design report.

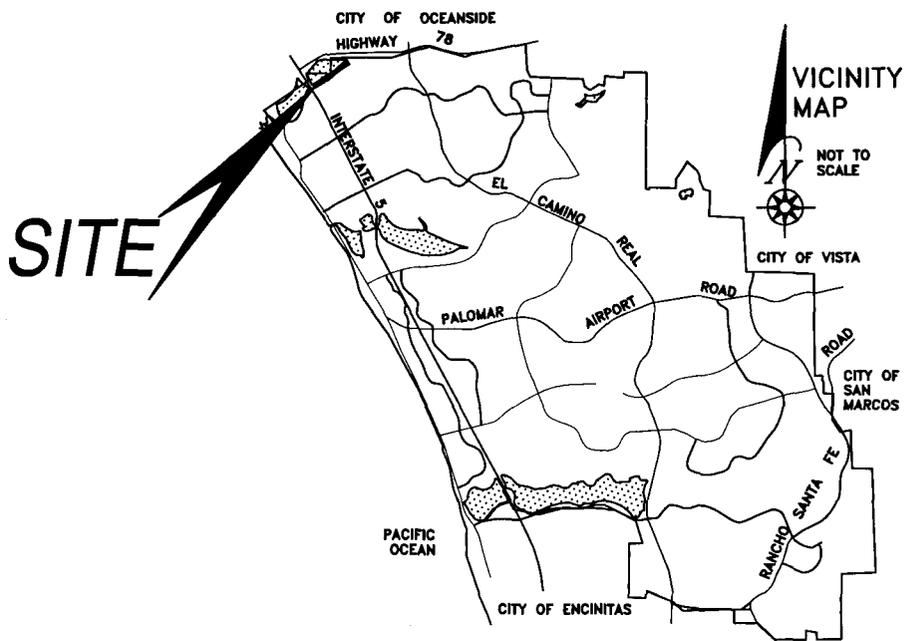
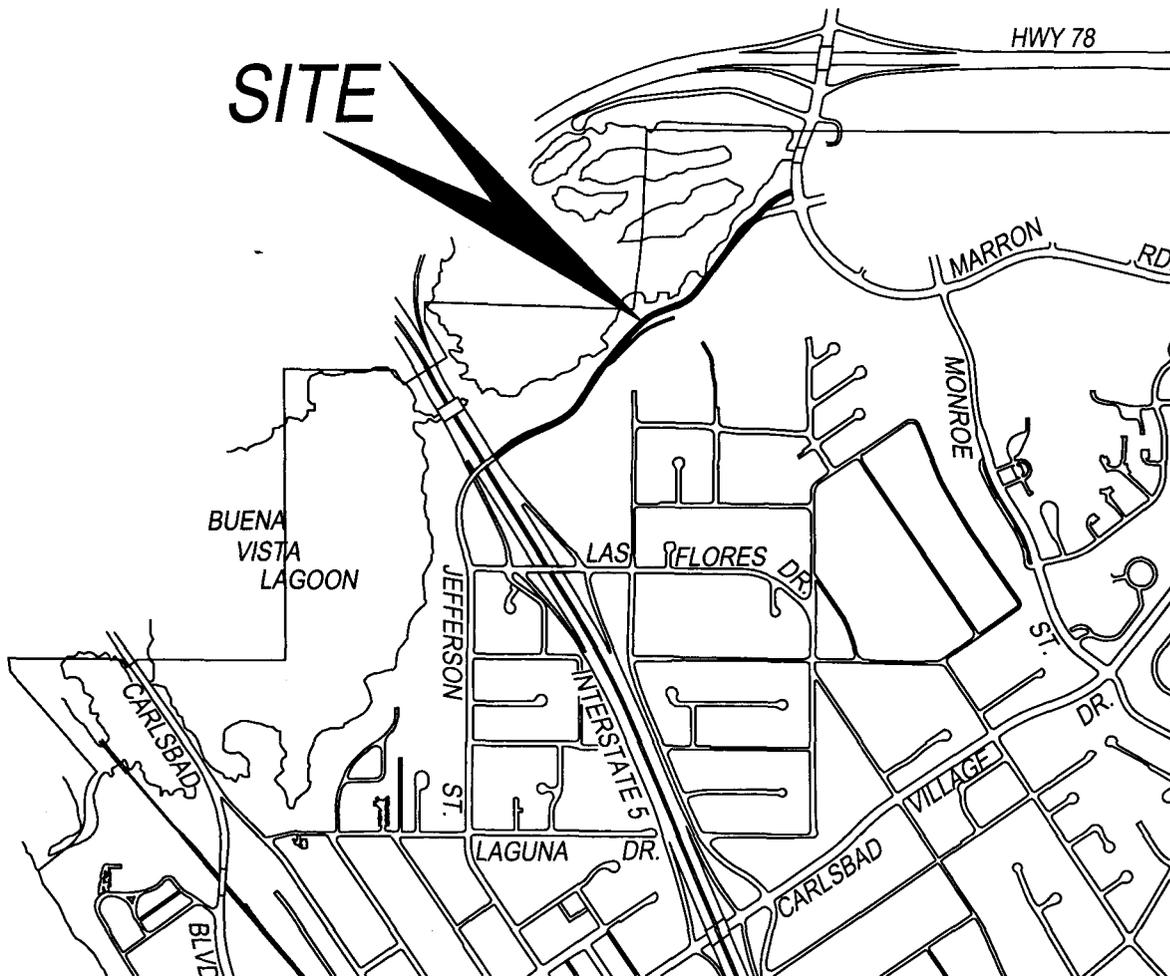
From the agreement with the City of Vista, their share of the Preliminary Design Report for Reach VC4 of the Vista Carlsbad Interceptor Sewer system is 89.6 percent and Carlsbad's share is 10.4 percent. In accordance with Section 6.1 of the agreement between Vista and Carlsbad, a Preliminary Design Report is first required on a project detailing the improvements to be made and their associated cost. Upon acceptance of the findings in the Preliminary Design Report, a Project Agreement shall be prepared to identify specific improvements, including cost sharing. The Project Agreement must be approved and accepted by each agency before final design can begin. Staff at the City of Vista has indicated that they are in agreement with proceeding on this project at this time and will be making a recommendation to their City Council for full project funding. A Request for Proposal has been prepared for preparation of the Preliminary Design Report

EXHIBITS:

1. Location Map.
2. Resolution No. 2007-235 authorizing the appropriation of funds for the Buena Vista Lift Station Forcemain (VC4).

DEPARTMENT CONTACT: William Plummer, (760) 602-2768, bplum@ci.carlsbad.ca.us

LOCATION MAP



PROJECT NAME
BUENA LIFT STATION FORCE MAIN (VC 4)

EXHIBIT
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RESOLUTION NO. 2007-235

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AUTHORIZING THE APPROPRIATION OF FUNDS FOR THE BUENA VISTA LIFT STATION FORCEMAIN (VC4).

WHEREAS, the City Council has determined it necessary and in the public interest to prepare a preliminary design report, and appropriate funds for the Buena Vista Lift Station Forcemain Improvement Project; and

WHEREAS, funds totaling \$500,000 are needed at this time to begin this project.

WHEREAS, funds in the Sewer Replacement Fund are sufficient for the project; and

WHEREAS, an Agreement dated February 26, 2002, titled "Agreement for Ownership, Operation and Maintenance of the Vista/Carlsbad Interceptor Sewer" calls for the City of Vista's share in the cost of the Preliminary Design Report to be 89.6 percent and Carlsbad's share to be 10.4 percent.

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 Finance Director is authorized to appropriate \$500,000 from the Sewer Replacement Fund to cover the cost of a Preliminary Design Report, Environmental Review, Permits and Plans and Specifications for the Buena Vista Lift Station Forcemain Improvement Project.

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PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council
of the City of Carlsbad on the 11th day of September 2007, by the following vote to wit:

AYES: Council Members Lewis, Kulchin, Hall, Packard, Nygaard

NOES: None

ABSENT: None

Clayton Lewis
CLAYTON A. LEWIS, Mayor

ATTEST:

Ronna S. Shokhod, Deputy
LORRAINE M. WOOD, City Clerk
(SEAL)

