



CITY COUNCIL

Agenda

May 19, 2020

3 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

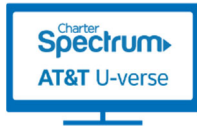
Welcome to Your City Council Meeting

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.
- Emails will be read for three minutes each, unless the presiding officer (usually the Mayor) changes that time.
- 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: 3 p.m.

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

ANNOUNCEMENT OF CONCURRENT MEETINGS: None.

INVOCATION: None.

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

APPROVAL OF MINUTES:

Minutes of the Meeting held April 14, 2020.

ACTION: Approved Minutes as presented – 4/0.

PRESENTATIONS:

Proclamation in recognition of Bike Month.

Proclamation in recognition of National Public Works 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. **ACCEPTANCE OF DONATION** – Adoption of a resolution accepting a donation of \$196,072 from the Carlsbad Library & Arts Foundation to the City of Carlsbad’s Library & Cultural Arts department. (Staff contact: Heather Pizzuto, Library & Cultural Arts)

ACTION: Adopted Resolution No. 2020-086 – 4/0.

2. **SIDE LETTER AGREEMENTS WITH CPMA, CPOA, CCEA, CFA AND APPROVING AN AMENDMENT TO THE MANAGEMENT COMPENSATION AND BENEFITS PLAN FOR COVID-19 EMERGENCY RESPONDER LEAVE BENEFITS** – Adoption of a resolution approving Side Letter Agreements with the Carlsbad Police Management Association (CPMA), Carlsbad Police Officers’ Association (CPOA), Carlsbad City Employees’ Association (CCEA), and Carlsbad Firefighters’ Association, Inc. (CFA) and an amendment to the Management Compensation and Benefits Plan for COVID-19 emergency responder leave benefits. (Staff contact: Darrin Schwabe and Judy von Kalinowski, Human Resources)

ACTION: Adopted Resolution No. 2020-087 – 4/0.

3. SIDE LETTER AGREEMENT WITH CARLSBAD CITY EMPLOYEES' ASSOCIATION – Adoption of a resolution approving a Side Letter Agreement with the Carlsbad City Employees' Association (CCEA) to amend the parties' Memorandum of Understanding to add Article 58 regarding confined space pay and modify Article 18, Section D, regarding safety footwear. (Staff contact: Silvano Rodriguez and Judy von Kalinowski, Human Resources)
ACTION: Adopted Resolution No. 2020-088 – 4/0.
4. AGREEMENT WITH DUDEK FOR DESIGN SERVICES – Adoption of a resolution authorizing a professional services agreement with Dudek for design services for the south shore Agua Hedionda Lagoon (Hub Park) Trail, in an amount not-to-exceed \$509,975. (Staff contact: Kasia Trojanowska, Parks & Recreation)
ACTION: Adopted Resolution No. 2020-089 – 4/0.
5. TRAFFIC CALMING PLANS FOR SEGOVIA WAY AND HARWICH DRIVE – Adoption of a resolution approving the traffic calming plans for Segovia Way and Harwich Drive, Capital Improvement Program Project No. 6070, per the Carlsbad Residential Traffic Management Program. (Staff contact: John Kim, Public Works)
ACTION: Adopted Resolution No. 2020-090 – 4/0.
6. AUTHORIZE CONTRACT WITH AND RECEIPT OF HOMELESSNESS PREVENTION AND INTERVENTION FUNDS FROM THE STATE OF CALIFORNIA – Adoption of a resolution authorizing a contract with and receipt of homelessness prevention and intervention funds from the State of California and authorizing a second contract with designated partner agency, the Community Resource Center. (Staff contact: Holly Nelson, Police)
ACTION: Adopted Resolution No. 2020-091 – 4/0.

ORDINANCES FOR INTRODUCTION:

7. AMENDMENTS TO CARLSBAD MUNICIPAL CODE CHAPTER 1.08, PENALTIES, AND CHAPTER 1.10, ADMINISTRATIVE CODE ENFORCEMENT REMEDIES – Introduction of an ordinance amending Title 1, Chapter 1.08, Penalties of the Carlsbad Municipal Code; and Introduction of an ordinance amending Title 1, Chapter 1.10, Administrative Code Enforcement Remedies of the Carlsbad Municipal Code. (Staff contact: Cindie McMahon and Marissa Kawecky, City Attorney)

City Manager's Recommendation: Introduce the ordinances.

ACTION: Introduced Ordinances CS-374 and CS-375 – 4/0.

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARING:

8. ROMERIA POINTE APARTMENTS – **This request for hearing was withdrawn by the applicant on May 14, 2020. The item will be presented to the Planning Commission on a date to be determined.**

DEPARTMENTAL AND CITY MANAGER REPORTS:

9. 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 and provide direction as appropriate.

ACTION: Received the report.

ACTION: Minute Motion by Mayor Pro Tem Blackburn, seconded by Council Member Bhat-Patel, to follow staff recommendations for installing banners recognizing senior classes graduating from high schools located within Carlsbad. Motion carried unanimously, 4/0.

Minute Motion by Mayor Pro Tem Blackburn, seconded by Council Member Bhat-Patel, to give the City Manager the authority to open the beaches for passive use only on June 1, 2020 consistent with the consensus of the coastal cities, and schedule a discussion the week of June 1, 2020 related to parking for Council’s consideration. Motion carried unanimously, 4/0.

Minute Motion by Mayor Pro Tem Blackburn, seconded by Council Member Bhat-Patel, to allow use of active areas of parks by members of the same household (consistent with the San Diego County’s protocols for parks) starting at 2 p.m. on May 20, 2020, including that use at active amenity sites such as Chase Fields and Zone 5 Park – once the county’s protocol forms are prepared by staff, but excepting that use at 10 school district properties under joint-use agreements with the city, at half-court basketball courts in three community parks, and at half (3 of 6) of the pickleball courts in Poinsettia Park. Motion carried unanimously, 4/0.

10. FIRE DEPARTMENT STANDARDS OF COVERAGE REPORT – Receive a report on the 2020 Standards of Coverage and potential service and deployment improvements. (Staff contact: Nick Ordille, Fire)

City Manager’s Recommendation: Receive the report.

ACTION: Received the report.

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

City Council Regional Assignments (Revised 4/7/20)

Matt Hall Mayor	North County Mayors and Managers City/School Committee Chamber of Commerce Liaison (primary) Clean Energy Alliance JPA (alternate) 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 (1 st 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
Clean Energy Alliance JPA (primary)
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: 6:44 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.