



# CITY COUNCIL Agenda

June 23, 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



### City cable channel

Charter Spectrum channel 24 AT&T  
U-verse channel 99.



### City website

[carlsbadca.gov/news/cityty.asp](http://carlsbadca.gov/news/cityty.asp)

## Virtual meeting format

- Per 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 online only.
- 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.

## How to participate

- **By phone:** Sign up at <https://www.carlsbadca.gov/cityhall/clerk/meetings/default.asp> by 2 p.m. the day of the meeting to provide comments live by phone. You will receive a confirmation email with instructions about how to call in.
- **In writing:** Email comments to [clerk@carlsbadca.gov](mailto:clerk@carlsbadca.gov). Comments received by 2 p.m. the day of the meeting will be shared with the City Council prior to the meeting. When e-mailing comments, please identify in the subject line the agenda item to which your comments relate. All comments received will be included as part of the official record. **Written comments will not be read out loud.**
- 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](mailto: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.**

*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:** 3 p.m.

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

**ANNOUNCEMENT OF CONCURRENT MEETINGS:** City Council is serving as the Carlsbad Municipal Water District Board of Directors, Public Financing Authority, Community Development Commission and the Successor Agency to the Redevelopment Agency for Public Hearing Item No. 9.

**INVOCATION:** None.

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

**APPROVAL OF MINUTES:**

Minutes of the Special Meeting held April 25, 2020.

Minutes of the Regular Meeting held May 5, 2020.

Minutes of the Regular Meeting held May 12, 2020.

Minutes of the Special Meeting held June 2, 2020.

Minutes of the Special Meeting held June 9, 2020.

**ACTION: Approved Minutes as presented – 4/0.**

**PRESENTATIONS:**

Proclamation in recognition of retiring Library & Cultural Arts Director Heather Pizzuto.

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

City Attorney Celia Brewer announced that the City Council authorized the City of Carlsbad to join in a petition for review of a declaratory ruling of the Federal Communications Commission. – 4/0.

**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. **PURCHASE OF PROPERTY INSURANCE COVERAGE THROUGH ALLIANT INSURANCE SERVICES, INC.'S ALLIANT PROPERTY INSURANCE PROGRAM FOR FISCAL YEAR 2020-21**– Adoption of a resolution approving the purchase of \$500 million of property insurance coverage through Alliant Insurance Services, Inc.'s Alliant Property Insurance Program for FY 2020-2021 in an amount not to exceed \$275,454.29. (Staff contact: Ed Garbo, Administrative Services)

**ACTION: Adopted Resolution No. 2020-118 – 4/0.**

2. PURCHASE OF EXCESS LIABILITY COVERAGE THROUGH CALIFORNIA INSURANCE POOL AUTHORITY FOR FISCAL YEAR 2020-21 – Adoption of a resolution approving the purchase of \$43 million of excess liability coverage through California Insurance Pool Authority for FY 2020-2021 in an amount not to exceed \$609,000. (Staff contact: Ed Garbo, Administrative Services)  
**ACTION: Adopted Resolution No. 2020-119 – 4/0.**
3. NOV. 3, 2020 GENERAL MUNICIPAL ELECTION – Adoption of a resolution calling for and giving notice of the General Municipal Election to be held in the City of Carlsbad on Tuesday, Nov. 3, 2020, for the purpose of electing City Council Members to represent City Council Districts 2 and 4 for terms ending in November 2024; and  
Adoption of a resolution requesting that the County of San Diego Board of Supervisors consolidate the General Municipal Election to be held in the City of Carlsbad on Tuesday, Nov. 3, 2020, with the California Statewide General Election; and  
Adoption of a resolution approving regulations for candidates for elective office pertaining to Candidates’ Statements submitted to the voters at the General Municipal Election to be held in the City of Carlsbad on Tuesday, Nov. 3, 2020. (Staff contact: Sheila Cobian, City Clerk Department)  
**ACTION: Adopted Resolution No. 2020-120 – 4/0.**  
**ACTION: Adopted Resolution No. 2020-121 – 4/0.**  
**ACTION: Adopted Resolution No. 2020-122 – 4/0.**
4. ACCEPTANCE OF DONATION FROM THE CARLSBAD FRIENDS OF THE ARTS – Adoption of a resolution accepting a donation of \$38,400 from the Carlsbad Friends of the Arts in support of the FY 2020-21 cultural arts programs. (Staff contact: Richard Schultz, Cultural Arts)  
**ACTION: Adopted Resolution No. 2020-123 – 4/0.**
5. EXTENSION OF HOSTING AGREEMENT WITH VELOCITY FOR HCMS – Adoption of a resolution authorizing the city manager to execute amendments to the Master Services Agreement with Velocity Technology Solutions, Inc. for hosting services and professional services for the Lawson Human Capital Management System (HCMS) software in an amount not to exceed \$747,029 for a term ending June 30, 2022. (Staff contact: Maria Callander and Rachel Muller, Information Technology)  
**ACTION: Adopted Resolution No. 2020-124 – 4/0.**
6. APPROVAL OF HOMELESS OUTREACH AND CASE MANAGEMENT CONTRACT WITH INTERFAITH COMMUNITY SERVICES, INC. – Adoption of a resolution authorizing the city manager or designee to execute a Professional Services Agreement with Interfaith Community Services, Inc. to provide for Homeless Outreach and Case Management Services. (Staff contact: Holly Nelson, Police)  
**ACTION: Adopted Resolution No. 2020-125 – 4/0.**
7. ACCEPTANCE OF FISCAL YEAR 2019 URBAN AREAS SECURITY INITIATIVE GRANT FUND PROGRAM – Adoption of a resolution accepting and appropriating funds for Fiscal Year 2019 Urban Areas Security Initiative Grant Fund Program. (Staff contact: Jennie Marinov, Fire)  
**ACTION: Adopted Resolution No. 2020-126 – 4/0.**

**ORDINANCES FOR INTRODUCTION:** None.

**ORDINANCES FOR ADOPTION:**

8. ADOPTION OF ORDINANCE NO. CS-377 – AMENDMENTS TO CARLSBAD MUNICIPAL CODE CHAPTER 18.04 – Adoption of Ordinance No. CS-377 amending Carlsbad Municipal Code Chapter 18.04 to allow

for building permit application time extensions consistent with the 2019 California Building Standards Code. (Staff contact: Sheila Cobian, City Clerk Services)

**ACTION: Adopted Ordinance No. CS-377 – 4/0.**

**PUBLIC HEARING:**

9. FISCAL YEAR 2020-21 OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGETS – Hold a public hearing on the FY 2020-21 Operating Budgets and FY 2020-21 to 2034-35 Capital Improvement Program for the City of Carlsbad, Carlsbad Municipal Water District, the Carlsbad Public Financing Authority, the Community Development Commission, and City of Carlsbad as the Successor Agency to the Carlsbad Redevelopment Agency; and, Adoption of a City Council resolution adopting the Final Operating Budget and Capital Improvement Program for FY 2020-21 for the City of Carlsbad and establishing controls on changes in appropriations for the budget funds; and, Adoption of a Carlsbad Municipal Water District resolution adopting the Water District’s Final Operating Budget and Capital Improvement Program for FY 2020-21 and establishing controls on changes in appropriations for budget funds; and, Adoption of a Community Development Commission resolution adopting the final Operating Budget of the Carlsbad Housing Authority for FY 2020-21 and establishing controls on changes in appropriations for budget funds; and, Adoption of a Carlsbad Public Financing Authority resolution adopting the Operating Budget and Capital Improvement Program of The Crossings at Carlsbad Municipal Golf Course for FY 2020-21 and establishing controls on changes in appropriations for budget funds; and, Adoption of a City Council resolution, acting as Successor Agency for the Carlsbad Redevelopment Agency, adopting the final Operating Budget of the Successor Agency and Enforceable Debt Obligations of the City of Carlsbad’s Redevelopment Obligation Retirement Fund for FY 2020-21 and establishing controls on changes in appropriations for budget funds; and, Adoption of a City Council resolution establishing the FY 2020-21 appropriation limit as required by Article XIII B of the California State Constitution and State Law; and, Adoption of a City Council resolution adopting changes to the Master Fee Schedule; and, Adoption of a City Council resolution approving the City of Carlsbad’s share of the FY 2020-21 Operating and Capital Budgets of the Encina Wastewater Authority; and, Adoption of a City Council resolution determining that the FY 2020-21 Capital Improvement Program Budget is consistent with the General Plan and Climate Action Plan.

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

**ACTION: Minute Motion by Mayor Hall, seconded by Council Member Bhat-Patel, to direct the City Manager to hold a City Council Workshop on the following items.**

1. Background information about citizens review committee on police practices and procedures.
2. Presentation on police use of force.
3. Presentation on police officers’ rights under the police officer bill of rights and any other policies or procedures that may pertain. – 4/0.

**ACTION: Adopted Resolution No. 2020-127 – 4/0.**

**ACTION: Adopted CMWD Resolution No. 1641 – 4/0.**

**ACTION: Adopted CDC Resolution No. 547 – 4/0.**

**ACTION: Adopted PFA Resolution No. 81 – 4/0.**

**ACTION: Adopted Resolution No. 2020-128 – 4/0.**

**ACTION: Adopted Resolution No. 2020-129 – 4/0.**

**ACTION: Adopted Resolution No. 2020-130 – 4/0.**

**ACTION: Adopted Resolution No. 2020-131 – 4/0.**

**ACTION: Adopted Resolution No. 2020-132 – 4/0.**

10. CARLSBAD TOURISM BUSINESS IMPROVEMENT DISTRICT LEVY OF ANNUAL ASSESSMENT – Hold a public hearing and adoption of a resolution confirming the Advisory Board’s report and levying the assessment for FY 2020-21 for the Carlsbad Tourism Business Improvement District. (Staff contact: Cheryl Gerhardt, Administrative Services)

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

**ACTION: Adopted Resolution No. 2020-133 – 4/0.**

11. CARLSBAD GOLF LODGING BUSINESS IMPROVEMENT DISTRICT LEVY OF ANNUAL ASSESSMENT – Hold a public hearing and adoption of a resolution confirming the Advisory Board’s report and levying the assessment for FY 2020-21 for the Carlsbad Golf Lodging Business Improvement District. (Staff contact: Cheryl Gerhardt, Administrative Services)

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

**ACTION: Adopted Resolution No. 2020-134 – 4/0.**

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

12. 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: City Council received the report.**

**COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:**

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

<b>Matt Hall</b> <b>Mayor</b>	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
<b>Keith Blackburn</b> <b>Mayor Pro Tem</b>	Buena Vista Lagoon JPC Encina Wastewater Authority/JAC Board of Directors North County Dispatch Joint Powers Authority Chamber of Commerce Liaison (alternate) SANDAG (1 <sup>st</sup> alternate) North County Transit District (alternate)
<b>Priya Bhat-Patel</b> <b>Council Member – District 3</b>	SANDAG (2 <sup>nd</sup> 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:** 5:48 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.