

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting

Wednesday, October 24, 2018 * 6:00 p.m.

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, Mayor

Jewel Edson, Deputy Mayor

Judy Hegenauer, Councilmember

Lesia Heebner, Councilmember

Peter Zahn, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Mayor Zito called the meeting to order at 6:08 p.m.

Present: David A. Zito, Jewel Edson, Judy Hegenauer, Lesia 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
Katie Benson, Associate Planner

CLOSED SESSION REPORT: (when applicable)

FLAG SALUTE:

APPROVAL OF AGENDA:

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

PROCLAMATIONS/CERTIFICATES: *Ceremonial*

Red Ribbon Week

Mayor Zito presented Red Ribbon proclamations to 14 schools.

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.

Mayor Zito announced that former Councilmember Tom Campbell had passed away, he served 20 year on the City Council, involved in the community, operated a local business, and that the meeting would be adjourned in his honor.

Kristine Schindler spoke about Bike to School Day, Red Ribbon Schools, and crossing guards to help students to school.

Mary Yang spoke about concerns about plastics consumption and the need to put an item on an agenda to address this issue.

Deborah Sweet spoke about the Public Acts Commission Photo Contest.

Pat Tirona, Branch Manager of Solana Beach Library, and Andi McLeod spoke about their appreciation for the City’s annual contribution and their upcoming Book Club even.

Gerri Retman spoke about former Councilmember Campbell and her experiences working with him, campaign memories, and his contributions to the community.

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 September 22 – October 5, 2018.

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

A.2. General Fund Adopted Budget for Fiscal Year 2018-2019 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2018/19 General Fund Adopted Budget.

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

A.3. Americans with Disability Act (ADA) Pedestrian Ramps. (File 0820-20)

Recommendation: That the City Council

1. Adopt **Resolution 2018-136:**
 - a. Awarding the construction contract to LC Paving & Sealing in the amount of \$45,300 for the ADA Pedestrian Ramps, Bid 2018-05.
 - b. Approving an amount of \$2,000 for construction contingency.
 - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
 - d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.
 - e. Appropriating \$42,500 to the Federal Grants revenue account and to the ADA Pedestrian Ramps CIP project, both in the CDBG fund.
 - f. Appropriating \$4,800 to the ADA Pedestrian Ramps CIP project in the City CIP fund.
 - g. Authorizing the City Treasurer to amend the FY 2018/19 Adopted Budget accordingly.

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

A.4. City Manager's Employment Agreement (File 0530-15)

Recommendation: That the City Council

1. Adopt **Resolution 2018-123** authorizing the Mayor to execute the Third Amendment to the Employment Agreement between the City of Solana Beach and Gregory Wade to reflect the four percent increase in base salary and the additional ten thousand dollars towards Deferred Compensation.

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

A.5. Conflict of Interest Code Update. (File 0440-00)

Recommendation: That the City Council

1. Adopt **Resolution 2018-139** adopting an amended Solana Beach Conflict of Interest Code.

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

A.6. Information Technology Services. (File 0190-60)

Recommendation: That the City Council

1. Adopt **Resolution 2018-120** authorizing the City Manager to sign an I.T. Professional Services Agreement with the City of Del Mar with an option to extend the agreement for up to four (4) additional one year periods based on satisfactory past performance.

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

A.7. Sewer System Inflow Study. (File 1040-44)

Recommendation: That the City Council

1. Adopt **Resolution 2018-135** authorizing the City Manager to execute an amendment to the Professional Services Agreement with Infrastructure Engineering Corporation (IEC), in the amount of \$30,986, to conduct sewer system flow monitoring.

Motion: Moved by Councilmember Heebner and second by Councilmember Zahn 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 designee(s) 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: Mixed Use Development Northwest Corner of Highway 101 and Dahlia Drive, Applicant: Zephyr Partners, Case 17-14-08. (File 0610-60)

The proposed Comprehensive Sign Permit (CSP) meets the minimum objective requirements under the SBMC and may be found consistent with the Highway 101 Specific Plan and General Plan. Therefore, Staff recommends that the City Council:

1. Conduct the continued Public Hearing from October 10, 2018: Receive public testimony, Close the public hearing.
2. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2018-138** conditionally approving a CSP for the Solana 101 project, a Mixed Use Development, Solana Beach.

This item was continued from October 10, 2018.

Greg Wade, City Manager, introduced the item.

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

The Applicant waived their opportunity to make a presentation and said they were available for questions.

Council, Staff, and Applicant representative discussed the signage locations, flashing or spinning signs, timers to turn off illuminated signage at 9:00 p.m., building number corrections on the plans, and maximum height and widths of horizontal and vertical signs.

Deputy Mayor Edson presented some pictures of signage around the City to review for sizes, view blockage, and lighting.

Mayor Zito recessed the meeting at 7:56 p.m. for a break and reconvened at 8:04 p.m.

Ryan Herrell spoke about the awning signage plan, being sensitive to neighbors' impacts, using soft glow and not projecting light, lighting to announce entry to where the businesses were located, intention to attract the right tenants, light lighting was nice at twilight hours serving certain business hours.

Mayor Zito recited the modifications discussed including returning to Council on Consent for various signage mentioned, modify the Resolution item 5. changing 'any' to 'all', utilize illumination method 2 for Sierra signage and require timers to shut off at 9:00 p.m., painted signs would be subject to approval by Council on the Consent calendar, prohibiting flashing and spinning signs, temporary signs would be limited to 30 days, changing all references of 'possible sign locations' to 'allowed sign locations', signs on awnings on S. Sierra could not be lit, if those signs were moved to monument signs they would be considered wall signs and meet the lit conditions of illuminated signs, correcting the building numbers on the plans for the north frontage buildings on the plans, move sign 2.a. to the north east corner, sign 18.e on the north west corner would follow lighting requirements of the N. Sierra signs, the 1.a. main sign for the project on Highway 101 would be a maximum height of 8 ft. and if it was vertically oriented it would be a 4 ft. maximum width or 5 ½ ft. maximum width if it is horizontal.

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

Motion: Moved by Councilmember Heebner and second by Deputy Mayor Edson to approve with modifications cited by Mayor Zito. **Approved 5/0.** Motion carried unanimously.

C. STAFF REPORTS: (C.1. - C.3.)
Submit speaker slips to the City Clerk.

C.1. Marine Safety Center Improvement Project Preliminary Design (File 0730-30)

Recommendation: That the City Council

1. Adopt **Resolution 2018-126:**
 - a. Authorizing the City Manager to enter into a Professional Services Agreement with doumusstudio architecture for the preparation of preliminary design plans and application package for discretionary permits processing of the Marine Safety Center Improvement Project.
 - b. Authorizing an appropriation of \$13,000 from the Transit Occupancy Tax (TOT) Reserves into the Marine Safety Center Improvement Project in the Capital Improvement Program.
 - c. Authorizing the City Treasurer to amend the FY 2018/19 Adopted Budget accordingly.

Greg Wade, City Manager, introduced the item.

Mo Sammak, Public Works/Engineering Dir., presented a PowerPoint (on file).

Council and Staff discussed the square footage, which includes a first aid room, separate restrooms and change areas, observation deck, parking, dispatch center, garage, Jr. Lifeguard program area, kitchen, janitorial closet, I.T. area, and other required modifications. Discussion continued regarding parking preservation, small space planning, the importance of the improvement needs of the current center, picking materials that could weather the elements of the beach proximity, foundation design needs, tucking the building into the hillside, and reviewing the potential to provide direct access from the center to the beach.

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

C.2. Introduce (1st Reading) Ordinance 489 – Mayoral Duties. (File 0410-90)

Recommendation: That the City Council

1. Consider the introduction (1st reading) of **Ordinance 489** adding Section 2.04.015 to the Solana Beach Municipal Code which would codify Mayoral duties as set out in state law.

Johanna Canlas, City Attorney, introduced the item.

Council and Staff discussed eliminating d. give authority to the Mayor to make nominations, that the duties were required by the California Government Code, the City had an existing resolution that provides a policy for individual Councilmember's nominations that would not go away, and that each nomination would still be subject to the majority vote of the City Council.

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

C.3. My Community Application Update. (File 0190-60)

Recommendation: That the City Council

1. Receive this Staff Report, review the My Community App presentation, and provide any feedback regarding the My Community App to Staff as necessary.

Joe Lim, Community Development Director, presented a PowerPoint (on file) reviewing the application.

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: [Council Committees](#)

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

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

ADJOURN:

Mayor Zito adjourned the meeting in the memory of former Councilmember Tom Campbell at 9:45 p.m.

Angela Ivey, City Clerk

Approved: January 23, 2019