



# CITY COUNCIL Agenda

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

Jan. 12, 2021, 3 p.m.

## 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/citytv.asp](https://carlsbadca.gov/news/citytv.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 decide.

*IN THE EVENT A QUORUM OF THE CITY COUNCIL LOSES ELECTRICAL POWER OR SUFFERS AN INTERNET CONNECTION OUTAGE THAT IS NOT CORRECTED WITHIN 15 MINUTES, THE MEETING WILL AUTOMATICALLY BE ADJOURNED. ANY ITEMS NOTICED AS PUBLIC HEARINGS WILL BE CONTINUED TO THE NEXT REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL. ANY OTHER AGENDA ITEMS THE COUNCIL HAS NOT TAKEN ACTION ON WILL BE PLACED ON A FUTURE AGENDA.*

**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, Acosta, 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 Regular Meeting held Dec. 8, 2020

**Approved minutes as presented – 5/0.**

**PRESENTATIONS:** None.

**PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:** None.

**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.*

**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. **ADVERTISE FOR BIDS FOR THE POINSETTIA COMMUNITY PARK PHASE IV DOG PARK PROJECT CIP NO. 4608** – Adopt a resolution approving the contract documents, plans and specifications for the Poinsettia Community Park Phase IV Dog Park Project, CIP No. 4608, and authorizing the city clerk to advertise the project for public bids. (Staff contact: Tim Selke, Parks & Recreation)  
**ACTION: Adopted Resolution No. 2021-001 – 5/0.**
2. **REVISIONS TO THE CITY’S INVESTMENT POLICY** – Adoption of a resolution approving the city’s Investment Policy dated Jan. 12, 2021 with one policy revision. (Staff contact: Craig Lindholm, Administrative Services)  
**ACTION: Adopted Resolution No. 2021-002 – 5/0.**

**ORDINANCES FOR INTRODUCTION:**

3. **ORDINANCE TO AMEND AND ADD CARLSBAD MUNICIPAL CODE SECTIONS ON CITY ENGINEER ROLES AND RESPONSIBILITIES** – Introduction of an ordinance amending sections 2.08.035, 2.24.020, 3.40.030, 8.48.020, 10.33.020, 11.16.020, 11.16.030 and 20.04.020 and adding sections 2.08.036, 2.08.037 and 13.16.020 of the Carlsbad Municipal Code. (Staff contact: Paz Gomez, Public Works)

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

**ACTION:** Introduced Ordinance No. CS-389 – 5/0.

**ORDINANCES FOR ADOPTION:** None.

**PUBLIC HEARINGS:**

4. CONSIDER ADOPTION OF VEHICULAR LEVEL OF SERVICE EXEMPTIONS UNDER THE GENERAL PLAN MOBILITY ELEMENT POLICY 3-P.9 FOR STREET FACILITIES DECLARED DEFICIENT UNDER THE CITYWIDE FACILITIES AND IMPROVEMENTS PLAN CIRCULATION PERFORMANCE STANDARD

1) Review and consider the Traffic and Mobility Commission's recommendations from Dec. 7, 2020 to exempt the five roadway facilities; and

2) Adoption of a resolution exempting street facilities from the Growth Management Plan vehicular Level of Service standard, pursuant to Mobility Element Policy 3-P.9, thereby refocusing planning efforts at these street facilities to transportation demand management strategies to reduce overall trip generation and adoption of CEQA findings. This includes vehicular LOS Exemptions for Eastbound Palomar Airport Road from Avenida Encinas to Paseo del Norte, Westbound Palomar Airport Road from Paseo del Norte to Avenida Encinas, Northbound College Boulevard from Carlsbad Village Drive to Oceanside City Limits, Eastbound Cannon Road from Avenida Encinas to Paseo del Norte, Westbound Cannon Road from Paseo del Norte to Avenida Encinas;

3) Adoption of a resolution directing staff to initiate planning and environmental review for roadway improvements and adoption of CEQA findings. (Staff contact: Tom Frank, Public Works)

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

**ACTION:** Adopted Resolution No. 2021-003 and Resolution No. 2021-004 – 5/0.

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

5. 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.

6. REGIONAL COVID-19 VACCINATION COORDINATION – 1) Receive a presentation; and  
2) Adopt a resolution empowering the Director of Emergency Services to authorize emergency use of the Biotech and Beyond building as a regional point of distribution for COVID-19 vaccination and testing programs coordinated by emergency services agencies. (Staff contact: Michael Calderwood, Fire and Geoff Patnoe, City Manager Department)

**City Manager's Recommendation:** Receive the presentation and adopt the resolution.

**ACTION:** Adopted Resolution No. 2021-005 – 5/0.

7. CLEAN ENERGY ALLIANCE POWER SUPPLY PRODUCT OFFERINGS AND INPUT TO THE CITY'S BOARD REPRESENTATIVE – Provide input to the city's Clean Energy Alliance board representative

regarding the alliance's power supply product offering. (Staff contact: Jason Haber, City Manager Department)

**City Manager's Recommendation:** Provide staff with input.

**ACTION: Minute Motion by Council Member Acosta, seconded by Mayor Pro Tem Blackburn, recommending the Clean Impact, Solana Energy Alliance product match, Green Impact, and no Local Impact with the ability for customers to opt-out and go back to SDG&E if they choose – 3/2 (Hall, Schumacher – No).**

8. ADOPTION OF THE CARLSBAD SUSTAINABLE MOBILITY PLAN – Adoption of a resolution adopting the Carlsbad Sustainable Mobility Plan. (Staff contact: Nathan Schmidt, Public Works)

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

**ACTION: Adopted Resolution No. 2021-006 – 5/0.**

9. REORGANIZATION OF THE CITY COUNCIL, ELECTION OF MAYOR PRO TEMPORE, REGIONAL COMMITTEE ASSIGNMENTS AND SUBCOMMITTEE ASSIGNMENTS – 1) Adoption of a resolution appointing one member of the City Council to serve as Mayor Pro Tempore for a term ending in December 2021, or until a replacement is appointed; and  
2) Adoption of a resolution appointing members of the City Council to the San Diego Association of Governments Board of Directors; and  
3) Adoption of a resolution appointing members of the City Council to the San Diego Association of Governments Shoreline Preservation Working Group; and  
4) Adoption of a resolution appointing members of the City Council to the North County Transit District Board of Directors; and  
5) Adoption of a resolution confirming the mayoral appointment of a member of the City Council to the San Diego County Water Authority Board of Directors; and  
6) Adoption of a resolution appointing members of the City Council to the Clean Energy Alliance Joint Powers Authority Board of Directors; and  
7) Adoption of a resolution confirming the mayoral appointments of members of the City Council to the various regional committee assignments; and  
8) Adoption of a resolution confirming the mayoral appointments of members of the City Council to the various subcommittee assignments. (Staff contact: Faviola Medina, City Clerk Department)

**City Manager's Recommendation:** Adopt the resolutions.

**ACTION: Adopted Resolution No. 2021-007 appointing Council Member Blackburn as Mayor Pro Tem – 5/0;**

**Adopted Resolution No. 2021-008 appointing Mayor Hall as the Primary Member, Council Member Bhat-Patel as the First Alternate Member and Mayor Pro Tem Blackburn as the Second Alternate Member to the SANDAG Board of Directors – 5/0;**

**Adopted Resolution No. 2021-009 appointing Council Member Bhat-Patel as the Primary Member and Mayor Pro Tem Blackburn as the Alternate Member to the SANDAG Shoreline Preservation Working Group – 5/0;**

**Adopted Resolution No. 2021-010 appointing Council Member Bhat-Patel as the Primary Member and Council Member Acosta as the Alternate Member to the NCTD Board of Directors – 5/0;**

**Adopted Resolution No. 2021-011 appointing Mayor Hall to the SDCWA Board of Directors – 4/1 (Acosta – No);**

**Adopted Resolution No. 2021-012 appointing Council Member Bhat-Patel as the Primary Member and Council Member Acosta as the Alternate Member to the Clean Energy Alliance JPA – 3/2 (Hall, Schumacher – No);**

**Adopted Resolution No. 2021-013 confirming the Mayoral appointments of members of the City Council to the various regional committee assignments – 5/0.**

**Adopted Resolution No. 2021-014 confirming the Mayoral appointments of members of the City Council to the various subcommittee assignments – 5/0.**

10. MAYORAL, DISTRICT 2 AND DISTRICT 4 APPOINTMENTS OF THREE MEMBERS TO THE PARKS & RECREATION COMMISSION – 1) Adoption of a resolution appointing one member to the Parks & Recreation Commission;  
2) Adoption of a resolution appointing one member to the Parks & Recreation Commission;  
3) Adoption of a resolution appointing one member to the Parks & Recreation Commission. (Staff contact: Tammy McMinn, City Clerk Department)

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

**ACTION: Adopted Resolution No. 2021-015 reappointing Jengi Martinez to serve as a member on the Parks & Recreation Commission – 5/0;**

**Adopted Resolution No. 2021-016 reappointing Michael Luna to serve as a member on the Parks & Recreation Commission – 5/0;**

**Adopted Resolution No. 2021-017 appointing Michael Sebahar to serve as a member on the Parks & Recreation Commission – 5/0.**

11. APPOINT ONE MEMBER TO THE CARLSBAD GOLF LODGING BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD – Adoption of a resolution appointing one member to the Carlsbad Golf Lodging Business Improvement District Advisory Board. (Staff contact: Tammy McMinn, City Clerk Department)

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

**ACTION: Adopted Resolution No. 2021-018 appointing Geoff Gray to serve as a member on the Carlsbad Golf Lodging Business Improvement District Advisory Board – 5/0.**

**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 City Council Legislative Subcommittee Economic Revitalization Subcommittee Ad-Hoc City Council North County Homeless Action Plan Subcommittee
<b>Keith Blackburn</b> <b>Mayor Pro Tem – District 2</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)  
Carlsbad Municipal Code and City Council Policy Update Subcommittee

**Priya Bhat-Patel**  
**Council Member – District 3**

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)  
City Council Legislative Subcommittee  
Economic Revitalization Subcommittee  
Ad-Hoc City Council North County Homeless Action Plan Subcommittee

**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)  
Carlsbad Municipal Code and City Council Policy Update Subcommittee

**Teresa Acosta**  
**Council Member – District 4**

**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.

**CITY MANAGER COMMENTS:**

**CITY ATTORNEY COMMENTS:**

**ADJOURNMENT:** 7:28 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.