Welcome to Your City Council Meeting

We welcome your interest and involvement in the city’s legislative process. This agenda includes information about topics coming before the City Council and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website and in the Office of the City Clerk. The City Clerk is also available to answer any questions you have about City Council meeting procedures.

How to Watch

The City of Carlsbad provides two ways to watch a City Council meeting:

**On TV**

Watch live and replays of meetings on Charter Spectrum Channel 24 and AT&T U-verse channel 99.

**Online**

Watch the livestream and replay past meetings on the city website, www.carlsbadca.gov.

How to Participate

- Per State of California Executive Order N-29-20, and in the interest of public health and safety, we are temporarily taking actions to prevent and mitigate the effects of the COVID-19 pandemic by holding City Council and other public meetings electronically or by teleconferencing.
- All public meetings will comply with public noticing requirements in the Brown Act and will be made accessible electronically to all members of the public seeking to observe and address the City Council.
- City Council meetings can be watched via livestream or replayed on the city website at www.carlsbadca.gov. The City Council meetings can also be watched live or replayed on Charter Spectrum Channel 24 and AT&T U-verse channel 99.
- You can participate in the meeting by e-mailing your comments to the City Clerk at clerk@carlsbadca.gov prior to commencement of the agenda item. Your comment will be transmitted to the City Council at the start of the agenda item.
- If you desire to have your comment read into the record at the City Council meeting, please indicate so in the first line of your e-mail and limit your e-mail to 500 words or less.
- These procedures shall remain in place during the period in which state or local health officials have imposed or recommended social distancing measures.

Reasonable Accommodations

Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager’s Office at 760-434-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Monday before the meeting to make arrangements.

More information about City Council meeting procedures can be found at the end of this agenda and in the Carlsbad Municipal Code chapter 1.20.
PLEASE NOTE: AS A RESULT OF THE WAIVERS IN EXECUTIVE ORDER N-29-20, THE BROWN ACT PERMITS FULL PARTICIPATION BY OFFICIALS IN MEETINGS THROUGH VIDEO OR AUDIO TELECONFERENCE.

CALL TO ORDER: 6:00 p.m.

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

ANNOUNCEMENT OF CONCURRENT MEETINGS: City Council is serving as the Community Development Commission on Public Hearing Item No. 10.

INVOCATION: None.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Blackburn led the Pledge of Allegiance.

APPROVAL OF MINUTES:
Minutes of the Regular Meeting held March 10, 2020.
Minutes of the Special Meeting held March 17, 2020.
ACTION: Approved Minutes as presented – 4/0.

PRESENTATIONS:
Presentation of proclamation in recognition of Earth Day.
Oath of Office Ceremony for District 1 City Council Member. (Immediately following approval of Consent Calendar.)

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION: N/A

PUBLIC COMMENT: In conformance with the Brown Act and California Executive Order No. N-29-20, a total of 15 minutes is provided so members of the public participate in the meeting by submitting comments as provided on the front page of this agenda. The City Clerk will read comments as requested up to a total of 15 minutes. All other comments requested to be read by the City Clerk will trail until the end of the meeting. In conformance with the Brown Act, no Council 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. A request from the public to discuss an item must be submitted to the City Clerk in writing prior to Council consideration of the Consent Calendar.

WAIVER OF ORDINANCE TEXT READING:
This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.

1. CERTIFICATION OF MARCH 3, 2020 SPECIAL ELECTION RESULTS – Adoption of a resolution reciting the facts of the results of the March 3, 2020 Special Election, declaring the results and such other matters as provided by law. (Staff contact: Sheila Cobian, City Clerk Services)
   ACTION: Adopted Resolution No. 2020-053 – 4/0.

2. REPORT ON CITY INVESTMENTS – Acceptance of a report on city investments as of Feb. 29, 2020. (Staff contact: Laura Rocha, Administrative Services and Craig Lindholm, City Treasurer)
   ACTION: Council accepted the report.
3. **ANNUAL REPORT OF INVESTMENTS FOR FISCAL YEAR ENDING JUNE 30, 2019** – Accept and file the Annual Report of Investments for the Fiscal Year Ended June 30, 2019. (Staff contact: Laura Rocha, Administrative Services and Craig Lindholm, City Treasurer)

**ACTION:** Council accepted the report.

4. **APPROPRIATE FUNDS FOR COVID-19 LOCAL EMERGENCY** – Adoption of a resolution appropriating $3,000,000 from the City’s Economic Uncertainty Set-Aside in the General Fund to pay for costs related to the COVID-19 local emergency. (Staff contact: Laura Rocha, Administrative Services)

**ACTION:** Due to failed motion, item continued to the meeting of April 14, 2020.  
**ACTION:** Minute Motion by Council Member Schumacher, seconded by Council Member Bhat-Patel, to add weekly itemized reporting of the expenditures related to the COVID-19 pandemic to future City Council Meeting agenda. – 4/0.

5. **AUTHORIZE DEPUTY CITY MANAGER OR DESIGNEE TO EXECUTE FORMS FOR PAYMENT PROGRAMS THROUGH CALRECYCLE** – Adoption of a resolution authorizing the Deputy City Manager, Public Works, or designee to execute all necessary forms for payment programs through the California Department of Resources, Recycling and Recovery. (Staff contact: Avecita Jones, Public Works)

**ACTION:** Adopted Resolution No. 2020-054 – 4/0.

6. **AUTHORIZE DEPUTY CITY MANAGER OR DESIGNEE TO SUBMIT NECESSARY FORMS AND MANAGE ALL CALIFORNIA DEPARTMENT OF RESOURCES, RECYCLING AND RECOVERY GRANTS** – Adoption of a resolution authorizing the Deputy City Manager, Public Works, or designee to submit necessary forms and manage all California Department of Resources, Recycling and Recovery Grants for which the City of Carlsbad is eligible. (Staff contact: Avecita Jones, Public Works)

**ACTION:** Adopted Resolution No. 2020-055 – 4/0.

7. **PROGRAMMING OF ROAD MAINTENANCE AND REHABILITATION ACCOUNT FUNDS TO THE PAVEMENT MANAGEMENT PROGRAM, CAPITAL IMPROVEMENT PROGRAM PROJECT NO. 6001** – Adoption of a resolution authorizing the programming of Road Maintenance and Rehabilitation Account funds to the Pavement Management Program, Capital Improvement Program No. 6001, in Fiscal Year 2020-21. (Staff contact: Jonathan Schauble, Public Works)

**ACTION:** Adopted Resolution No. 2020-056 – 4/0.

**ORDINANCES FOR INTRODUCTION:** None.

**ORDINANCES FOR ADOPTION:**

8. **INTRODUCTION AND ADOPTION OF AN URGENCY ORDINANCE ESTABLISHING NO PARKING ZONES ON CARLSBAD BOULEVARD, PONTO DRIVE AND PONTO ROAD** – Introduce and adopt an urgency ordinance establishing a no parking zone on Carlsbad Boulevard between Pine Avenue and La Costa Avenue, and on Ponto Drive between Ponto Road and the south terminus, and on Ponto Road. (Staff contact: Paz Gomez, Public Works and Ron Kemp, City Attorney)

**City Manager’s Recommendation:** Introduce and adopt the urgency ordinance.

**ACTION:** Adopted Ordinance CS-372 – 4/0.

**PUBLIC HEARING:**

*This item was continued from the Feb. 11, 2020 City Council Meeting*

9. **AMENDMENT OF FLOODPLAIN MANAGEMENT REGULATIONS** – Staff presents the following two options for City Council consideration:

1) Planning Commission’s recommendation: That the City Council hold a public hearing and introduce an ordinance approving an amendment to the Zoning Ordinance ZCA 2019-0001; and adopt a resolution approving a Local Coastal Program Amendment [LCPA 2019-0004] to amend
Title 21 of the Carlsbad Municipal Code to update the city’s Floodplain Management Regulations to ensure they are consistent with federal guidelines. (Exhibits 1 and 2); or

2) Municipal Code and City Council Policy Update Subcommittee’s recommendation: That the City Council hold a public hearing and introduce an ordinance approving an amendment to the Zoning Ordinance ZCA 2019-0001 as amended by the Municipal Code and City Council Policy Update Subcommittee on May 9, 2020 and adopt a resolution approving a Local Coastal Program Amendment [LCPA 2019-0004] to amend Title 21 of the Carlsbad Municipal Code to update the city’s Floodplain Management Regulations to ensure they are consistent with federal guidelines. (Exhibits 3 and 4) (Staff contact: Jason Geldert, Community Development)

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

ACTION: Council selected Option 2 and Introduced Ordinance CS-373 – 4/0 and adopted Resolution No. 2020-057.

10. FISCAL YEAR 2020 FIVE YEAR AND ANNUAL PUBLIC HOUSING AGENCY PLANS – Adoption of a Community Development Commission resolution approving the 5-Year PHA Plan for Fiscal Year 2020 and Annual PHA Plan for submission to the U.S. Department of Housing and Urban Development (HUD). (Staff contact: Bobbi Nunn, Community Development)

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

ACTION: Adopted CDC Resolution No. 546 – 4/0.

11. DRAFT FISCAL YEAR 2020-25 FIVE YEAR CONSOLIDATED PLAN FOR THE CITY’S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – The City Council hold a public hearing to consider and accept public comment on the draft fiscal year 2020-25 Five Year Consolidated Plan for the City’s Community Development Block Grant Program. (Staff contact: Nancy Melander, Community Development)

City Manager’s Recommendation: Take public input on the draft plan and close the public hearing.

ACTION: Council accepted the report.

DEPARTMENTAL AND CITY MANAGER REPORTS:

12. FORMATION OF AN AD-HOC CITY COUNCIL ECONOMIC REVITALIZATION SUBCOMMITTEE – Adoption of a resolution authorizing the formation of an Ad-Hoc City Council Economic Revitalization Subcommittee. (Staff contact: Sheila Cobian, City Clerk Services)

City Manager’s Recommendation: Adopt the resolution.

ACTION: Adopted Resolution No. 2020-058 appointing Mayor Hall and Council Member Bhat Patel 3/1 (Schumacher – No).

13. TEMPORARY SUSPENSION OF EVICTIONS OF COMMERCIAL TENANTS LOCATED IN THE CITY OF CARLSBAD FOR NONPAYMENT OF RENT DUE TO COVID-19 RELATED DECREASES IN BUSINESS INCOME

Adoption of a resolution temporarily suspending evictions of commercial tenants located in the City of Carlsbad for nonpayment of rent due to COVID-19 related decreases in business income. (Staff contact: Cindie McMahon, City Attorney)

City Manager’s Recommendation: Adopt the resolution.

ACTION: Adopted Resolution No. 2020-059 as amended – 4/0 (See minutes for details).
COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

City Council Regional Assignments (Revised 1/29/20)
Matt Hall
  Mayor
  North County Mayors and Managers
  City/School Committee
  Chamber of Commerce Liaison (primary)
  San Diego County Water Authority
  San Diego Regional Economic Development Corporation Board of Directors

Keith Blackburn
  Mayor Pro Tem
  Buena Vista Lagoon JPC
  Encina Wastewater Authority/JAC Board of Directors
  North County Dispatch Joint Powers Authority
  Chamber of Commerce Liaison (alternate)
  SANDAG (1st alternate)
  North County Transit District (alternate)

Priya Bhat-Patel
  Council Member
  SANDAG (2nd alternate)
  North County Transit District (primary)
  City/School Committee
  League of California Cities – SD Division
  Encina Wastewater Authority/JAC Board of Directors (alternate)

Cori Schumacher
  Council Member
  SANDAG (primary)
  Buena Vista Lagoon JPC
  Encina Wastewater Authority/JAC Board of Directors
  North County Dispatch Joint Powers Authority (alternate)

Vacant – District No. 1
  Council Member

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. The City Clerk shall read any remaining public comments into the record. 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:

ADJOURNMENT: 8:03 p.m.

City Council Meeting Procedures (continued from page 1)

Written Materials
Written materials related to the agenda that are submitted to the City Council after the agenda packet has been published will be available for review prior to the meeting during normal business hours at the City Clerk’s office, 1200 Carlsbad Village Drive and on the city website. To review these materials during the meeting, please see the City Clerk
Visual Materials
Visual materials, such as pictures, charts, maps or slides, are allowed for comments on agenda items, not general public comment. Please contact the City Manager’s Office at 760-434-2820 or manager@carlsbadca.gov to make arrangements in advance. All materials must be received by the City Manager’s Office no later than noon the day before the meeting. The time spent presenting visual materials is included in the maximum time limit provided to speakers. All materials exhibited to the City Council during the meeting are part of the public record. Please note that video presentations are not allowed.

Decorum
All participants are expected to conduct themselves with mutual respect. Loud, boisterous and unruly behavior can interfere with the ability of the City Council to conduct the people’s business. That’s why it is illegal to disrupt a City Council meeting. Following a warning from the presiding officer, those engaging in disruptive behavior are subject to law enforcement action.

City Council Agenda
The City Council follows a regular order of business that is specified in the Carlsbad Municipal Code. The City Council may only make decisions about topics listed on the agenda.

Presentations
The City Council often recognizes individuals and groups for achievements and contributions to the community. Well-wishers often fill the chamber during presentations to show their support and perhaps get a photo. If you don’t see an open seat when you arrive, there will likely be one once the presentations are over.

Consent Items
Consent items are considered routine and may be enacted together by one motion and vote. Any City Council member may remove or “pull” an item from the “consent calendar” for a separate vote. Members of the public may pull an item from the consent calendar by requesting to speak about that item. A speaker request form must be submitted to the clerk prior to the start of the consent portion of the agenda.

Public Comment
Members of the public may speak on any city related item that does not appear on the agenda. State law prohibits the City Council from taking action on items not listed on the agenda. Comments requiring follow up will be referred to staff and, if appropriate, considered at a future City Council meeting. Members of the public are also welcome to provide comments on agenda items during the portions of the meeting when those items are being discussed. In both cases, a request to speak form must be submitted to the clerk in advance of that portion of the meeting beginning.

Public Hearing
Certain actions by the City Council require a “public hearing,” which is a time within the regular meeting that has been set aside and noticed according to different rules.

Departmental Reports
This part of the agenda is for items that are not considered routine and do not require a public hearing. These items are usually presented to the City Council by city staff and can be informational in nature or require action. The staff report about each item indicates the purpose of the item and whether or not action is requested.

Other Reports
At the end of each meeting, City Council members and the city manager, city attorney and city clerk are given an opportunity to share information. This usually includes reports about recent meetings, regional issues, and recent or upcoming meetings and events.
City Council Actions

Resolution
A resolution is an official statement of City Council policy that directs administrative or legal action or embodies a public City Council statement. A resolution may be introduced and adopted at the same meeting. Once adopted, it remains City Council policy until changed by subsequent City Council resolution.

Ordinance
Ordinances are city laws contained in the Carlsbad Municipal Code. Enacting a new city law or changing an existing one is a two-step process. First, the ordinance is “introduced” by city staff to the City Council. If the City Council votes in favor of the introduction, the ordinance will be placed on a subsequent City Council meeting agenda for “adoption.” If the City Council votes to adopt the ordinance, it will usually go into effect 30 days later.

Motion
A motion is used to propose City Council direction related to an item on the agenda. Any City Council member may make a motion. A motion must receive a “second” from another City Council member to be eligible for a City Council vote.