



# CITY OF SOLANA BEACH

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

## MINUTES

Joint REGULAR Meeting

Wednesday, March 10, 2021 \* 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 Governor Newsom's Executive Order N-29-20 related to the COVID-19 virus.

### CITY COUNCILMEMBERS

**Lesa Heebner**, Mayor

**Kristi Becker**  
Deputy Mayor

**Kelly Harless**  
Councilmember

**David A. Zito**  
Councilmember  
District 1

**Jewel Edson**  
Councilmember  
District 3

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6:26 p.m.

Present: Lesa Heebner, Kristi Becker, Kelly Harless, David A. Zito, Jewel Edson

Absent: None

Also: Greg Wade, City Manager

Present: Johanna Canlas, City Attorney

Angela Ivey, City Clerk

Dan King, Assistant City Manager

Mo Sammak, City Engineer/Public Works Dir.

Ryan Smith, Finance Dir.

Joseph Lim, Community Development Dir.

**CLOSED SESSION REPORT:** None

**FLAG SALUTE:**

### APPROVAL OF AGENDA:

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

### 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 having submitted written comments 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.

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 speaker is THREE MINUTES (SBMC 2.04.190).

Kristine Schindler presented a PowerPoint (on file) and spoke about e-bike safety educational events sponsored by the San Diego County Bike Coalition and other supporters, walk audits for the Lomas Santa Fe Corridor improvement project, and the need for housing equity in the form of medium affordable density housing.

### **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.)**

**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 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).

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 February 10, 2021 City Council meetings.

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 Edson and second by Councilmember Harless to approve. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. 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 6, 2021 – February 19, 2021.

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

#### **A.3. General Fund Budget Adjustments for Fiscal Year 2020/21. (File 0330-30)**

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2020-2021 General Fund Adopted Budget.

**Motion:** Moved by Councilmember Edson and second by Councilmember Harless to

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

**A.4. City Hall and Fire Station Repair Project.** (File 0700-25)

Recommendation: That the City Council

1. Adopt **Resolution 2021-027:**

- a. Authorizing the City Manager to execute Change Order No. 5 to the construction contract with War Rhino, Inc., in the amount of \$40,000, for the Solana Beach City Hall and Fire Station Water Damage Remediation and Restoration Project, Bid No. 2020-02.
- b. Authorizing the City Manager to execute change orders up to the amount of the revised contingency of \$135,000.
- c. Authorizing the transfer of \$40,000 from CIP-23 (City Hall Elevator) to the City Hall and Fire Station Repair Project.
- d. Authorizing the City Treasurer to amend the FY 2020/21 Adopted Budget accordingly.

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

**A.5. Deputy Fire Chief Mutual Aid Deployment Reimbursement.** (File 0200-00)

Recommendation: That the City Council

1. Adopt **Resolution 2021-029** authorizing the position of Deputy Fire Chief, when deployed as mutual aid, to be reimbursed portal-to-portal via the California Fire Assistance Agreement.

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

**A.6. Destruction of Obsolete Records.** (File 0170-50)

Recommendation: That the City Council

1. Adopt **Resolution 2021-013** authorizing the destruction of officially obsolete records.

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

**B. PUBLIC HEARINGS:** (B.1. – B.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).

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: Santa Fe Christian Schools, Temporary Use Permit (TUP) for Temporary Modular Buildings.** (File 0600-40)

Recommendation: That the City Council

1. Conditionally approve the Santa Fe Christian Schools Temporary Use Permit application for temporary modular classroom buildings.

Greg Wade, City Manager, introduced the item.

Joe Lim, Community Development Dir., presented a PowerPoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Council and Staff discussed the permit timeline request for the entire school year in light of the public health order and not revoking the permit earlier than the end of the school year even if the emergency is withdrawn, since it would be difficult reorganizing students during the school year.

Rod Gilbert, Applicant, spoke about working with Staff and their excitement about getting this plan ironed out to meet the COVID restrictions for the new school year.

Keith Francis, Applicant, spoke about the City's assistance, the plan to start construction in May so it would be ready in August for the start of school, the quad building construction beginning in June and continuing until July 2022, that the modular buildings would be disassembled by July so that the softball field could be ready in time for the start of the season.

Council and Applicant discussed the order of the construction of the carpool lane and the quad building, once they are completed then the trailers in the back of the property would be removed in order to build that area last.

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

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

**B.2. Public Hearing: 425 S. Granados Avenue, Applicant: Shannon, Case DRP 20-010.** (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, 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 2021-025** conditionally approving a DRP to demolish an existing single-family residence, construct a replacement multi-level, single-family residence with an attached two-car garage and perform associated site improvements at 425 S. Granados Avenue, Solana Beach.
4. Adopt **Resolution 2021-026** ordering the vacation of excess public street right-of-way at 425 S. Granados Avenue.

Deputy Mayor Becker recused herself due to a conflict of a property within the project area.

Greg Wade, City Manager, introduced the item.

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

Mayor Heebner opened the public hearing.

Council disclosures.

Council and Staff discussed that deep retention devices could be a trap for critters that could not escape if it was too deep and there was no way out, whether the construction for the basin is a gradual grade, and that the pavers would be set so that they did not encroach in the right-of-way.

Shawn Shannon and Norma, Applicant, spoke about his history in Solana Beach.

Tyler Van Stright, Applicant Architect, JLC Architecture, and Council discussed adding steps to the retention basin and maintaining vegetation options at restricted heights.

**Motion:** Moved by Councilmember Edson and second by Councilmember Zito to close the public hearing. **Approved 4/0/1** (Recused: Becker). Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried.

**Motion:** Moved by Councilmember Edson and second by Councilmember Zito approve Staff recommendation. **Approved 4/0/1** (Recused: Becker). Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried.

**B.3. Public Hearing: 514 Canyon Drive, Applicant: Ewing, Case 17-19-13  
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 and SDP. Therefore, Staff recommends that the City Council:

1. Conduct 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 to waive the requirement of the Structure Development Permit process for the revised project design and approve a modified staircase design, adopt **Resolution 2021-028** approving a Development Review Permit (DRP) and Structure Development Permit (SDP) for the revised design of a replacement two-story, single-family residence with an attached garage, and associated site improvements at 514 Canyon Drive, Solana Beach.

Greg Wade, City Manager, introduced the item.

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

Mayor Heebner opened the public hearing.

Council disclosures.

Taal Safdie, Applicant representative, spoke about revisions to meet what the Council intended and removing the height towards the west and making the entrance lower.

Van Tune, Applicant, said that they did their best to fit the parameters requested by Council and the difficulty of meeting the ceiling height over the stairs.

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

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

**C. STAFF REPORTS: (C.1.)**

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

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## C.1. SEA Rate Discussion / CEA Default Power Supply Discussion

(File 1010-45, 46)

Recommendation: That the City Council

1. Receive the report on SEA wind-down activities, operations and financial forecast through January 2023 and provide any direction, as necessary.
2. Provide direction related to SEA rates.
3. Approve **Resolution 2021-031** selecting Clean Energy Alliance preferred default energy product for Solana Beach customers.

Greg Wade, City Manager, introduced the item and reviewed the Solana Energy Alliance (Solana Energy Alliance) transition to the CEA (Clean Energy Alliance).

Jeff Fuller, TEA, reviewed the financial outlook through the SEA wind-down.

Council and Consultants discussed that SDG&E had raised their rates which would result in an increase of SEA rates, but that SDG&E customers will still have a higher generation rate than SEA customers.

Barb Boswell, Bayshore, reviewed CEA rates and power supply options.

Council discussed that the reason the rates were being raised was due to the SDG&E rate increase, the significant greenhouse gas reduction benefit attained with the SEA, the rate increase options, the exit fee being charged by SDG&E and not by SEA, that SEA and other CCAs were contesting the exit fee structure with SDG&E, and the client's ability to opt up or down for their own renewable energy selection.

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Becker to approve opting for Scenario 5 for SEA rates, and chose the Clean 75% as a preferred default energy product for Solana Beach customers in the Clean Energy Alliance. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

### **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*)

**CITIZEN COMMISSION(S)**

### **ADJOURN:**

Mayor Heebner adjourned the meeting at 8:53 p.m.

Angela Ivey, City Clerk

Approved: April 14, 2021