



CITY COUNCIL Agenda

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Jan. 26, 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

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. 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 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. 15, 2020

Minutes of the Special Meeting held Jan. 14, 2021

Minutes of the Special Meeting held Jan. 19, 2021

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. **AMENDMENT NO. 5 TO THE PROJECT AGREEMENT BETWEEN CITY OF CARLSBAD AND CITY OF VISTA FOR CONSTRUCTION OF THE AGUA HEDIONDA SEWER LIFT STATION AND VISTA/CARLSBAD INTERCEPTOR SEWER REACHES** – Adoption of a resolution authorizing the mayor to execute Amendment No. 5 to the project agreement for construction of the Agua Hedionda Sewer Lift Station and Vista/Carlsbad Interceptor Sewer, Reaches VC11B-VC15, between the City of Carlsbad and the City of Vista, authorize the deputy city manager, administrative services, to transfer \$1,200,000 from the Sewer Connection Fee Fund to the Sewer Replacement Fund, and appropriate \$1,200,000 from the Sewer Replacement Fund, and authorize the city manager to approve contract documents and reimbursement payments to the City of Vista for the City of Carlsbad's share of the remaining project work in an amount not to exceed \$1,545,000. (Staff contact: Dave Padilla and Vicki Quiram, Public Works)

ACTION: Adopted Resolution No. 2021-031 – 5/0.

2. **AMENDMENT TO AGREEMENTS FOR THE SAFETY CENTER RENOVATION PROJECT, CIP NO. 4715** –
 - 1) Adoption of a resolution authorizing Amendment No. 4 to the Agreement with Sillman Wright Architects, Inc. to incorporate structural engineering design services for the Emergency Operations

Center into the design work for the Safety Center Renovation Project, CIP Project No. 4715, in an amount not to exceed \$278,967; and

2) Adoption of a resolution authorizing Amendment No. 2 to the Agreement with Griffin Structures, Inc. to extend and amend the agreement for construction management and inspection services for the Safety Center Renovation Project, CIP Project No. 4715, in an amount not to exceed \$368,000. (Staff contact: Mickey Williams, Police and Steven Stewart Public Works)

**ACTION: Adopted Resolution No. 2021-032; and
Adopted Resolution No. 2021-033 – 5/0.**

3. RATIFICATION OF A DECLARATION OF LOCAL EMERGENCY FOR REMEDIATION OF HILLSIDE – Adoption of a resolution ratifying the city manager’s declaration of local emergency for remediation of a hillside scarred by the Jan. 20, 2021 brushfire incident that occurred on the northeast side of the 4600 block of Park Drive. (Staff contact: Tom Frank and Michael O’Brien, Public Works)

ACTION: Adopted Resolution No. 2021-034 – 5/0.

ORDINANCES FOR INTRODUCTION:

4. ANNUAL CITY COUNCIL COMPENSATION REVIEW – 1) Introduction of an ordinance adjusting City Council compensation by the amount established by the San Diego Regional Consumer Price Index; or
2) Introduction of an ordinance permanently waiving City Council compensation adjustments for 2021. (Staff contact: Drew Cook and Judy von Kalinowski, Human Resources)

City Manager’s Recommendation: Introduce the ordinance.

ACTION: Introduced Ordinance No. CS-390 permanently waiving City Council compensation adjustments for 2021 – 5/0.

5. AMEND CARLSBAD MUNICIPAL CODE CHAPTER 2.04 RELATING TO ELECTED OFFICIALS AND REPEAL CHAPTER 2.06 AND SECTIONS 2.08.010, 2.08.020, 2.08.022, 2.08.030 AND 2.08.032 – Introduction of an ordinance amending Chapter 2.04 and repealing Chapter 2.06 and Sections 2.08.010, 2.08.020, 2.08.022, 2.08.030 and 2.08.032 of the Carlsbad Municipal Code. (Staff contact: Cindie McMahan, City Attorney Department and Sheila Cobian, City Manager Department)

City Manager’s Recommendation: Introduce the ordinance.

ACTION: Council directed staff to bring back the item with the requested provisions to a date uncertain future Council meeting (see minutes for details) – 5/0.

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARINGS: None.

DEPARTMENTAL AND CITY MANAGER REPORTS:

6. ECONOMIC AND FINANCIAL UPDATE FOR THE SECOND QUARTER OF FISCAL YEAR 2020-21 – Receive a report on the economic and financial update for the second quarter of fiscal year 2020-21 and provide direction as appropriate. (Staff contact: Laura Rocha, Administrative Services)

City Manager’s Recommendation: Receive the report and provide direction as appropriate.

ACTION: Council received the report.

7. APPROVAL OF REVISIONS TO THE CITY OF CARLSBAD PART-TIME SALARY SCHEDULE AND MANAGEMENT SALARY SCHEDULE – Adoption of a resolution approving revisions to the City of Carlsbad Part-Time Salary Schedule and Management Salary Schedule, and authorizing pay increases for part-time employees and management employees. (Staff contact: Judy von Kalinowski and Drew Cook, Human Resources)

City Manager’s Recommendation: Adopt the resolution.

ACTION: Adopted Resolution No. 2021-035 – 5/0.

8. COVID-19 ACTIONS AND EXPENDITURES REPORT – 1) Receive a report on recent actions and expenditures related to the city’s response to the COVID-19 pandemic and provide direction as appropriate; and
2) Adoption of a resolution appropriating \$1,500,000 from the city’s economic uncertainty set-aside in the General Fund to pay for costs related to the COVID-19 local emergency. (Staff contact: Geoff Patnoe, City Manager Department)

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

ACTION: Council received the report; and

Adopted Resolution No. 2021-036 – 5/0.

9. APPROVAL OF OUTLINE FOR 2021 CITY COUNCIL GOAL SETTING WORKSHOP – Consider and approve the outline for the 2021 City Council Goal Setting Workshop and provide direction to staff as necessary. (Staff contact: Sheila Cobian and Jason Haber, City Manager Department)

City Manager’s Recommendation: Consider and approve the outline and provide direction to staff as necessary.

ACTION: Council approved the outline for the City Council Goal Setting Workshop – 5/0.

10. DISTRICT 2 AND DISTRICT 4 APPOINTMENTS OF TWO MEMBERS TO THE PLANNING COMMISSION
1) Adoption of a resolution appointing one member to the Planning Commission; and
2) Adoption of a resolution appointing one member to the Planning Commission. (Staff contact: Tammy McMinn, City Clerk Department)

City Manager’s Recommendation: Adopt the resolutions.

ACTION: Adopted Resolution No. 2021-037 appointing William Kamenjarin to the Planning Commission – 5/0.

ACTION: Adopted Resolution No. 2021-038 appointing Kevin Sabellico to the Planning Commission – 5/0.

11. MONROE STREET POOL IMPROVEMENT/REPLACEMENT PROJECT CONCEPT DIRECTION – Receive a staff report on the Monroe Street Pool Renovation/Replacement Project and direct staff on which design concept to pursue, and, if a ballot measure is necessary to implement the selected design concept, which election cycle staff should pursue. (Staff contact: Kyle Lancaster, Parks & Recreation and Steven Stewart, Public Works)

City Manager’s Recommendation: Receive the report and provide direction as appropriate.

ACTION: Council received the report and directed staff to pursue Design Concept No. 3; and pursue placing the measure on the June 7th, 2022 primary election ballot – 5/0.

12. REPORT ON PLANNING AREA F OF THE POINSETTIA SHORES MASTER PLAN – PONTO PROPERTY –
 Receive an informational presentation on Planning Area F of the Poinsettia Shores Master Plan, the Ponto property, that includes an overview of the planned and allowed land uses, public park needs and requirements, public vote requirements, and related information pertinent to the future development of the property, and provide staff with direction. (Staff contact: Jeff Murphy, Community Development)

City Manager’s Recommendation: Receive the report and provide direction as appropriate.

ACTION: Minute Motion by Council Member Acosta, second by Council Member Schumacher to direct staff to bring back an item within the next six months with viable strategies regarding Planning Area F and other coastal properties to preserve open space and recreation – 4/0/1 (Bhat-Patel – Absent).

13. STRATEGIC DIGITAL TRANSFORMATION INVESTMENT PROGRAM – Adoption of a resolution approving the preliminary Strategic Digital Transformation Investment Program. (Staff contact: Laura Rocha, David Graham and Maria Callander, Administrative Services)

City Manager’s Recommendation: Adopt the resolution.

ACTION: Council continued the item until after goal setting – 4/0/1 (Bhat Patel – Absent)

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS:

City Council Regional Assignments (Revised 1/12/21)

Matt Hall Mayor	North County Mayors and Managers Chamber of Commerce Liaison (primary) San Diego County Water Authority SANDAG Board of Directors (primary) City Council Legislative Subcommittee Economic Revitalization Subcommittee North County Homeless Action Committee
Keith Blackburn Mayor Pro Tem – District 2	Buena Vista Lagoon JPC Encina Joint Powers JAC Encina Wastewater Authority Board of Directors North County Dispatch Joint Powers Authority SANDAG Board of Directors (2 nd alternate) SANDAG Shoreline Preservation Working Group (alternate) Carlsbad Municipal Code and City Council Policy Update Subcommittee
Priya Bhat-Patel Council Member – District 3	SANDAG Board of Directors (1 st alternate) SANDAG Shoreline Preservation Working Group (primary) North County Transit District (primary) City/School Committee Clean Energy Alliance JPA (primary) League of California Cities – SD Division (alternate) Economic Revitalization Subcommittee
Cori Schumacher Council Member – District 1	Buena Vista Lagoon JPC Encina Joint Powers JAC Encina Wastewater Authority Board of Directors

League of California Cities – SD Division
North County Dispatch Joint Powers Authority (alternate)
Carlsbad Municipal Code and City Council Policy Update
Subcommittee
North County Homeless Action Committee

Teresa Acosta

Council Member – District 4

City/School Committee
Chamber of Commerce Liaison (alternate)
Encina Wastewater Authority Board of Directors (alternate)
City Council Legislative Subcommittee
Clean Energy Alliance JPA (alternate)
North County Transit District (alternate)

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.

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 January 26, 2021 will approve the following final map:

Carlsbad Tract CT 2017-0005 located generally at 972 and 988 Grand Avenue, Carlsbad, CA.

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 MANAGER COMMENTS:

CITY ATTORNEY COMMENTS:

ADJOURNMENT: 8:22 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.