

# CITY OF SOLANA BEACH

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



## MINUTES

### Joint SPECIAL Meeting

Tuesday, March 10, 2020 \* 6:00 p.m.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California  
(Teleconference location) 8303 E. Cortez Drive, Scottsdale, AZ 85260 (Edson)

**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

**Jewel Edson, Mayor**

**Judy Hegenauer, Deputy Mayor**

**Kristi Becker, Councilmember**

**Kelly Harless, Councilmember**

**David A. Zito, Councilmember**

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

#### CALL TO ORDER AND ROLL CALL:

Deputy Mayor Hegenauer called the meeting to order at 6:07 p.m.

Present: Jewel Edson, Judy Hegenauer, Kristi Becker, Kelly Harless, David A. Zito

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  
Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

#### APPROVAL OF AGENDA:

**Motion:** Moved by Councilmember Zito and second by Councilmember Becker to approve.

**Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**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.*

**A. CONSENT CALENDAR:** (Action Items) (A.1. - A.5.)

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. Minutes of the City Council.**

Recommendation: That the City Council

- 1. Approve the Minutes of the City Council Meetings held February 12, 2020.

Approved Minutes [http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B\\_BASIC](http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC)

**Motion:** Moved by Councilmember Zito and second by Councilmember Becker to approve.

**Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**A.2. Register Of Demands.** (File 0300-30)

Recommendation: That the City Council

- 1. Ratify the list of demands for February 08, 2020 – February 21, 2020.

**Motion:** Moved by Councilmember Zito and second by Councilmember Becker to approve.

**Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**A.3 General Fund Adopted Budget for Fiscal Year 2019-2020 Changes.** (File 0330-30)

Recommendation: That the City Council

- 1. Receive the report listing changes made to the Fiscal Year 2019-2020 General Fund Adopted Budget.

**Motion:** Moved by Councilmember Zito and second by Councilmember Becker to approve.

**Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**A.4. Citywide Landscape Maintenance Services.** (File 0750-25)

Recommendation: That the City Council

1. Adopt **Resolution 2020-028**:

- a. Authorizing the City Manager to execute an amendment to the Professional Services Agreement with Nissho of California, Inc., in an amount not to exceed \$355,031, for Citywide Landscape Maintenance Services for Fiscal Year 2019/20.
- b. Authorizing the City Manager to execute amendments to the Professional Services Agreement with Nissho of California, Inc., in an amount not to exceed \$347,411, for Citywide Landscape Maintenance Services for Fiscal Years 2020/21, 2021/22 and 2022/23.

**Motion:** Moved by Councilmember Zito and second by Councilmember Becker to approve.  
**Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**A.5. Emergency Vehicle Services.** (File 0260-40)

Recommendation: That the City Council

1. Adopt **Resolution 2020-019**:

- a. Awarding North County Emergency Vehicle Services an increased contract amount not to exceed of \$90,000 for FY 2019/20.
- b. Authorizing the City Manager to amend the agreement with North County emergency Vehicle Services.

**Motion:** Moved by Councilmember Zito and second by Councilmember Becker to approve.  
**Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**C.3. Prohibit the Sale of Unregulated Firearm Parts, Components and/or Gun Build Kits at the Del Mar Fairgrounds.** (File 0150-85)

Recommendation: That the City Council

1. Consider the adoption of **Resolution 2020-032** Requesting the 22<sup>nd</sup> District Agricultural Association to Prohibit the Sale of Unregulated Firearm Parts, Components and/or Gun Build Kits at the Del Mar Fairgrounds.

Johanna Canlas, City Attorney, introduced the item.

Cindi Clemons, Never Again California, stated that 80% of the inventory for sale at the gun show were ghost gun kits and asked City Council to adopt the resolution requesting the prohibition of the sale of ghost guns for the purpose of public safety.

Jill Cooper stated that many ghost guns had been used in shootings, that an estimated one-third of all firearms seized in Southern California were assembled from unregistered ghost gun kits, and that she opposed untraceable ghost gun kits.

Ira Sharp displayed a ghost gun kit that he said cost \$400, took about 15 minutes to put together, was functional once it was assembled, and that vendors selling parts were not required to be registered until July 1, 2024.

Council and Staff discussion.

**Motion:** Moved by Councilmember Harless and second by Councilmember Becker to approve Staff recommendation. **Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. 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: 1036 Solana Drive, Applicant: Unitarian Universalist Fellowship of San Dieguito, Case: 17-16-18** (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, could be found to be consistent with the General Plan and could be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a CUP Modification, DRP, VAR and 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. Adopt the IS/MND in accordance with CEQA.
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2020-029** conditionally approving a CUP Mod, DRP, VAR, and SDP to construct improvements to an existing religious facility/campus located at 1036 Solana Drive, Solana Beach.

Greg Wade, City Manager, introduced the item.

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

Deputy Mayor Hegenauer opened the public hearing.

Council disclosures.

Chris Faller, Applicant, introduced Jessica Schwartz, Domus Studio Architects, who presented a PowerPoint (on file).

Lisa Shaffer, congregant, requested approval of the variance for needed site improvements including drainage.

Alan Smerican (time donated by Marcia Smerican) spoke about the conditional use being an exception to the General Plan, there being no rights to unlimited expansion, the tall tower that could be seen from a distance that was not supposed to be visible, the church was involved in political activities so it would not qualify as church per the IRS, the objectionable banners posted around the public viewing area, the lack of required ADA improvements, and opposition to the size of the project.

Jon Dominy, Domus Studio, said that the project site was not being expanded and that a variance would not be necessary if the previous determination that the slopes were not steep hillsides was followed.

**Motion:** Moved by Councilmember Harless and seconded by Councilmember Zito to close the public hearing. Motion **Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless and Zito. Noes: None. Motion carried unanimously.

Council discussed the modesty of the project, fire access and drainage, maintenance, and that findings for a variance could be met due to unique circumstances and when application of the usual standards would be unreasonable.

**Motion:** Moved by Mayor Edson and seconded by Councilmember Zito to approve staff recommendation. Motion **Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless and Zito. Noes: None. Motion carried unanimously.

**C. STAFF REPORTS:** (C.1. – C.2.)

*Submit speaker slips to the City Clerk.*

**C.1. Santa Helena Neighborhood Trail Project Update.** (File 0820-46)

Recommendation: That the City Council

1. Receive the report and provide input and direction on the Santa Helena Neighborhood Trail Project.

Greg Wade, City Manager, introduced the item.

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

Mike Peltz, MW Peltz & Associates, Landscape Architect, presented a PowerPoint (on file).

Council and Staff discussed parking near the lagoon, the 34-foot right-of-way in addition to the 40-foot roadway would allow options for parking and a bike lane, signage, the width, safety, surface and use of the trail and sidewalks, funding, possible phasing of the project. a hard surface bike trail, considering adding sharrows, and the pros and cons of obtaining grant funding for a phased or complete project.

Kristine Schindler said she participated in neighborhood meetings, liked the repurposing of Lomas Santa Fe and the overall project for the East side, the 10-foot travel lanes provided more calming than 12-feet, and the preference for a four-way stop at the bottom of the hill by the school with a four-way crosswalk.

Karl Rudnick stated that he lived in the neighborhood, that he supported the trail project, he had a preference for 10-foot travel lanes for calming and consistency, and that riding bikes on sidewalks was unsafe and concrete was a better surface for the trail.

## **C.2. Green Vehicle Purchasing.** (File 0370-26)

Recommendation: That the City Council

1. Adopt **Resolution 2020-032-031** prioritizing the purchase of alternative fuel vehicles that adhere to California fuel-efficiency standards.

Greg Wade, City Manager, introduced the item.

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

Peter Zahn said that the resolution would fulfill a key Climate Action Plan measure and that he submitted written comments with suggested modifications to add language to the resolution to align with Department of General Services' Vehicle Manufacturer Purchasing Restrictions and define the DGS agency's Vehicle Manufacture Restrictions description.

Kristine Schindler stated that she drove an electrical vehicle and a hybrid vehicle, that she supported the purchase of green vehicles, and she supported Peter Zahn's suggested modifications to the resolution.

Councilmembers expressed thanks and support for Mr. Zahn's suggested modifications.

**Motion:** Moved by Councilmember Becker and second by Council Harless to approve the recommended action and adding language from Mr. Zahn's suggested modifications.

**Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

## **WORK PLAN COMMENTS: None**

*Adopted June 12, 2019*

## **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 "City" 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:**

Deputy Mayor Hegenauer adjourned the meeting at 8:35 p.m.

Angela Ivey, City Clerk

Approved: August 26, 2020