



# CITY COUNCIL Agenda

July 14, 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](https://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 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](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 on Consent Calendar Item No. 11.

**INVOCATION:** None.

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

**APPROVAL OF MINUTES:**

Minutes of the Special Meeting held June 2, 2020

Minutes of the Special Meeting held June 4, 2020

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

**PRESENTATIONS:**

Proclamation in recognition of Parks & Recreation Month.

**PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:** No reportable action.

**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 Council will receive comments as requested up to a total of 15 minutes. All other comments 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. **REPORT ON CITY INVESTMENTS** – Receive an update on City investments as of May 31, 2020. (Staff contact: Laura Rocha and Craig Lindholm, Administrative Services)  
**ACTION: Council received the report.**
2. **CARLSBAD TOURISM BUSINESS IMPROVEMENT DISTRICT RESOLUTION OF INTENTION** – Adoption of a resolution declaring its intention to modify the assessment rate for the Carlsbad Tourism Business Improvement District, fixing the time and place of a public meeting and public hearing on the modification and giving notice of the public meeting and public hearing. (Staff contact: Cheryl Gerhardt, Administrative Services)  
**ACTION: Adopted Resolution No. 2020-134 – 4/0.**
3. **REVISIONS TO THE PART-TIME SALARY SCHEDULE AND PAY INCREASES FOR PART-TIME EMPLOYEES** – Adoption of a resolution approving revisions to the City of Carlsbad Part-Time Salary Schedule and approving pay increases for part-time employees. (Staff contact: Judy von Kalinowski and Silvano Rodriguez, Administrative Services)

**ACTION: Motion by Mayor Pro Tem Blackburn, seconded by Council Member Bhat-Patel, to adopt the resolution. Motion failed. – 2/2. (Hall, Schumacher – No). Item returned to staff (see Minutes for details)**

4. PURCHASE OF EXCESS WORKERS' COMPENSATION COVERAGE – Adoption of a resolution approving the purchase of excess workers' compensation coverage through Safety National Casualty Corporation for fiscal year 2020-21 in an amount not to exceed \$226,170. (Staff contact: Donna Hernandez, Administrative Services)  
**ACTION: Adopted Resolution No. 2020-135 – 4/0.**
5. ACCEPTANCE OF DONATION FROM THE CARLSBAD FRIENDS OF THE LIBRARY – Adoption of a resolution accepting a fiscal year 2020-21 donation of \$88,200 and a pledge of \$36,575 in additional support from the Friends of the Carlsbad Library to the City of Carlsbad Library & Cultural Arts Department. (Staff contact: Suzanne Smithson, Library & Cultural Arts)  
**ACTION: Adopted Resolution No. 2020-136 – 4/0.**
6. FISCAL YEARS 2020-25 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – Adoption of a resolution approving the fiscal years 2020-25 analysis of impediments to Fair Housing Choice for the City's Community Development Block Grant Program. (Staff contact: Nancy Melander, Community Development)  
**ACTION: Adopted Resolution No. 2020-137 – 3/1. (Schumacher – No)**
7. APPROVAL OF AGREEMENT WITH CENTRALSQUARE TECHNOLOGIES, LLC – Adoption of a resolution authorizing the city manager to execute an agreement to license the latest version of city's existing financial system, provide professional services to upgrade the financial system and provide ongoing hosting services from CentralSquare Technologies, LLC for a total not to exceed amount of \$492,004 for a three-year period. (Staff contact: Maria Callander and Kevin Branca, Administrative Services)  
**ACTION: Adopted Resolution No. 2020-138 – 4/0.**
8. ADVERTISE FOR BIDS FOR THE EL CAMINO REAL AND COLLEGE BOULEVARD INTERSECTION IMPROVEMENTS PROJECT – Adoption of a resolution approving plans and specifications and authorizing the city clerk to advertise for bids for the El Camino Real and College Boulevard Intersection Improvements, Capital Improvement Program Project No. 6071. (Staff contact: Brandon Miles, Public Works)  
**ACTION: Adopted Resolution No. 2020-139 – 4/0.**
9. AMENDMENT TO AGREEMENT WITH MIKHAIL OGAWA ENGINEERING, INC. – Adoption of a resolution authorizing Amendment No. 1 to the agreement with Mikhail Ogawa Engineering, Inc., to provide professional services for the Carlsbad Watershed Management Area (CWMA) Program in an amount of \$131,372. (Staff contact: James Wood, Public Works)  
**ACTION: Adopted Resolution No. 2020-140 – 4/0.**
10. AGREEMENT WITH THE REGIONAL SOLID WASTE ASSOCIATION – Adoption of a resolution authorizing the city manager to execute an agreement with the Regional Solid Waste Association (RSWA) for residential household hazardous waste collection program services for a five-year term. (Staff contact: Vecita Jones, Public Works)  
**ACTION: Adopted Resolution No. 2020-141 – 4/0.**

11. MASTER PURCHASE AGREEMENTS WITH ONESOURCE DISTRIBUTORS – Adoption of a City Council resolution authorizing execution of a five-year Master Purchase Agreement with OneSource Distributors for Supervisory Control and Data Acquisition (SCADA) Programmable Logic Controller equipment as part of Capital Improvement Program Project No. 5542-1 in an amount not to exceed \$150,000; and,  
Adoption of a CMWD resolution authorizing execution of a five-year Master Purchase Agreement with OneSource Distributors for Supervisory Control and Data Acquisition (SCADA) Programmable Logic Controller equipment as part of Capital Improvement Program Project No. 5542-2 and 5542-3, in an amount not to exceed \$400,000. (Staff contact: Stephanie Harrison, Public Works)  
**ACTION: Adopted Resolution No. 2020-142 – 4/0.**  
**ACTION: Adopted CMWD Resolution No. 1642 – 4/0.**

#### ORDINANCES FOR INTRODUCTION:

12. INTRODUCTION OF AN ORDINANCE TO DECREASE THE SPEED LIMIT ON AVENIDA ENCINAS FROM CANNON ROAD TO PALOMAR AIRPORT ROAD – Introduction of an ordinance amending Carlsbad Municipal Code Section 10.44.280 to decrease the speed limit on Avenida Encinas from Cannon Road to Palomar Airport Road to 35 miles per hour. (Staff contact: John Kim, Public Works)

**City Manager’s Recommendation:** Introduce the ordinance.

**ACTION: Introduced Ordinance No. CS-378 – 4/0.**

ORDINANCES FOR ADOPTION: None.

#### PUBLIC HEARINGS:

13. LIGHTING AND LANDSCAPING DISTRICT NO. 1 – Hold a public hearing and adopt a resolution confirming the diagram and assessment and providing for the levy of the annual assessment for fiscal year 2020-21 for Street Lighting and Landscaping District No. 1, a special assessment district. (Staff contact: Jason Rosado, Administrative Services).

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

**ACTION: Adopted Resolution No. 2020-143 – 4/0.**

14. LIGHTING AND LANDSCAPING DISTRICT NO. 2 – Hold a public hearing and adopt a resolution confirming the diagram and assessment and providing for the levy of the annual assessment for fiscal year 2020-21 for Street Lighting and Landscaping District No. 2, a special assessment district. (Staff contact: Jason Rosado, Administrative Services).

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

**ACTION: Adopted Resolution No. 2020-144 – 4/0.**

#### DEPARTMENTAL AND CITY MANAGER REPORTS:

15. 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: Council received the report.**

16. \$2,250,000 GUARANTY FOR THE CLEAN ENERGY ALLIANCE AND FINANCING OPTIONS – Receive a report and 1) Consider adoption of a resolution authorizing the City of Carlsbad to provide up to a \$2,250,000 guaranty for a \$2,500,000 credit option for Clean Energy Alliance as proposed by River City Bank or a third party approved by the alliance board; and Authorizing the city manager to act on behalf of the city, in consultation with the city attorney, to negotiate and execute all agreements and amendments necessary for the guaranty; and 2) Consider directing staff to develop and present an alternative credit option to fund the Clean Energy Alliance’s fiscal year 2020-21 budget with a \$4,450,000 loan from the city’s General Fund, in consultation with the city attorney and city treasurer. (Staff contact: Jason Haber, City Manager Department)

**City Manager’s Recommendation:** Receive the report, adopt the resolution and provide direction as appropriate.

**ACTION: Council received the report and selected Option 2 directing staff to develop and present an alternative option to fund the Clean Energy Alliance’s fiscal year 2020-21 budget with a \$4,450,000 loan from the city’s General Fund, in consultation with the city attorney and city treasurer. – 3/1 (Hall – No).**

17. AMENDMENT NO. 1 TO THE CLIMATE ACTION PLAN – Adoption of a resolution approving an amendment to the Climate Action Plan to revise the greenhouse gas inventory and reduction targets and forecast, update reductions from existing measures and incorporate Community Choice Energy as a new reduction measure. (Staff contact: Michael Grim, Pubic Works)

**City Manager’s Recommendation:** Adopt the resolution.

**ACTION: Adopted Resolution No. 2020-146 – 4/0.**

18. CITY COUNCIL COMPENSATION AND BALLOT MEASURE DISCUSSION – 1) Discuss and provide direction on placing a ballot measure on the Nov. 3, 2020, General Municipal Election ballot relating to City Council compensation; and 2) Discuss and provide direction on City Council compensation adjustments for 2019 and 2020. (Staff contact: Cindie McMahan, City Attorney Department and Sheila Cobian, City Clerk Services)

**City Manager’s Recommendation:** Receive the report and provide direction to staff.

**ACTION: Motion by Mayor Pro Tem Blackburn, seconded by Council Member Bhat-Patel, to direct staff to bring back documents that would place a ballot measure on the Nov. 3, 2020, General Municipal Election ballot relating to City Council compensation and to waive the City Council compensation adjustments for 2019 and 2020. – 4/0.**

## 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>	Buena Vista Lagoon JPC Encina Wastewater Authority/JAC Board of Directors

<b>Mayor Pro Tem</b>	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 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)
<b>Cori Schumacher Council Member – District 1</b>	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)
<b>Vacant – At-Large Council Member</b>	

**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. 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.

**ACTION: Minute Motion by Council Member Schumacher, seconded by Council Member Bhat-Patel, to direct staff to place on a future agenda item an administrative enforcement option for requiring the wearing of masks in public. Motion carried, 3/1. (Hall – No)**

**ACTION: Minute Motion by Mayor Pro Tem Blackburn, seconded by Council Member Bhat-Patel, to direct staff to place on a future agenda item at a Council Workshop information regarding the coastal Ponto property that includes the planning, master plan, public vote requirements and any other important information. Motion carried unanimously, 4/0.**

**CITY MANAGER COMMENTS:**

**CITY ATTORNEY COMMENTS:**

**ADJOURNMENT: 6:07 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](mailto: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.