



CITY COUNCIL

Agenda

April 21, 2020

6 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Welcome to Your City Council Meeting

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

How to Watch

The City of Carlsbad provides 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 require by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 760-434-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Monday before the meeting to make arrangements.

More information about City Council meeting procedures can be found at the end of this agenda and in the Carlsbad Municipal Code chapter 1.20.

The City Council also sits as the Carlsbad Municipal Water District Board, Public Financing Authority Board, Community Development Commission and Successor Agency to the Redevelopment Agency. When considering items presented to the Carlsbad Municipal Water District Board, each member receives an additional \$100 per meeting (max \$300/month). When considering items presented to the Community Development Commission each member receives an additional \$75 per meeting (max \$150/month).

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:

ROLL CALL:

ANNOUNCEMENT OF CONCURRENT MEETINGS: City Council is serving as the Carlsbad Municipal Water District Board of Directors on Public Hearing Item No. 6.

INVOCATION:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

Minutes of the Special Meeting held March 24, 2020.

PRESENTATIONS:

Presentation of proclamation in recognition of Arbor Week.

Presentation of proclamation in recognition of Volunteer Week.

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

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. **APPROVAL OF CDBG 5-YEAR CONSOLIDATED PLAN** – Adoption of a resolution approving the fiscal year 2020-25 Five Year Consolidated Plan and authorizing the submission of the Consolidated Plan to the U.S. Department of Housing and Urban Development. (Staff contact: Nancy Melander, Community Development)
2. **PRELIMINARY DESIGN PLANS, SPECIFICATIONS AND A PROPOSAL SOLICITATION FOR RECONSTRUCTION OF FIRE STATION 2** – Adoption of a resolution approving the preliminary design plans and specifications for reconstruction of Fire Station 2 and construction of a temporary fire station, Capital Improvement Program (Project No. 4060), and authorizing the City Clerk to advertise for design-build proposal solicitation. (Staff contact: Steven Stewart, Public Works and Michael Calderwood, Fire)

3. AMENDMENT NO. 1 TO THE AGREEMENT WITH GHD FOR PROFESSIONAL ENGINEERING SERVICES FOR BEACH ACCESS REPAIRS FROM PINE AVENUE TO TAMARACK AVENUE – Adoption of a resolution approving Amendment No. 1 to the Agreement with GHD for Professional Engineering Services for the Beach Access Repairs from Pine Avenue to Tamarack Avenue, Capital Improvement Program Project No. 3896. (Staff contact: Emad Elias, Public Works)

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION:

4. AMENDMENT TO FLOODPLAIN MANAGEMENT REGULATIONS – Adopt Ordinance No. CS-373 approving a Zone Code Amendment and Local Coastal Program Amendment to ensure consistency with Federal guidelines related to Floodplain Management Regulations. (Staff contact: Sheila Cobian, City Clerk Services)

City Manager’s Recommendation: Adopt Ordinance No. CS-373.

PUBLIC HEARING:

5. WEED ABATEMENT PROGRAM 2020 – Adopt a resolution authorizing the abatement of declared nuisances of weeds and rubbish upon private property in the City of Carlsbad under the terms of the City of Carlsbad’s Weed Abatement Program and scheduling a Public Hearing for July 28, 2020 to consider the final Weed Abatement Cost Report. (Staff contact: Randy Metz, Fire)

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

6. CARLSBAD MUNICIPAL WATER DISTRICT 2019 TRIENNIAL REPORT ON WATER QUALITY RELATIVE TO PUBLIC HEALTH GOALS – Adoption of a Carlsbad Municipal Water District resolution approving the Carlsbad Municipal Water District 2019 Triennial Report on Water Quality Relative to Public Health Goals. (Staff contact: Mark Biskup, Public Works)

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

DEPARTMENTAL AND CITY MANAGER REPORTS:

7. COVID-19 ACTIONS AND EXPENDITURES REPORT – Receive a report on recent actions and expenditures related to the city’s response to the COVID-19 pandemic and provide direction as appropriate. (Staff contact: Geoff Patnoe, City Manager Department)

City Manager’s Recommendation: Receive the report.

8. OBJECTIVE DESIGN STANDARDS AND STREAMLINED PERMITTING FOR MULTIFAMILY HOUSING AND MIXED-USE DEVELOPMENT PROJECTS – This report offers two possible actions for the City Council: Option 1 includes an Ad Hoc Design Review Committee 1) Approving an agreement for professional consulting services with RRM Design Group to assist in the preparation of objective design standards and procedures to streamline the permitting process for multifamily housing and mixed-use development projects, including an ad hoc design review committee; 2) Appropriating \$33,880 from the City Council’s General Fund contingency account for consultant costs associated with the ad hoc design review committee; and 3) Providing direction to staff on the composition of the ad hoc design review committee and the process for appointing its members and directing staff to return to the City Council for the formal appointment of the committee; or,

Option 2 excludes an Ad Hoc Design Review Committee - Adopt a resolution (Exhibit 2) approving an agreement for professional consulting services with RRM Design Group to assist in the preparation of objective design standards and procedures to streamline the permitting process for multifamily housing and mixed-use development projects. (Staff contact: Jennifer Jesser, Community Development)

City Manager's Recommendation: Receive the report, discuss the options and adopt the corresponding resolution to the preferred option.

9. PRESENTATION REGARDING AFFIRMED HOUSING'S WINDSOR POINTE AFFORDABLE HOUSING PROJECT AND THE SAN DIEGO COUNTY NO PLACE LIKE HOME PROGRAM – Receive informational presentations from Affirmed Housing on the company's Windsor Pointe homeless and veterans affordable housing development and from the Corporation for Supportive Housing on the county's No Place Like Home Program. (Staff contact: David de Cordova, Community Development)

City Manager's Recommendation: Receive the presentations.

10. COVID-19 RESPONSE RECOMMENDATIONS FROM THE AD HOC CITY COUNCIL ECONOMIC REVITALIZATION SUBCOMMITTEE – Adopt a resolution approving the Economic Response and Recovery Initiative and directing staff to do the following:
1. On May 5, 2020, present a rent relief proposal to City Council for New Village Arts and the Chapters Café at the City Library along with recommended guidelines for evaluating economic relief requests from city lessees to ensure consistency and fairness in any relief granted
 2. Bring all city lessee requests for economic relief received during the pendency of the local declaration of emergency, along with a staff recommendation, to the City Council for consideration
 3. Return to the City Council with recommendations for extending local land use permits in conformance with state law
 4. Work with the Carlsbad Chamber of Commerce, Carlsbad Village Association and Visit Carlsbad to develop a marketing strategy and funding recommendation to promote Carlsbad tourism and businesses
 5. Work with the City Council Legislative Subcommittee to evaluate in an open, noticed meeting and return to the City Council with recommendations for legislative advocacy that would:
 - a. Support legislation that helps businesses who have had business interruption due to COVID-19 insurance claims denied
 - b. Support legislation to ensure small businesses are protected from an extraordinary rise in health care premiums due to COVID-19
 - c. Support legislation that would automatically extend subdivision maps under the Subdivision Map Act due to the economic impact of COVID-19 like action taken by the State of California in the wake of the Great Recession
 - d. Support legislation that would remove impediments to the automatic extension of local permits due to the economic impact of COVID-19
 6. Continue the open source business community engagement that allows for all businesses to provide input to the City Council on economic revitalization
 7. On May 5, 2020, present recommended funding and funding sources for the Economic Recovery and Revitalization Initiative. (Staff contact: David Graham, City Manager Department)

City Manager's Recommendation: Adopt the resolution.

11. APPOINT THREE MEMBERS TO THE ARTS COMMISSION – Adopt resolutions appointing three members to the Arts Commission. (Staff contact: Tammy McMinn, City Clerk Services)

City Manager’s Recommendation: Adopt the resolutions.

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 – District 3
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 – District 1
SANDAG (primary)
Buena Vista Lagoon JPC
Encina Wastewater Authority/JAC Board of Directors
North County Dispatch Joint Powers Authority (alternate)

Vacant – At-Large
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:

In accordance with Carlsbad Municipal Code (CMC) Section 20.20.20, notice is hereby given that the City Engineer has reviewed and, immediately following this City Council Meeting of April 21, 2020 will approve the following final map:

Carlsbad Tract CT 2018-0004, located generally at 2646 State Street.

Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- 1) The map substantially conforms to the approved tentative map, and approved alterations thereof and any conditions of approval imposed with said tentative map.
- 2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- 3) The map is technically correct.

Said map will be finalized and recorded, unless an interested party files a valid appeal of the City Engineer’s action to City Council no later than 10 calendar days from the date of the City Engineer’s action. The appeal shall specifically state the reason(s) for the appeal; see CMC Section 20.20.165 and 21.54.150.

If you have any question about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact the City Clerk’s Office at (760) 434-2808.

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.