



# CITY COUNCIL Agenda

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

April 13, 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 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 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.

**Absent:** Schumacher.

**ANNOUNCEMENT OF CONCURRENT MEETINGS:** City Council is also serving as the Carlsbad Public Financing Authority and the Carlsbad Municipal Water District on Departmental and City Manager Report Item No. 9.

**INVOCATION:** None.

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

**APPROVAL OF MINUTES:** None.

**PRESENTATIONS:**

Proclamation in Recognition of Earth Month

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

**PUBLIC COMMENT:** *The Brown Act allows any member of the public to comment on items not on the agenda. Please treat others with courtesy, civility, and respect. 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 may 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 in the beginning of the meeting. All other comments will be heard at the end of the meeting. In conformance with the Brown Act, no 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. **REJECTION OF ALL BIDS RECEIVED FOR THE POINSETTIA COMMUNITY PARK PHASE IV IMPROVEMENTS PROJECT, CIP NO. 4608** – Adoption of a resolution rejecting all bids received for the Poinsettia Community Park Phase IV Improvements Project, CIP No. 4608. (Staff contact: Tim Selke, Parks & Recreation)  
**ACTION: Adopted Resolution No. 2021-076 – 4/0/1 (Schumacher – Absent).**
2. **SETTLEMENT OF THE WORKERS’ COMPENSATION CLAIMS OF DUNCAN SANCHEZ FOR \$60,000** – Adoption of a resolution authorizing settlement of the workers’ compensation claims of Duncan Sanchez. (Staff contact: Sarah Reiswig and Judy von Kalinowski, Administrative Services)  
**ACTION: Adopted Resolution No. 2021-077 – 4/0/1 (Schumacher – Absent).**
3. **APPROPRIATION OF FUNDS FOR PURCHASE OF PORTABLE AND SOLAR-POWERED SPEED-FEEDBACK SIGNS** - Adoption of a resolution authorizing the appropriation from Gas Tax Funds in the amount of \$288,000 to solicit bids for purchase of eight portable speed feedback signs and

purchase and installation of eight solar-powered speed feedback signs. (Staff contact: John Kim, Public Works)

**ACTION: Adopted Resolution No. 2021-078 – 4/0/1 (Schumacher – Absent).**

4. STATE GRANT PROGRAM STANDARD ASSURANCES – Adoption of a resolution approving State Grant Program Standard Assurances. (Staff contact: David Harrison, Fire)

**ACTION: Adopted Resolution No. 2021-079 – 4/0/1 (Schumacher – Absent).**

**ORDINANCES FOR INTRODUCTION:** None.

**ORDINANCES FOR ADOPTION:**

5. ADOPTION OF ORDINANCE NOS. CS-394 – ELECTIONS, CS-395 – ELECTION CAMPAIGN DISCLOSURES, AND CS-396 – CAMPAIGN CONTRIBUTION LIMITS – 1) Adoption of Ordinance No. CS-394 amending Carlsbad Municipal Code Title 1, Chapter 1.12 – Elections; and  
2) Adoption of Ordinance No. CS-395 amending Carlsbad Municipal Code Title 1, Chapter 1.13 – Election Campaign Disclosures; and  
3) Adoption of Ordinance No. CS-396 adding Chapter 1.15 – Campaign Contribution Limits to Title 1 of the Carlsbad Municipal Code. (Staff contact: Sheila Cobian, City Manager Department)

**City Manager’s Recommendation:** Adopt Ordinance Nos. CS-394, CS-395 and CS-396.

**ACTION: Adopted Ordinance No. CS-394 – 3/1/1 (Hall – No; Schumacher – Absent);**

**Adopted Ordinance No. CS-395 – 4/0/1 (Schumacher – Absent);**

**Adopted Ordinance No. CS-396 – 3/1/1 (Hall – No; Schumacher – Absent).**

**PUBLIC HEARINGS:** None.

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

6. 2021 ANNUAL WORK PLANS FOR THE LIBRARY AND CULTURAL ARTS DEPARTMENT’S THREE BOARDS AND COMMISSIONS – 1) Adoption of a resolution approving the Library Board of Trustees Work Plan for Fiscal Year 2020-21; and  
2) Adoption of a resolution approving the Arts Commission Work Plan for Fiscal Year 2020-21; and  
3) Adoption of a resolution approving the Historic Preservation Commission Work Plan for Fiscal Year 2020-21. (Staff contact: Suzanne Smithson and Richard Schultz, Library & Cultural Arts)

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

**ACTION: Adopted Resolution No. 2021-080;**

**Adopted Resolution No. 2021-081;**

**Adopted Resolution No. 2021-082 – 4/0/1 (Schumacher – Absent).**

7. ARTS & CULTURE MASTER PLAN ANNUAL STATUS REPORT – Receive an annual status report on Arts & Culture Master Plan initiatives launched in fiscal year 2019-20 and fiscal year 2020-21, and consider additional support of initiatives for fiscal year 2021-22. (Staff contact: Richard Schultz, Library & Cultural Arts)

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

**ACTION: Council received the report;**

**Motion by Mayor Pro Tem Blackburn, seconded by Council Member Bhat-Patel, to support Arts & Culture Master Plan initiative nos. 1, 2, and 3 only – 4/0/1 (Schumacher – Absent).**

8. CLIMATE ACTION PLAN ANNUAL REPORT – Adoption of a resolution accepting the Climate Action Plan Annual Report for reporting period 4, July 2019 to December 2020. (Staff contact: Michael Grim, Public Works)

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

**ACTION: Adopted Resolution No. 2021-083 – 4/0/1 (Schumacher – Absent).**

9. CLEAN ENERGY ALLIANCE PRODUCT SELECTION FOR CITY OF CARLSBAD, CARLSBAD PUBLIC FINANCING AUTHORITY, AND CARLSBAD MUNICIPAL WATER DISTRICT ELECTRIC SERVICE ACCOUNTS – 1) Adoption of a City of Carlsbad resolution selecting the Clean Energy Alliance Power Supply Product for City of Carlsbad Electric Service Accounts; and  
 2) Adoption of a Carlsbad Public Financing Authority resolution selecting the Clean Energy Alliance Power Supply Product for Carlsbad Public Financing Authority Electric Service accounts; and  
 3) Adoption of a Carlsbad Municipal Water District resolution selecting the Clean Energy Alliance Power Supply Product for Carlsbad Municipal Water District Electric Service Accounts, selected from the following options: 1) Clean Impact – 50% power supply from renewable energy sources; 2) Clean Impact Plus – 50% renewable and 75% carbon-free energy sources; and 3) Green Impact – 100% of power supply from renewable energy sources. (Staff contact: Jason Haber, City Manager Department)

**City Manager’s Recommendation:** Select the energy option and adopt the resolutions.

**ACTION: Adopted Resolution No. 2021-084 selecting the Clean Impact Plus option;**

**Adopted PFA Resolution No. 84 selecting the Clean Impact Plus option;**

**Adopted CMWD Resolution No. 1650 selecting the Clean Impact Plus option – 4/0/1 (Schumacher – Absent).**

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

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

<b>Matt Hall</b> <b>Mayor</b>	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
<b>Keith Blackburn</b> <b>Mayor Pro Tem – District 2</b>	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 <sup>nd</sup> alternate) SANDAG Shoreline Preservation Working Group (alternate) Carlsbad Municipal Code and City Council Policy Update Subcommittee
<b>Priya Bhat-Patel</b> <b>Council Member – District 3</b>	SANDAG Board of Directors (1 <sup>st</sup> 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.

**CITY MANAGER COMMENTS:**

**CITY ATTORNEY COMMENTS:**

**ADJOURNMENT: 5:28 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](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.