

# CITY OF SOLANA BEACH

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



## MINUTES

Joint REGULAR Meeting

Wednesday, January 27, 2016 \* 6:00 P. M.

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

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

Peter Zahn, Deputy Mayor

Mike Nichols, Councilmember

Ginger Marshall, Councilmember

Lesa Heebner, Councilmember

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

Mayor Zito called the meeting order at 6:00 p.m.

Present: Lesa Heebner, David A. Zito, Peter Zahn, Ginger Marshall

Absent: Mike Nichols

Also Present: Gregory Wade, City Manager  
Johanna Canlas, City Attorney  
Angela Ivey, City Clerk  
Bill Chopyk, Community Development Dir.  
Mo Sammak, City Engineer/Public Works Dir.  
Danny King, Sr. Management Analyst

### CLOSED SESSION REPORT: (when applicable)

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

### FLAG SALUTE:

Pledge led by Boy Scout Troop 782

### APPROVAL OF AGENDA:

**Motion:** Moved by Marshall and second by Heebner . Approved 4/0/1 (Absent: Nichols)

**Motion carried.**

### ORAL COMMUNICATIONS: None

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.

**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.*

Council announcements.

**A. CONSENT CALENDAR:** (Action Items) (A.1. - A.4.)

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 December 12, 2015 through January 1, 2016.

**Motion:** Moved by Marshall and second by Heebner. Approved 4/0/1 (Absent: Nichols)  
**Motion carried.**

**A.2. General Fund Adopted Budget Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2015-2016 General Fund Adopted Budget.

**Motion:** Moved by Marshall and second by Heebner. Approved 4/0/1 (Absent: Nichols)  
**Motion carried.**

**A.3. Lomas Santa Fe/Highland Entry Sign Art Wall** (File 0910-40)

Recommendation: That the City Council

1. Adopt **Resolution 2016-003:**

- a. Authorizing the City Manager to accept, as complete, the Lomas Santa Fe Entry Sign Art Wall, Bid 2015-03, constructed by Greenfield Fence, Inc.
- b. Authorizing the City Clerk to file a Notice of Completion.
- c. Authorizing the City Manager to execute Change Order No. 2 on behalf of the City.

- d. Appropriating \$7,400 from the Coastal Visitor's Transit Occupancy Tax – Public Arts Reserve into the Lomas Santa Fe Entry Sign Art Wall project in the City's Capital Improvement Program (CIP) fund.
- e. Authorizing the City Treasurer to amend the Fiscal Year 2015-2016 Adopted Budget accordingly.

**Motion:** Moved by Marshall and second by Heebner. Approved 4/0/1 (Absent: Nichols)  
**Motion carried.**

**A.4. Genevieve Street Assisted Living Facility Project EIR Contract.** (File 0600-40)  
Recommendation: That the City Council

1. Adopt **Resolution 2016-001** authorizing the City Manager to execute an amendment to the professional service agreement between the City and Placeworks, Inc. in the amount of \$7,485 plus a 15% administrative fee for a total of \$8,607.75, to support the continued preparation of the EIR for the Genevieve Street Assisted Living Facility Project and authorizing ongoing authority for the City Manager to increase the contract amount as needed.

**Motion:** Moved by Marshall and second by Heebner. Approved 4/0/1 (Absent: Nichols)  
**Motion carried.**

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

**C.1. 2016 Annual Citizen Commission Appointments.** (File 0120-05)  
Recommendation: That the City Council

1. Appoint two (2) members to the **Budget and Finance** Commission nominated/appointed by *individual* Councilmembers Nichols and Marshall for a two year term (ending January 2018).

Councilmember Marshall nominated Judy Hamilton.

**Motion:** Moved by Marshall and second by Zito to appoint Judy Hamilton (Marshall's appointment) Failed 2/2/1 (Noes: Zahn, Heebner, Absent: Nichols). **Motion Failed.**

Mayor Zito nominated Jeff Anderman, for Councilmember Nichols as communicated through the City Manager.

**Motion:** Moved by Heebner and second by Zahn to appoint Jeff Anderman (Nichols Appointment). Approved 3/1/1 (Noes: Marshall, Absent: Nichols)  
**Motion carried.**

2. Appoint nine (9) total members to the **Climate Action** Commission:

Judy Hegenauer stated her interest in applying for the Climate Action Commission.

Nicole Capretz stated her interest in applying for the Climate Action Commission and her credentials.

Tony Choi stated her interest in applying for the Climate Action Commission and his work credential working in energy space with SDGE, PDE, and Noel Solutions, hoping to bring resources.

a. Five (5) *Resident* appointments:

- Three (3) vacancies (term ending January 2017).

**Motion:** Moved by Heebner and second by Zahn to appoint Steven Goetsch and David Kramer. Approved 3/1/1 (Noes: Marshall, Absent: Nichols) **Motion carried.**

- Two (2) vacancies (term ending January 2018).

**Motion:** Moved by Zahn and second by Heebner to appoint Judy Hegenauer, Mary Yang, and Shawna McGarry. Approved 3/1/1 (Noes: Marshall, Absent: Nichols) **Motion carried.**

b. Two (2) *Professional* appointments for members of the environmental and/or scientific community (*resident or non-resident*):

- One (1) position (term ending January 2017).

**Motion:** Moved by Zahn and second by Heebner to appoint Chester Koblinsky. Approved 3/1/1 (Noes: Marshall, Absent: Nichols) **Motion carried.**

- One (1) position (term ending January 2018).

**Motion:** Moved by Zahn and second by Heebner to appoint Nicole Capretz. Approved 3/1/1 (Noes: Marshall, Absent: Nichols) **Motion carried.**

c. Two (2) *Councilmember* appointments.

**Motion:** Moved by Zito and second by Marshall to appoint Zahn and Heebner. Approved 4/0/1 (Absent: Nichols) **Motion carried.**

3. Appoint three (3) members to the **Parks and Recreation** Commission nominated/appointed by *Council-at-large* for a two year term (ending January 2018).

**Motion:** Moved by Heebner and second by Marshall to appoint Mac Law, Linda Swindell, Sharon Gross. Approved 4/0/1 (Absent: Nichols) **Motion carried.**

4. Appoint five (5) members to the **Public Arts** Commission nominated/appointed by *Council-at-large*:

- a. Four (4) vacancies (term ending January 2018).

**Motion:** Moved by Heebner and second by Zahn to appoint Harry Grossman, Sharon Klein, and Nancy Pfeiffer. Approved 4/0/1 (Absent: Nichols) **Motion carried.**

- b. One (1) vacancy (term ending January 2017).
5. Appoint four (4) members to **the View Assessment** Commission:
- a. Two (2) nominated/appointed by *individual* Councilmembers Zito and Marshall for a two year term (ending January 2018).

**Motion:** Moved by Zito and second by Heebner to appoint Paul Bishop (Zito's appointment). Approved 4/0/1 (Absent: Nichols) **Motion carried.**

**Motion:** Moved by Marshall and second by Heebner to appoint Gary Garber (Marshall's appointment). Approved 4/0/1 (Absent: Nichols) **Motion carried.**

- b. Two (2) nominated/appointed by *Council-at-large* for a two year term (ending January 2018).

**Motion:** Moved by Heebner and second by Zahn to appoint Pat Coad and Molly Fleming (At-Large). Approved 4/0/1 (Absent: Nichols) **Motion carried.**

**C.2. Adopt (2nd Reading) Ordinance 468 – Medical Marijuana Delivery, Cultivation and Dispensary Ban.** (File 0230-10)

Recommendation: That the City Council

- 1. Adopt **Ordinance 468** prohibiting the delivery, cultivation and dispensing of medical marijuana.

Councilmember Zahn stated his concern about looking into deliveries in the future for serious medical needs for those in pain and hope that there is a better solution in the future for those suffering where marijuana is a solution for their condition.

Johanna Canlas, City Attorney, read the Ordinance title.

**Motion:** Moved by Heebner and second by Zahn. Approved 4/0/1 (Absent: Nichols) **Motion carried.**

**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)**

- a. City Selection Committee (meets twice a year) – Nichols, Zahn (alternate).
- b. County Service Area 17 – Zahn, Marshall (alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities' San Diego County Executive Committee – Nichols, Zahn (alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee – Nichols, Zahn (alternate).
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) – Nichols, Heebner (alternate).
- g. North County Dispatch JPA – Zahn, Nichols (alternate).
- h. North County Transit District – Nichols, Heebner (1<sup>st</sup> alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols, Zahn (alternate).
- j. SANDAG – Heebner (Primary), Nichols (1<sup>st</sup> alternate), Zito (2<sup>nd</sup> alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee – Nichols, Heebner (alternate).
- l. San Dieguito River Valley JPA – Zito, Zahn (alternate).
- m. San Elijo JPA – Marshall, Zito (both primary members) (no alternates).
- n. 22<sup>nd</sup> Agricultural District Association Community Relations Committee – Heebner, Nichols.

### **Standing Committees: (All Primary Members) (Permanent Committees)**

- a. Business Liaison Committee – Zito, Zahn.
- b. Highway 101 / Cedros Ave. Development Committee – Heebner, Nichols.
- c. I-5 Construction Committee – Heebner, Zito.
- d. Parks and Recreation Committee – Heebner, Nichols.
- e. Public Arts Committee – Nichols, Zito.
- f. School Relations Committee – Marshall, Zahn.

### **ADJOURN:**

Mayor Zito adjourned the meeting at 7:05 p.m.

Angela Ivey, City Clerk

Approved: March 9, 2016