

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting

Wednesday, December 14, 2016 * 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.
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CITY COUNCILMEMBERS

Mike Nichols, Mayor

Ginger Marshall, Deputy Mayor

David A. Zito, Councilmember

Jewel Edson, Councilmember

Judy Hegenauer, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Councilmember Nichols called the meeting to order at 6:40 p.m.

Present: Mike Nichols, Ginger Marshall, David A. Zito, Jewel Edson

Absent: None

Also Present: Greg Wade, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk,
Mo Sammak, City Engineer/Public Works Dir.
Marie Berkuti, Finance Manager
Bill Chopyk, Community Development Dir.
Danny King, Assistant City Manager

FLAG SALUTE:

D. STAFF REPORT: (D.1.)

Submit speaker slips to the City Clerk.

D.1. Council Reorganization. (File 0410-70)

1. Installment of Elected Officers
 - a. City Clerk administers Oath of Office to new elected terms for Councilmember.
 - b. City Clerk presentation of official Election Certificates to elected officials.

Angela Ivey, City Clerk, administered the Oath of Office to David Zito, Jewel Edson, and Judy Hegenauer and presented them with a Certification of Election document.

2. Nominations and Appointment of Annual Mayor and Deputy Mayor
 - a. In accordance with Resolution 1996-017, nominate and appoint the 2017 Mayor and Deputy Mayor for the term of December 14, 2016 to December 13, 2017.

- i. Nominations for Mayor will be accepted, call for the motion to close nominations, and call for the vote.

Motion: Moved by Councilmember Marshall and second by Councilmember Edson. To nominate Mike Nichols as Mayor. Approved 5/0 **Motion carried unanimously.**

- ii. The newly appointed Mayor calls for nominations for Deputy Mayor, calls for a motion to close nominations, and calls for the vote.

Motion: Moved by Mayor Nichols and second by Councilmember Zito to nominate Ginger Marshall as Deputy Mayor. Approved 5/0 **Motion carried unanimously.**

APPROVAL OF AGENDA:

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

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.

Ed Siegel said he wanted to add to the accolades for Lesa Heebner and that he appreciated her contribution along with Mayor Nichols for the creation of the superb Coastal Rail Trail. He said that he was on the Master Plan committee and that they chose the best, but that they came up with something even better. He said that Councilmember Heebner participated and contributed to the lyrics of their song as step forward in creating a sense of community in Solana Beach. He congratulated the winners of the recent election and said that his run for City Council was one of the most educational and fun experiences he had in a long while. He asked Council to place on an agenda the consideration to change the name of Lomas Santa Fe street to Solana Beach Parkway or Boulevard or Drive which would increase a sense of community.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

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

A. CONSENT CALENDAR: (Action Items) (A.1. - A.6.)

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 October 29, 2016 through November 18, 2016.

Motion: Moved by Deputy Mayor Marshall and second by Councilmember Zito. Approved 5/0 **Motion carried unanimously.**

A.2. General Fund Adopted Budget for Fiscal Year 2016-2017 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2016-2017 General Fund Adopted Budget.

Motion: Moved by Deputy Mayor Marshall and second by Councilmember Zito. Approved 5/0 **Motion carried unanimously.**

A.3. Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for the Period July 1, 2017 to June 30, 2018. (File 0115-30)

Recommendation: That the City Council

1. Receive the Successor Agency's enforceable obligations payment information and administrative budget for the period July 1, 2017 to June 30, 2018.
2. Consider approval of the ROPS 17-18 and the SA Administrative Budget for July 1, 2017 to June 30, 2018.

Motion: Moved by Deputy Mayor Marshall and second by Councilmember Zito. Approved 5/0 **Motion carried unanimously.**

A.4. City Hall Passenger Elevator Upgrades. (File 0710-35)

Recommendation: That the City Council

1. Adopt **Resolution 2016-128:**
 - a. Awarding a construction contract for the City Hall Passenger Elevator Upgrades, Bid No. 2016-07, in the amount of \$25,537, to 24 Hour Elevator, Inc.
 - b. Approving an amount of \$3,000 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 amount of the construction contingency.

Motion: Moved by Deputy Mayor Marshall and second by Councilmember Zito. Approved 5/0 **Motion carried unanimously.**

A.5. Human Resources Manager Contract. (File 0560-30)

Recommendation: That the City Council

1. Adopt **Resolution 2016-139** authorizing the City Manager to amend the PSA with Pouneh Sammak for part-time human resources consulting services from \$24,000 to a not-to-exceed amount of \$60,000 at an hourly billing rate of \$65 per hour.

Motion: Moved by Deputy Mayor Marshall and second by Councilmember Zito. Approved 5/0 **Motion carried unanimously.**

A.6. La Colonia Master Plan Reserve Fund. (File 0720-15)

Recommendation: That the City Council

1. Adopt **Resolution 2016-129:**
 - a. Establishing the La Colonia Park Master Plan Reserve in the City CIP fund.
 - b. Appropriating \$300,000 from the General Fund to the City CIP Budget to fund the Master Plan Reserve and specifically allocating those funds to the Skate Park.
 - c. Authorizing the City Treasurer to amend the FY 2015/16 Adopted Budget.

Motion: Moved by Deputy Mayor Marshall and second by Councilmember Zito. Approved 5/0 **Motion carried unanimously.**

C. STAFF REPORTS: (C.1.)

Submit speaker slips to the City Clerk.

C.1. Quarterly Investment Report. (File 0350-44)

Recommendation: That the City Council

1. Accepts and files the attached Cash and Investment Report for the quarter ended September 30, 2016.

Greg Wade, City Manager, introduced the item.

Mia Corral, Sr. Vice President and Relationship Manager, Chandler Asset Management, presented a PowerPoint (on file) reviewing the history of the company.

Genny Lynkeiwicz, Vice President, Portfolio Manager, continued the presentation reviewing the economy and the City's current portfolio.

B. PUBLIC HEARINGS: (B.1. – B.2.)

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: 460 S. Nardo Ave., Applicant: Krupp, Case 17-16-21. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a Development Review Permit (DRP). Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2016-126** conditionally approving a DRP to construct a new, single-story, single-family residence with an attached, two-car garage and an attached, ADU at 460 South Nardo Avenue.

Greg Wade, City Manager, introduced the item.

Katie Benson, Assistant Planner, presented a PowerPoint (on file).

Council disclosed their familiarity with the project.

Applicant did not have any further presentation to make.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Marshall to closed the public hearing. Approved 5/0 **Motion carried unanimously.**

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

B.2. Public Hearing: 309 Solana Hills Dr., Applicant: Solana Mar LLC, Case 17-16-25. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a Development Review Permit (DRP) and administratively issue a Structure Development Permit (SDP). Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines; and

3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2016-137** conditionally approving a DRP and SDP to construct new façade and structural/interior tenant improvements to the existing structures, perform grading improvements to restore the original storm drainage paths around existing buildings, and construct improvements to the parking lot, including new carports at the site of an existing 124-unit, multi-family residential development located at 309 Solana Hills Drive.

Greg Wade, City Manager, introduced the item.

Katie Benson, Associate Planner, presented a PowerPoint (on file) reviewing the proposed project.

Councilmembers and Staff discussed that the grading permit would be required for the 9400 cubic yard soil removal, the landscaping changes would require removal of some concrete which was considered an acceptable amount, that the amount of impervious service would decrease, and that the drainage would not impact the downstream system.

Mikhail Ogawa, storm water consultant, stated that he reviewed the project, that the project did not trigger more constraining treatment systems and that the properly sized green infrastructure could be considered by the parking lot.

Councilmembers and Staff discussed the calculations of the allowed number of units, that the required number of parking spaces was 219 spaces which would under park it by 36 spaces, that the striping of the parking spaces would meet the Off-site Street Parking Design Manual, and that the public art fee could be considered.

Council disclosures.

Bill Baker, Solana Mar LLC representative, introduced himself and the company.

Public Speakers

Greg Crawford said that he was a Solana Mar resident and stated that he enjoyed living there and looked forward to moving back and appreciated the owner's investment into the project and the community.

Tanya Roussel said that she was a Solana Mar resident and that she supported the project and would like to move back.

Council, Staff, and applicant representative discussed considering adding the energy sustainable qualities, that the estimated project timeframe was 12-15 months, that asbestos removal would be performed, the maintenance of the building would be repurposed to provide the residences places to store surfboards, bikes, etc., the laundry room would be converted to a new rental center, and working with the Public Arts Commission in lieu of the public art fee to provide some art on site such as decorative art wall or landscaping.

Mike Kummer, architect, stated that some of the existing trees were being removed due to

the issues they were causing, that the intent was to save as many as they could, and that they were open for suggestions.

Council and consultants discussed that the proposal was to re-surface the parking lot and that some treatment would be provided before it got to the City's storm drain system.

MOTION: Motion by Deputy Marshall and second by Councilmember Edson to close the public hearing. **Approved 5/0.** Motion carried unanimously.

Council and Staff discussed how a CCA would affect tenants and that if a CCA was approved in the City each customer would have an ability to choose if they wanted to participate.

Councilmember Edson stated that the proposed carport structures and additions to the building did not comply with Solana Beach Municipal Code, that she would include additional conditions such as asbestos abatement, disallowing a gym conversion to a living unit, that she favored a public arts fee, and that the Torey Pines not be replaced.

MOTION: Motion by Mayor Nichols and second by Deputy Mayor Marshall to approve with additional conditions, public art fee, 50 percent of the replacement trees would have to be 48 inch boxed trees and 30 percent at 36 inch box trees and the remaining 20 percent at 24 inch box trees. **Approved 4/1 (Noes: Edson) Motion carried.**

Mayor Nichols recessed the meeting for a break at 8:28 p.m. and reconvened at 8:34 p.m.

C. STAFF REPORTS: (C.2. - C.3.)

Submit speaker slips to the City Clerk.

C.2. Community Grant Requests Fiscal Year 2016-17. (File 0330-25)

Recommendation: That the City Council

1. Receive the Staff Report, Community Grant applications and consider the presentations from the grant applicants. If the Council determines that it has enough information to award the funding, then Staff recommends the City Council adopt **Resolution 2016-138** authorizing the funding for the selected community grant recipients for financial assistance under the FY 2016-17 Community Grant Program.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve the allocations and direct that the \$1900 shortfall of requests for the North Coast Repertory Theatre be funding from the Public Arts fund. **Approved 5/0 Motion carried unanimously.**

Assist League Rancho San Dieguito \$3,000, Boys&Girls \$5,000, CasaDeAmistad \$5,000, CommResourceCtr \$5,000, NorthCoastRep \$5,000, N.County Immig & CitizCtr \$4,900, RealityChgrs \$5,000, SB PTA \$5,000, StJames&StLeo MedicalDental \$4,000

C.3. Stop Signs Installation at the Glenmont/Lynwood Intersection and Consideration of Improvements at the Cliff/North Cedros Intersection and Parking Changes near Santa Fe Christian Schools. (File 0860-63)

Recommendation: That the City Council

1. Receive information and provide direction as necessary on the Cedros Avenue/East Cliff Street intersection improvements.
2. Adopt **Resolution 2016-121** ratifying the City Manager's decision to install stop signs on Lynwood Avenue at the Glenmont/Lynwood intersection.
3. Adopt **Resolution 2016-140**:
 - a. Authorizing the City Manager, or his designee, to extend the no parking zone (red curb) approximately 60-feet west along the south curb in front of 741 Academy Drive (Academy Animal Hospital).
 - b. Authorizing the City Manager, or his designee, to reduce the no parking zone (red curb) approximately 45-feet west along the north curb across the street from 741 Academy Drive.
 - c. Authorizing the City Manager, or his designee, to reduce the no parking zone (red curb) approx. 20-feet on the north side of Academy Drive just east of the easterly driveway to Santa Fe Christian Schools (SFCS).
 - d. Authorizing the City Manager, or his designee, to add approximately 15-feet of red curb just west of the fire hydrant on the west side of the easterly driveway to SFCS.
 - e. Authorizing the City Manager, or his designee, to eliminate approximately 50-feet of no parking zone (red curb) on the south side of Academy Drive across from the easterly driveway to SFCS.
 - f. Authorizing the City Manager, or his designee, to move the no parking sign approximately 60-feet south along the west curb on Ida Avenue, just south of Academy Drive.
 - g. Authorizing the City Manager, or his designee, to add 20-feet of red curb on the west side of Ida Avenue just south of the Genevieve Street intersection.
 - h. Authorizing the City Manager, or his designee, to add 15-feet of red curb on the west side of Ida Avenue just north of the driveway at 615 Ida Avenue.

Greg Wade, City Manager, introduced the item.

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

Council and Staff discussion ensued regarding surrounding neighbors or business owners affected and communications with them, sandbags that were placed during some rain by NCTD that is still blocking off some traffic for an occupied building and Staff would contact them to address it, and backup on Academy which would remain one lane but with space on the side to pass if needed and potentially striping it to give direction.

Cindy Clemons thanked Council and Public Works for the stop sign which provided more safety for students and those walking dogs.

Motion: Moved by Councilmember Zito and second by Deputy Mayor. Approved 5/0
Motion carried unanimously.

COMPENSATION & REIMBURSEMENT DISCLOSURE:

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.

Councilmember Zito stated that he visited Washington D.C. with the City Manager and met with the Office of Management and Budget who currently held a letter of recommendation that they had not yet released for the City's project, met with Congressman Issa as well as the Staff of Senator Boxer and Senator Feinstein. He said that they also met with the Army Corps about their project and that it had been approved through the bills introduced this week and now funding would be needed.

ADJOURN:

Mayor Nichols adjourned the meeting at 9:00 p.m.

Angela Ivey, City Clerk

Approved: January 25, 2017