



CITY OF SOLANA BEACH

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

MINUTES

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

Joint REGULAR Meeting

Wednesday, July 8, 2020 *4:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California

This meeting was conducted in accordance with Governor Newsom's Executive Order N-29-20 and N-33-20 related to the COVID-19 virus.

- 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:

Mayor Edson called the meeting to order at 4:10 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 Director
Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT:

Johanna Canlas, City Attorney, stated that by a unanimous vote (5-0) the City Council authorized to join a petition for judicial review with a coalition of municipal organizations and governments related to ruling of the Federal Communications Commission FCC 20-75.

FLAG SALUTE:

APPROVAL OF AGENDA:

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

ORAL COMMUNICATIONS:

Peggy Walker spoke about the November marijuana ballot initiative being an effort by the pot industry to override local control regarding land-use decisions, that it would allow cultivation and delivery businesses in all the City's zones, out-of-town paid signature gatherers, and her opposition to the measure for health and safety reasons for residents and businesses in the City.

Christy Hendrickson spoke about concerns over the lack of compliance by the public required to wear face masks for COVID-19, the public not maintaining the 6 ft. social distance around the beach access points on the narrow stairways, and asking Council to address the issue with the Sheriff's department for enforcement.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

Councilmembers reported on community announcements and events.

A. CONSENT CALENDAR: (Action Items) (A.1. – A.8. and A.10.)

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held June 12, 2019.

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

Motion: Moved by Mayor Edson and second by Councilmember Harless 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 June 6, 2020 – June 19, 2020.

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

A.3. Street Maintenance & Repair Project 2020. (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2020-107:**
 - a. Awarding a construction contract for the 2020 Street Maintenance & Repair Project, Bid 2020-03, in the amount of \$426,275 to TC Construction Company.
 - b. Approving an amount of \$73,725 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.

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

A.4. Salary, Classification, and Compensation Plans Fiscal Year 2020/21. (File 0520-10)

Recommendation: That the City Council

1. Adopt **Resolution 2020-096** approving the FY 2020/2021 Salary and Compensation schedules and the addition of the Permit Technician to the City's classification plan.
2. Adopt **Resolution 2020-097** approving the FY 2020/2021 Side Letter Agreements between the City and the Solana Beach Employees' Association-Miscellaneous Unit, Marine Safety Unit, and Solana Beach Fire Association.

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

A.5. Local Early Action Planning (LEAP) Grant Program Submittal. (File 0350-44)

Recommendation: That the City Council

1. Adopt **Resolution 2020-109:**
 - a. Authorizing/ratifying submittal of a LEAP Grant application to the California State Department of Housing and Community Development.
 - b. Authorizing the City Manager to act on behalf of the City of Solana Beach, in consultation with the City Attorney, to negotiate and execute all agreements and amendments necessary to comply with the grant requirements.

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

A.6. Solana Beach Pump Station Upgrades Notice of Completion. (File 1040-30)

Recommendation: That the City Council

1. Adopt **Resolution 2020-106:**
 - a. Authorizing the City Manager to execute a change order with PCL Construction in the amount of \$138,716.
 - b. Accepting as complete the Solana Beach Sewer Pump Station Upgrades Project, Bid 2018-02, constructed by PCL Construction.
 - c. Authorizing the City Clerk to file a Notice of Completion.

Motion: Moved by Mayor Edson and second by Councilmember Harless to approve.

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

A.7. Water Damage Remediation and Restoration at City Hall and the Fire Station. (File 1040-44)

Recommendation: That the City Council

1. Adopt **Resolution 2020-108:**

- a. Awarding the construction contract to War Rhino, Inc. in the amount of \$83,096.77 for the Solana Beach City Hall and Fire Station Water Damage Remediation and Restoration Project, Bid No. 2020-02.
- b. Approving an amount of \$25,000 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. Authorizing the City Manager to execute a Professional Services Agreement with ET&T Indoor Environmental, in the amount of \$20,000, for compliance testing services.

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

A.8. Risk Management Contract for Worker Compensation Claims Administration with Tri-Star. (File 0180-70)

Recommend that the City Council:

1. Adopt **Resolution 2020-113:**

- a. Ratifying the Tri-Star contract executed by the City for worker compensation claims administration services for the period July 1, 2019 to June 30, 2020.
- b. Authorizing the City Manager to extend the agreement for up to three additional years at the City's option.

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

A.10. Special Counsel Services Agreement for Municipal Election. (File 0400-05)

The Staff recommends that the City Council:

1. Adopt **Resolution 2020-114** approving and authorizing the City Manager to execute a Professional Services Agreement for Special Counsel Services for Municipal Elections between the City of Solana Beach and Best Best & Krieger LLP.

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

B. PUBLIC HEARINGS: (B.1. – B.3.)

B.1. Public Hearing: Rate Increase (Prop 218) for EDCO Waste and Recycling Services. (File 1030-15)

The Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Following the Public Hearing, consider adopting **Resolution 2020-110** approving EDCO's rate review request increasing solid waste and recycling rates for FY 2020–21 in accordance with the Franchise Agreement.

Mayor Edson opened the public hearing.

Council disclosures.

Greg Wade, City Manager, introduced the item.

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

No protests were received from the public.

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

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.

B.2. Public Hearing: 1530 Santa Sabina DRP/SDP, Applicant: Dillard, Case #17-19-11. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, may be found to be 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 DRP and administratively issue an 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 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2020-105** conditionally approving a DRP and an SDP for a first- and second-story addition and remodel to an existing two-story single-family residence with an attached garage, and perform associated site improvements at 1530 Santa Sabina Court.

Mayor Edson opened the public hearing.

Council disclosures.

Greg Wade, City Manager, introduced the item.

Tiffany Wade, Assistant Planner, presented a PowerPoint (in file).

Jill Dillard, Applicant, stated she did not have a presentation and was available to answer questions.

Council inquired about HOA requirements and expressed appreciation to the applicant for working with the neighbors to resolve the view disputes.

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

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

B.3. Public Hearing: 218 S. Granados, Applicant: Wilson, Case 17-19-10. (File 0600-40)

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be 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 DRP and SDP. Therefore, Staff recommends that the City Council:

1. Conduct the continued 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 2020-100** conditionally approving a DRP and SDP to construct a main floor square footage addition to attach the existing detached garage to the existing residence and construct an Accessory Dwelling Unit on top of the existing garage and perform associated site improvements at 218 S. Granados Avenue.

Mayor Edson opened the public hearing

Council disclosures.

Greg Wade, City Manager, introduced the item.

Corey Andrews, Principal Planner, presented a PowerPoint (on file).

Council discussed view claims, affordable accessory dwelling unit (ADU) possibility, elevations and material articulation, roof plans, and overhang with SDP waiver.

Steve Wilson, Applicant, addressed decision not to proceed with affordable housing option at this time, noted material variation on walls with East wall being obscured, and view compromise with neighbors. Alex Faulkner, Architect, was also present.

Council and Applicant discussed affordable housing option and energy savings in compliance with Code, including possibly wiring for solar.

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

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

C. STAFF REPORTS: (C.1. – C.4.)

C.1. Community Grant Awards FY 2020/21. (File 0330-25)

Recommendation: That the City Council:

1. Select the FY 2020/21 Community Grant Program recipients and identify an award amount to each recipient.
2. Adopt **Resolution 2020-111** authorizing the funding for the selected community grant applicants for financial assistance under the FY 2020/21.

Greg Wade, City Manager, displayed a spreadsheet of Council submittals to review.

Council discussed allocations.

Motion: Moved by Councilmember Zito and second by Mayor Edson to approve the grant awards as set out below. **Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

ASSISTANCE LEAGUE RANCHO SAN DIEGUITO	\$ 3,000
BIKE WALK SOLANA	\$ 1,500
BOYS & GIRLS CLUB OF SAN DIEGUITO	\$ 5,000
CASA DE AMISTAD	\$ 5,000
COMMUNITY RESOURCE CENTER	\$ 4,500
DISCONNECT COLLECTIVE	\$ 2,500
JALISCIENCE FOLKLORIC ACADEMY	\$ 2,500
LA COLONIA COMMUNITY FOUNDATION	\$ 5,000
NATURE COLLECTIVE	\$ 2,500
NORTH COAST REPERTORY THEATRE	\$ 5,000
NORTH COUNTY IMMIGRATION CENTER	\$ 3,000
SAN DIEGO BOTANIC GARDEN	\$ 1,500
ST. JAMES & ST. LEO MEDICAL PROGRAM	\$ 5,000
TOTAL	\$45,000

Mayor Edson recessed the meeting at 6:05 p.m. for a break and reconvened at 6:15 p.m.

C.2. Fiscal Year 2020/21 Adopted Budget Adjustments. (File 0330-30)

Staff recommends the City Council consider

1. Adopt **Resolution 2020-101** authorizing adjustments to the Fiscal Year 2020/21 Adopted Budget.

Greg Wade, City Manager, introduced the item.

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

Council and Staff discussed budget details.

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

C.3. Solana Beach's \$175,000 Guaranty for a \$2,500,000 Credit Option to Clean Energy Alliance. (File 1010-46)

Recommendation: That the City Council

1. Adopt **Resolution 2020-112:**
 - a. Authorizing the City of Solana Beach to provide up to a \$175,000 guaranty for a \$2,500,000 credit option for the CEA as proposed by RCB or 3rd party approved by the CEA Board.
 - b. Authorizing the City Manager to act on behalf of the City, in consultation with the City Attorney, to negotiate and execute all agreements and amendments necessary for the guaranty.

Greg Wade, City Manager, introduced the item.

Marie Berkuti, Finance Director, presented a PowerPoint (on file). Barbara Boswell, Interim CEO, Clean Energy Alliance, was also present.

Council discussed General Fund guarantee of \$175,000 with \$150,000 being refunded to SEA, resulting in General Fund risk of \$25,000 and support for River City Bank financial option.

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

C.4. Discuss and Consider a Resolution 2020-116 Supporting and Standing in Solidarity with Black Residents and Communities of Color in the City of Solana Beach. (File 0480-75) – added 7-5-20 3pm

Staff recommends the City Council:

1. Consider adopting **Resolution 2020-116.**

Greg Wade, City Manager, introduced the item.

Two public comments were received in support of the Resolution, which were distributed to Councilmembers.

Council discussed broad input utilized in drafting the resolution, best practices for law enforcement, peaceful protests, need for cultural shifts and recognition of biases, and focusing on what needs to happen with continued efforts and involvement.

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

Mayor Edson pulled item A.9 from the Consent Calendar.

A.9. Initial Legislative Priority List for Lobbying Purposes. (File 0480-05)

Recommendation: That the City Council

1. Adopt **Resolution 2020-115** approving the Legislative Priority List for FY 2020/21.

Mayor Edson discussed more frequent reviews by City Council and consultation with full City Council on positions, rather than Mayor, City Attorney and City Manager.

Council discussed procedure coming back to full Council and timing for regular reviews of the legislative priorities.

Motion: Moved by Councilmember Zito and second by Mayor Edson to adopt Staff recommendation with Resolution modifications to procedures so legislative positions be made with the full Council consideration unless a timely response is required, which then may be made in consultation with the Mayor, City Manager and City Attorney. **Approved 5/0:** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

COMPENSATION & REIMBURSEMENT DISCLOSURE: None

COUNCIL COMMITTEE REPORTS: [Council Committees](#)

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

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

Councilmembers reported on Committee activities.

ADJOURN:

Mayor Edson adjourned the meeting at 7:14 p.m.

Angela Ivey, City Clerk

Approved: September 23, 2020