

# CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY,  
PUBLIC FINANCING AUTHORITY, & HOUSING AUTHORITY



## MINUTES

Joint REGULAR Meeting

Wednesday, June 13, 2018 \* 6:00 P. M.

Minutes contain a summary of significant discussions and formal actions taken at a City Council meeting.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California

- City Council meetings are video recorded and archived as a permanent record. The video recording captures the complete proceedings of the meeting and is available for viewing on the City's website.
- Posted Reports & Supplemental Docs contain records up to the cut off time prior to meetings for processing new submittals. Complete records containing meeting handouts, PowerPoints, etc. can be obtained through a [Records Request](#).

### CITY COUNCILMEMBERS

David A. Zito, Deputy Mayor

Jewel Edson, Councilmember

Judy Hegenauer, Councilmember

Lesa Heebner, Councilmember

Peter Zahn, Councilmember

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

Deputy Mayor Zito called the meeting to order at 6:09 p.m.

Present: David A. Zito, Jewel Edson, Judy Hegenauer, Lesa Heebner, Peter Zahn

Absent: None

Also Present: Greg Wade, City Manager  
Johanna Canlas, City Attorney  
Angela Ivey, City Clerk,  
Dan King, Assistant City Manager  
Mo Sammak, City Engineer/Public Works Dir.  
Marie Berkuti, Finance Manager  
Corey Andrews, Principal Planner  
Jason Shook, Marine Safety Captain  
Mike Stein, Fire Chief, John Mayron, Sheriff's Captain

### CLOSED SESSION REPORT:

Johanna Canlas, City Attorney, stated that there was no reportable action.

### FLAG SALUTE:

### APPROVAL OF AGENDA:

**Motion:** Moved by Councilmember Edson and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

**PRESENTATIONS:** Ceremonial items that do not contain in-depth discussion and no action/direction.  
League of American Bicyclists – Bike Friendly City Certificate

**ORAL COMMUNICATIONS:**

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by submitting a speaker slip (located on the back table) to the City Clerk. Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

Lane Sharman spoke about his appreciation of Council's engagement in community energy, that he got it off the ground in 2011, to consider conducting a public workshop or presentation going beyond the choice and rates and more on renewable energy,

Pat Tirona (time donated by Renee Hanson, Jim Gilmore) spoke about the generous grant received from the City that provided a robust magazine journal and newspaper collection for the library, as well purchasing popular books and DVDs, the Sheriff's Meet and Greet event, and the change in the library hours next week.

Renee Hansen spoke about the City's contribution to their collection including new DVDs for their special reading challenge program party, the summer learning program starting up on Thursdays.

Jim Gilmore spoke about the Coding program, which would teach middle-schoolers.

Cat, London, Gilbert, Ella Engleberg, Sofia Engleberg spoke about their appreciation for the City's interest in adding the crossing guards to their Work Plan and were hopeful that Council could help them work with the school district to have something in place for August.

Tracy Richmond spoke about serving on the Parks and Recreation Commission, and that he had been searching for pocket parks through the City and had identified one suitable site in the 4-500 block of Glenmont on the reservoir property that would be an ideal site for a public park. He said that he had contacted Michael Bartlet, General Manager, who indicated that a process between the City Council and his Board and Committee would need to take place and asked to add it to a future agenda.

Deputy Mayor Zito recessed the meeting for a break.

**COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:**

*An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.*

**A. CONSENT CALENDAR:** (Action Items) (A.1. - A.7.)

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker slip (located on the back table) before the Consent Calendar is addressed. Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

**A.1. Register Of Demands.** (File 0300-30).

Recommendation: That the City Council

1. Ratify the list of demands for May 5-18, 2018.

**Motion:** Moved by Councilmember Edson and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

**A.2. General Fund Adopted Budget for Fiscal Year 2017-2018 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2017-2018 General Fund Adopted Budget.

**Motion:** Moved by Councilmember Edson and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

**A.3. Work Plan Fiscal Year 2018/19 Adoption.** (File 0410-80)

Recommendation: That the City Council

1. Consider and adopt the final Fiscal Year 2018/2019 Work Plan.

**Motion:** Moved by Councilmember Edson and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

**A.4. Payment of the North County Dispatch JPA (North Comm) CalPERS Unfunded Accrued Liability.** (File 0150-76)

Recommendation: That the City Council

1. Adopt **Resolution 2018-068** authorizing the lump sum payment of the CalPERS UAL for North Comm in the amount of \$61,291 in Fiscal Year 2017/18.

**Motion:** Moved by Councilmember Edson and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

**A.5. Appropriations Limit Fiscal Year 2018/19.** (File 0330-60)

Recommendation: That the City Council

1. Adopt **Resolution 2018-060**, establishing the FY 2018/19 Appropriations Limit in accordance with Article XIII B of the California Constitution and Government Code Section 7910 and choosing the County of San Diego's change in population growth to calculate the Appropriations Limit.

**Motion:** Moved by Councilmember Edson and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

**A.6. Fire Benefit Fee Fiscal Year (FY) 2018/19.** (File 0390-23)

Recommendation: That the City Council

1. **Resolution 2018-061:**
  - a. Setting the FY 2018/19 Fire Benefit Fee at \$10.00 per unit, and
  - b. Approving the Fee for levying on the tax roll.

**Motion:** Moved by Councilmember Edson and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

**A.7. Municipal Improvement Districts Benefit (MID) Fees Fiscal Year (FY) 2018/19.**  
(File 0495.20)

Recommendation: That the City Council

1. Approve **Resolution 2018-062**, setting the Benefit Charges for MID No. 9C, Santa Fe Hills, at \$232.10 per unit for FY 2018/19.
2. Approve **Resolution 2018-063**, setting the Benefit Charges for MID No. 9E, Isla Verde, at \$68.74 per unit for FY 2018/19.
3. Approve **Resolution 2018-064**, setting the Benefit Charges for MID No. 9H, San Elijo Hills # 2, at \$289.58 per unit for FY 2018/19.
4. Approve **Resolution 2018-065**, setting the Benefit Charges for MID No. 33, Highway 101/Railroad Right-of-Way, at \$3.12 per unit for FY 2018/19.

**Motion:** Moved by Councilmember Edson and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

**B. PUBLIC HEARINGS:** (B.1.)

This portion of the agenda provides citizens an opportunity to express their views on a specific issue as required by law after proper noticing by submitting a speaker slip (located on the back table) to the City Clerk. After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record. An applicant or designees for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen

minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each. Please be aware of the timer light on the Council Dais.

**B.1. Public Hearing: Consider Introduction (1<sup>st</sup> Reading) of Ordinance 487 Amending the Highway 101 Specific Plan – Specific Plan Amendment No. 17-18-09.** (File 0600-70)

Recommendation: That the City Council

1. Consider introduction (1<sup>st</sup> reading) of **Ordinance 487** amending the Highway 101 Specific Plan.

Greg Wade, City Manager, introduced the item.

Joe Lim, Community Development Dir., presented a PowerPoint (on file).

Deputy Mayor Zito opened the public hearing.

Cindi Clemons said that reducing the maximum height of buildings to 26 ft. is necessary to maintain the character and charm of the City, making exceptions only to hotels, her concern about the 3-story building on Plaza because it blocked the ocean view and that adding rooftop decks should be limited to single story structures only because with patio furniture and potted plants it appears to be a 2nd story.

Richard Hendlin said he supported Ordinance 487, that the changes to the Highway 101 Specific Plan would benefit the citizens of the community, that it was an important land use decision, and agreed with Cindi Clemons on limiting rooftop decks to first floor only.

Brad Jacobs said he supported the Specific Plan that the community had charm and great location and that the restrictions would provide builders with the clarity to allow them to plan projects that would be profitable in a controlled manner.

Gary Martin said he supported the proposed amendment to the Highway 101 Specific Plan, the issue was what should it look like in the future, what was the right scale to make Solana Beach a great place for residents and for destination and retail customers, that preserving the character of the City by looking at the scale of the buildings and the maximum height was a good way to accomplish that, the height limitation on South Cedros had not hurt businesses, and that he submitted a letter regarding rooftop decks for Council consideration.

Kelly Harless spoke about her support for the plan, that it was a good balance and the reason developers were flocking to Solana Beach, and the 3-story height exception for hotels/motels west of the Highway 101 and the potential block of ocean view.

Tracy Richmond said he supported the proposed amendments, to prohibit rooftop decks, preserve the eclectic nature of Solana Beach and limit building heights to 26 ft.

Council and Staff discussion included providing developers what they asked for in terms of

consistency, favoring the 26 ft. maximum building height, maximum 3-story hotels, encouraging affordable housing, clarifying decks and rooftops, exempting the Marine Safety Center, refining the definition of decks to say no deck or area capable of occupancy shall be constructed at/on/or above or within 6 ft. of the roof of the second floor of a building, that would give that deck the ability to have railing of 42” and maybe an umbrella that would not extend beyond the roof of the second floor, and specifying measuring it 20 ft. from the ground floor.

**Motion:** Moved by Councilmember Heebner and second by Deputy Mayor Zahn to close the public hearing. **Approved 5/0.** Motion carried unanimously.

**Motion:** Moved by Councilmember Heebner and second by Councilmember Edson to approve the ordinance introduction with the addition of changes noted updating ‘project’ to ‘projections’, changing ‘visitor accommodations’ to ‘motel,’ reference to roof deck definition utilizing language submitted by Gary Martin including using the reference to height being no more than 20 ft. from the ground floor, exempting the Marine Safety Center, updating footnotes in section 4.2 note l., section 4.3 note j., section 4.4 note f. Approved 5/0. **Motion carried unanimously.**

**C. STAFF REPORTS:** (C.1. - C.4.)  
*Submit speaker slips to the City Clerk.*

**C.1. Climate Action Commission Appointment.** (File 0120-06)

Recommendation: That the City Council

1. Make one appointment (by Council-at-large) to the vacant resident position on the Climate Action Commission with a term expiration date of January 2019.

**Motion:** Moved by Councilmember Hegenauer and second by Councilmember Heebner to appoint Patricia Larchet. **Approved 5/0.** Motion carried unanimously.

**C.4. Community Grant Program Requests Fiscal Year 2018-19.** (File 0330-25)

Recommendation: That the City Council

1. Receive the Staff Report, Community Grant applications and consider both the applications and the presentations from the grant applicants. This item will come back to the City Council at the June 27, 2018 City Council Meeting for Council’s grant allocations.

Dan King, Assistant City Manager introduced the item and said that 12 of the 14 applicants would be presenting.

Deputy Mayor Zito reviewed the time allotment of 3 minutes for each organization to present their application, that Council would ask any relevant questions, and clarified that

each individual had one opportunity to speak on the item, so if one wanted to speak to another application, they would need to do so within their original 3 minute allotted time.

The following organizations presented their application and answered questions from Council.

- American Association of University Women
- Assistance League,
- Boys & Girls Club La Colonia Clubhouse Youth Program
- Casa de Amistad
- CRC (Community Resource Center)
- La Colonia de Eden Gardens Foundation
- North County Repertory Theatre
- North County Immigration & Citizenship Center
- Reality Changers
- Solana Beach Civic & Historical Society
- Solana Beach Disconnect Collective
- Solana Beach Soccer Club

Deputy Mayor Zito recessed the meeting at 8:24 p.m. for a break and reconvened at 8:29 p.m.

**C.2. New Exclusive Solid Waste and Recycling Franchise Agreement with EDCO Waste and Recycling.** (File 1030-15)

Recommendation: That the City Council

1. Adopt **Resolution 2018-075** approving the new Exclusive Franchise Agreement with EDCO for residential and commercial solid waste and recycling services.

Greg Wade, City Manager, introduce the item

Dan King, Assistant City Manager, presented a PowerPoint (on file)

Council discussion and questions of the consultant.

**Motion:** Moved by Councilmember Heebner and second by Councilmember Edson to approve. **Approved 5/0.** Motion carried unanimously.

**C.3. Adopting Adjustments to the Fiscal Year (FY) 2018/19 Adopted Budget.** (File 0330-30)

Recommendation: That the City Council

1. Adopt **Resolution 2018-070** approving amendments to the Fiscal Year FY 2018/19 Adopted Budget and provide further direction on FY 2018/19 CIP (Capital Improvement Projects) project priorities.

Greg Wade, City Manager, introduced the item.

Marie Berkuti, Finance Manager, presented a PowerPoint (on file).

**Motion:** Moved by Deputy Mayor Zahn and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

**COMPENSATION & REIMBURSEMENT DISCLOSURE:** None

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

**COUNCIL COMMITTEE REPORTS:**

**REGIONAL COMMITTEES: (outside agencies, appointed by this Council)**

**STANDING COMMITTEES: (All Primary Members) (*Permanent Committees*)**

**ADJOURN:**

Deputy Mayor Zito adjourned the meeting at 9:36 p.m.

Angela Ivey, City Clerk

Approved: November 28, 2018