

From: Faviola Medina
Sent: Tuesday, April 23, 2024 2:15 PM
To: City Clerk
Subject: FW: City Council Meeting 04-23-2024 Agenda Item #5

From: Robin Nuschy <Robin.Nuschy@carlsbadca.gov> **On Behalf Of** City Attorney
Sent: Tuesday, April 23, 2024 2:03 PM
To: DEPT City Clerk <DEPT_City_Clerk@CarlsbadCA.gov>
Subject: FW: City Council Meeting 04-23-2024 Agenda Item #5

From: Hope Nelson <hopefromthehood@gmail.com>
Sent: Tuesday, April 23, 2024 10:00 AM
To: Keith Blackburn <keith.blackburn@carlsbadca.gov>; Priya Bhat-Patel <priya.bhat-patel@carlsbadca.gov>; Melanie Burkholder <melanie.burkholder@carlsbadca.gov>; Carolyn Luna <carolyn.luna@carlsbadca.gov>; Teresa Acosta <teresa.acosta@carlsbadca.gov>; Scott Chadwick <scott.chadwick@carlsbadca.gov>; City Attorney <attorney@carlsbadca.gov>; Mike Strong <mike.strong@carlsbadca.gov>; Jason Haber <jason.haber@carlsbadca.gov>
Cc: Vickey Syage <vickey.syage@gmail.com>
Subject: City Council Meeting 04-23-2024 Agenda Item #5

To all,

Citizens for a Friendly Airport is excited about tonight's City Council Agenda Item #5. We are happy to see the progress made. We also believe that Staff has done a thorough job in their Staff Report and the documentation, and we anticipate a productive conversation at the Council Meeting.

Below are comments we have in reference to the Staff Report. We anticipate our comments will be seen as intended, in the interest of our mutual efforts and mutual understanding to achieve our mutual goal.

1. On page 4 of 36 of the Staff Report, part of the 1st paragraph, there is detail of the Citizens for a Friendly Airport lawsuit, Jan 26, 2022 Superior Court Order. Two parts of the decision are noted, but the third, perhaps most important detail is “Two, the county waived its immunities. It obtained CUP-172 as a condition of the City of Carlsbad’s annexation of the airport and rezoning of the land for airport use. (Petitioner’s Notic of Lodgment of Omitted Administrative Record Items (LOARI), Exhs. 4, 5.) Notably, the Local Agency Formation Commission stated the following: “In order to comply with the requirements of the Carlsbad Zoning Ordinance, an appropriate zoning designation must be placed upon the airport, and a Conditional use Permit *must* be obtained by the County. The City of Carlsbad and the County are in agreement with this procedure.” (Emphasis added) (LOARI Exh. 5, p. 19.) Thus, the evidence in the administrative record indicates

that the County voluntarily and intentionally relinquished its immunities with respect to the airport.

Even though this is not an "actionable" item, we believe this should be noted in any reference to the Court's decision.

2. We are concerned about the timeline to bring this back for City Council's final approval. We appreciate the time everyone has taken to learn and understand all the moving parts of this project.

Citizens for a Friendly Airport has been actively involved in this with the City of Carlsbad since a Nov 2017 meeting between the City of Carlsbad, San Diego County, and C4FA. Both City and County attorneys were in attendance. City Council has knowledge and experience with the Airport, having exposure to the County McClellan-Palomar Airport Master Plan, as well as a lengthy effort to get to this current agenda item. It seems that now is finally the time to get this done for our community. We hope an expedited goal to introduce a City Council public hearing before the close of 2024 can be considered.

Many thanks to all for hearing Citizens for a Friendly Airport over the years. We appreciate the attention to our cause and the effort that has gone into the Staff Report for tonight's meeting.

Sincerely,
Hope Nelson for C4FA

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From: Council Internet Email
Sent: Tuesday, April 23, 2024 11:23 AM
To: City Clerk
Subject: FW: Carlsbad retaining local control

-----Original Message-----

From: DAVID COY <davidcoymusic@aol.com>
Sent: Tuesday, April 23, 2024 10:59 AM
To: Council Internet Email <council@carlsbadca.gov>
Subject: Carlsbad retaining local control

Hello.

Please approve the Resolution presented with an expedited timeline to complete the General Plan Amendments and Zoning updates by the end of this year, 2024.

Please include directions to define "Airport Expansion" using the California State legal definitions in our City Code. Please acknowledge the Resolution per the Annexation Agreement and Court ruling in C4FA v. County of San Diego. The County of San Diego voluntarily waived all their immunities regarding land use at McClellan Palomar Airport. Thank you, from a resident in the flight path for eleven years!
David Coy

Sent from my iPad

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From: Council Internet Email
Sent: Tuesday, April 23, 2024 11:23 AM
To: City Clerk
Subject: FW: Palomar Airport Resolution

From: Cinda Kemper <cindakemper@gmail.com>
Sent: Tuesday, April 23, 2024 10:27 AM
To: Council Internet Email <council@carlsbadca.gov>
Subject: Palomar Airport Resolution

I am writing to request that the Carlsbad City Council approve the Palomar Airport resolution on tonight's meeting agenda, with an expedited timeline to complete the General Plan Amendments and Zoning Updates by the end of 2024. Please include directions to define "airport expansion" using the California State legal definitions in our city code. And please acknowledge in the resolution per the Annexation Agreement and Court ruling in C4FA v. County of San Diego, the County of San Diego, the County of San Diego voluntarily waived all their immunities regarding land use at McClellan Palomar Airport.

Thank you!

-Cinda Kemper
Carlsbad, CA 92011

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