



# CITY OF SOLANA BEACH

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

## ACTION AGENDA

The Action Agenda of the City Council Meeting is a document provided immediately following the Council Meeting in order for staff and the public to be aware of the business transacted and actions taken by Council. This is a preliminary draft and not a public record. The meeting's legal record is the Minutes approved by the City Council.

### Joint REGULAR Meeting

Wednesday, July 13, 2022 \* 6:00 p.m.

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

This meeting will be conducted in accordance with California Government Code sections 54953(e) and 54954.3 and other applicable law.

#### MEETING LOCATION WILL NOT BE OPEN TO THE PUBLIC

Be advised that due to the COVID-19 pandemic in-person participation will not be allowed, there will be no members of the public in attendance at Council Meetings. Alternatives to in-person attendance for viewing and participating in City Council meetings are being provided under provided below.

#### AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is posted online [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org) Closed Session Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings.

#### WATCH THE MEETING

- Live web-streaming: Meetings web-stream live on the City's website on the City's [Public Meetings](#) webpage. Find the large Live Meeting button.
- Live Broadcast on Local Govt. Channel: Meetings are broadcast live on Cox Communications - Channel 19 / Spectrum (Time Warner)-Channel 24 / AT&T U-verse Channel 99.
- Archived videos online: The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's [Public Meetings](#) webpage.

#### PUBLIC COMMENTS

- **Written correspondence** (supplemental items) regarding an agenda item at an open session meeting should be submitted to the City Clerk's Office at [clerkoffice@cosb.org](mailto:clerkoffice@cosb.org) with a) Subject line to include the meeting date b) Include the Agenda Item # as listed on the Agenda.
- Correspondence received after the official posting of the agenda, but before 3:00 p.m. (or 3 hrs. prior to the meeting start time) on the meeting day, will be distributed to Council and made available online along with the agenda posting. All submittals received before the start of the meeting will be made part of the record.
- Written submittals will be added to the record and not read out loud.
- The designated location for viewing supplemental documents is on the City's website [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org) on the posted Agenda under the relative Agenda Item.

OR

**Verbal Comment** Participation: If you wish to provide a live verbal comment during the meeting, attend the virtual meeting via your computer or call in.

#### Before Meeting

- Alert Clerk's Office. We ask that you alert us that you will joining the meeting to speak. Please email us at [clerkoffice@cosb.org](mailto:clerkoffice@cosb.org) to let us know which item you will speak on. This allows our Staff to manage speakers more efficiently.
- Join the Meeting to make a Public Comment  
You can watch the meeting on the Live Meeting button on the Public Meetings page OR on TV at the stations provided above OR on the zoom event:  
**Link:** <https://cosb-org.zoom.us/j/85216432752>  
**Webinar ID:** 852 1643 2752
  - Join/Log-In to the meeting at least 15 minutes prior to the start time so that the City Clerk can verify that you are ready to speak before the meeting begins.
  - Audio Accessibility: If your computer does not have a microphone or you have sound issues, you can call-in from a landline or cell phone and use it as your audio (phone # is provided once

you log-in to Zoom, see above). If you call in for better audio, mute your computer's speakers to eliminate feedback so that you do not have two audios when you are speaking.

During Meeting:

- During each Agenda Item and Oral Communications, attendees will be asked if they would like to speak. Speakers are taken during each agenda item.
- Speakers will be asked to raise their hand (zoom icon under participants can be clicked or on the phone you can dial \*9) if they would like to be called on to speak during each item. We will call on you by your log in name or the last 4 digits of your phone #. When called on by the meeting organizer, we will unmute so you may provide comments for the allotted time. Allotted speaker times are listed under each [Agenda](#) section.
- Choose Gallery View to see the presentations, when applicable.

**SPECIAL ASSISTANCE NEEDED - AMERICAN DISABILITIES ACT TITLE 2**

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office (858) 720-2400 [clerkoffice@cosb.org](mailto:clerkoffice@cosb.org) at least 72 hours prior to the meeting.

<b>CITY COUNCILMEMBERS</b>			
<b>Lesa Heebner, Mayor</b>			
<b>Kelly Harless</b> Deputy Mayor	<b>David A. Zito</b> Councilmember District 1	<b>Jewel Edson</b> Councilmember District 3	<b>Kristi Becker</b> Councilmember
Gregory Wade <b>City Manager</b>	Johanna Canlas <b>City Attorney</b>	Angela Ivey <b>City Clerk</b>	

**SPEAKERS:**

See Public Participation on the first page of the Agenda for publication participation options.

**READING OF ORDINANCES AND RESOLUTIONS:**

Pursuant to [Solana Beach Municipal Code](#) Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

**CALL TO ORDER AND ROLL CALL:**

**CLOSED SESSION REPORT:**

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 5/0**

**ORAL COMMUNICATIONS:**

**Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.**

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 joining the virtual meeting online to speak live, per the Public Participation instructions on the Agenda.

Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. No written correspondence may be submitted in lieu of public speaking. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

## **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.12.)**

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

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 written correspondence for the record to be filed with the record or by joining the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

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 following City Council meetings held April 13, 2022 and April 27, 2022.

Approved Minutes <https://www.cityofsolanabeach.org/en/government/public-meetings/agendas-minutes-videos>

**COUNCIL ACTION: Approved 5/0**

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

Recommendation: That the City Council

1. Ratify the list of demands for June 11, 2022 – June 30, 2022.

[Item A.2. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

#### **A.3. General Fund Budget Adjustments for Fiscal Year 2022/2023. (File 0330-30)**

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2022/2023 General Fund Adopted Budget.

[Item A.3. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

#### **A.4. This item number was left intentionally blank.**

#### **A.5. Heating, Ventilation, and Air Conditioning (HVAC) Maintenance Services and As-Needed Repairs. (File 0700-25)**

Recommendation: That the City Council

1. Adopt **Resolution 2022-091**:
  - a. Authorizing the City Manager to execute a Professional Services Agreement with Seaside Heating and Air in an amount of \$3,960 per year for quarterly HVAC maintenance service, and \$7,500 per year for unforeseen, as-needed repairs, for a total not to exceed amount of \$11,460 per year for Fiscal Year 2022/23.
  - b. Authorizing the City Manager to extend the agreement up to four additional one-year terms, at the City's option, at an amount not to exceed the amount budgeted in each subsequent year.
  - c. Authorizing the City Manager to approve a one-time purchase and installation of two rooftop HVAC units at City Hall, in an amount of \$26,800, and a 10% (\$2,680) contingency amount for unforeseen repairs, for a total not to exceed amount of \$29,480 for FY 2022/23.
  - d. Authorizing the City Manager to approve a one-time purchase and installation of a HVAC central control system for City Hall, in an amount of \$14,400, and a 10% (\$1,440) contingency amount for unforeseen repairs, for a total not to exceed amount of \$15,840 for FY 2022/23.
  - e. Authorizing a transfer of \$21,000 from the General Fund Facilities budget unit to the City CIP fund to provide sufficient funding for the HVAC replacements.
  - f. Authorizing the City Treasurer to amend the FY 2022/23 Adopted Budget accordingly.

[Item A.5. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.6. Americans with Disabilities Act (ADA) Pedestrian Ramps Project – Notice of Completion (NOC).** (File 0820-20)

Recommendation: That the City Council

1. Adoption of **Resolution 2022-089**:
  - a. Authorizing the City Council to accept, as complete, the ADA Pedestrian Ramps, Bid No. 2022-04, constructed by Miramar General Engineering.
  - b. Authorizing the City Clerk to file a Notice of Completion.

[Item A.6. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.7. Continued Emergency Teleconferencing.** (File 0240-25)

Recommendation: That the City Council

1. Adopt **Resolution 2022-095** authorizing remote teleconference meetings of the legislative bodies of the City for the period of July 14, 2022 through August 13, 2022 pursuant to the provisions of the Brown Act.

[Item A.7. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.8. Fletcher Cove Park Lithocrete Restoration.** (File 0730-20)

Recommendation: That the City Council

1. Adopt **Resolution 2022-083** authorizing the City Manager to award a contract to T.B Penick & Sons, Inc., as a sole-source vendor, in the amount of \$77,620, and the recommended contingency amount of \$17,852 (23%), for a total amount of \$95,472, for the Fletcher Cove Park Lithocrete Concrete Repairs.

[Item A.8. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.9. Dead Animal Disposal and Pest-Rodent Control Services.** (File 0410-08)

Recommendation: That the City Council

1. Adopt **Resolution 2022-075**:
  - a. Authorizing the City Manager to execute a Professional Services Agreement with Habitat Protection, Inc. at an amount not-to-exceed \$9,960 for dead animal disposal and pest-rodent control services, and as-needed services for Fiscal Year 2022/23.
  - b. Authorizing the City Manager to extend the Professional Services Agreement with Habitat Protection Inc., on a yearly basis, for up to four additional one-year terms, at the City's option.

[Item A.9. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.10. Right-of-Entry and Reciprocal License Agreement for Parking with Brixton Cove, LLC.** (File 0800-00)

Recommendation: That the City Council

1. Adopt **Resolution 2022-096** authorizing the City Manager to execute a Right-of-Entry and Reciprocal License Agreement for Parking, in a form acceptable to the City Attorney, with Brixton Cove, LLC for a period of two years, effective August 15, 2022.

[Item A.10. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.11. COVID-19 Temporary Use Permits (TUPs) for Outdoor Dining.** (File 6410-10)

Recommendation: That the City Council

1. Adopt **Resolution 2022-085** extending the Covid-19 Temporary Use Permit Policy.

[Item A.11. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.12. Climate Action Plan Update Services.** (File 0220-15)

Recommendation: That the City Council

1. Adopt **Resolution 2022-090** authorizing the City Manager to execute the Agreement for Climate Action Plan Update Services between the City of Solana Beach and Energy Policy Initiative Center for a one-year term beginning July 13, 2022 through June 30, 2023.

[Item A.12. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**B. PUBLIC HEARINGS:** (B.1. – B.2.)

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

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.

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.

**B.1. Public Hearing: 1005 Highland Dr., Applicant: Kimberly and John Novak, Case #: DRP21-016.** (File 0600-40)

The proposed project meets the minimum objective requirements of 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 DRP. Therefore, 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. 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 2022-086** conditionally approving a DRP to construct a 1,726 square foot detached garage with a 676 square foot art studio and perform associated site improvements at 1005 Highland Drive.

[Item B.1. Report \(click here\)](#)

**COUNCIL ACTION: Approved 3/2 (Noes: Heebner, Becker) with modifications.**

**B.2. Public Hearing: Ida Avenue Apartments, Eight-Unit, Rental Residential Development Located on a Vacant Lot on the East Side of Ida Ave., Applicant: KNN Management LLC, Case #: 17-18-03 DRP/SDP.** (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.

Therefore, should the City Council be able to make the findings to approve the DRP, 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. Consider certification of the MND and adoption of Resolution 2022-087; and
3. If the City Council certifies the MND and makes the requisite Findings of Fact and approves the project, adopt **Resolution 2022-088** conditionally approving a DRP and SDP for the Ida Avenue Apartments Project at 0 Ida Avenue, Solana Beach.

[Item B.2. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0 with modifications.**

### **C. STAFF REPORTS: (C.1. – C.3.)**

*Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.*

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

#### **C.1. Design Options for the Tot Lots at La Colonia Park and Fletcher Cove Park.**

(File 0720-30, 0730-40)

Recommendation: That the City Council

1. Receive this report and provide direction on the design alternatives for the new Tot Lots at La Colonia Park and Fletcher Cove Park.
2. Consider adoption of **Resolution 2022-094** authorizing the City Manager to amend the Professional Services Agreement with Van Dyke Landscape Architects, for a new total amount not to exceed \$173,628, for the design of the relocated drainage swale and the retaining wall between the swale and playground equipment at the La Colonia Tot Lot.

[Item C.1. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

#### **C.2. Multi-Way Stop Control at Nardo/Fresca Intersection.** (File 0860-45)

Recommendation: That the City Council

1. Adopt **Resolution 2022-92** authorizing the City Manager to install and maintain a Multi-Way Stop Control at the intersection of Nardo Avenue and Fresca Street.

[Item C.2. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0** adding an approaching flashing beacon before the stop sign.

**C.3. Placing a Locally Controlled Street and Infrastructure Maintenance, Crime Prevention, Emergency Response and Traffic Management One-Cent General Sales Tax Measure (Transactions And Use Tax) to Maintain and Help Improve the Quality of City Services on the November 8, 2022 General Municipal Election Ballot for Voter Consideration.** (File 0430-20)

Recommendation: That the City Council

1. Approve **Ordinance 526**, subject to voter approval, by way of introduction by title only with a waiver of the full reading; and
2. Adopt **Resolution 2022-093** directing that a general transactions and use tax measure be placed on the November 8, 2022 General Election ballot; submitting the ballot text for the transactions and use tax measure to the voters at the election; authorizing the submittal of ballot arguments; directing the City Attorney to prepare an impartial analysis; and directing the City Clerk to establish requirements for filing primary and rebuttal arguments regarding the transactions and use tax measure.

[Item C.3. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**WORK PLAN COMMENTS:**

*Adopted June 22, 2022*

**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 "City" at the next regular meeting of the legislative body.

**COUNCIL COMMITTEE REPORTS:** [Council Committees](#)

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

- a. City Selection Committee (meets twice a year) Primary-Heebner, Alternate-Edson
- b. Clean Energy Alliance (CEA) JPA: Primary-Becker, Alternate-Zito
- c. County Service Area 17: Primary- Harless, Alternate-Edson
- d. Escondido Creek Watershed Authority: Becker /Staff (no alternate).
- e. League of Ca. Cities' San Diego County Executive Committee: Primary-Becker, Alternate-Harless. Subcommittees determined by its members.



- f. League of Ca. Cities' Local Legislative Committee: Primary-Harless, Alternate-Becker
- g. League of Ca. Cities' Coastal Cities Issues Group (CCIG): Primary-Becker, Alternate-Harless
- h. North County Dispatch JPA: Primary-Harless, Alternate-Becker
- i. North County Transit District: Primary-Edson, Alternate-Harless
- j. Regional Solid Waste Association (RSWA): Primary-Harless, Alternate-Zito
- k. SANDAG: Primary-Heebner, 1<sup>st</sup> Alternate-Zito, 2<sup>nd</sup> Alternate-Edson. Subcommittees determined by its members.
- l. SANDAG Shoreline Preservation Committee: Primary-Becker, Alternate-Zito
- m. San Dieguito River Valley JPA: Primary-Harless, Alternate-Becker
- n. San Elijo JPA: Primary-Zito, Primary-Becker, Alternate-City Manager
- o. 22<sup>nd</sup> Agricultural District Association Community Relations Committee: Primary-Edson, Primary-Heebner

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

- a. Business Liaison Committee – Zito, Edson.
- b. Fire Dept. Management Governance & Organizational Evaluation – Harless, Edson
- c. Highway 101 / Cedros Ave. Development Committee – Edson, Heebner
- d. Parks and Recreation Committee – Zito, Harless
- e. Public Arts Committee – Edson, Heebner
- f. School Relations Committee – Becker, Harless
- g. Solana Beach-Del Mar Relations Committee – Heebner, Edson

**CITIZEN COMMISSION(S)**

- a. Climate Action Commission: Primary-Zito, Alternate-Becker

**ADJOURN:**

**Next Regularly Scheduled Meeting is August 24, 2022**

*Always refer to the City's website Event Calendar for Special Meetings or an updated schedule. Or Contact City Hall at 858-720-2400*

[www.cityofsolanabeach.org](http://www.cityofsolanabeach.org)

**AFFIDAVIT OF POSTING**

STATE OF CALIFORNIA  
 COUNTY OF SAN DIEGO  
 CITY OF SOLANA BEACH } §

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the July 13, 2022 Council Meeting was called by City Council, Successor Agency to the Redevelopment Agency, Public Financing Authority, and the Housing Authority of the City of Solana Beach, California, was provided and posted on July 7, 2022 at 4:30 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., July 13, 2022, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk \* City of Solana Beach, CA

**CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:**

*Regularly Scheduled, or Special Meetings that have been announced, are posted on each Citizen Commission's Agenda webpage. See the [Citizen Commission's Agenda webpages](#) or the City's Events [Calendar](#) for updates.*

- **Budget & Finance Commission**
- **Climate Action Commission**

- **Parks & Recreation Commission**
- **Public Arts Commission**
- **View Assessment Commission**