



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

AGENDA

Joint SPECIAL Meeting

Wednesday, December 11, 2024 * 5:45 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.
- 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](#).



PUBLIC MEETING ACCESS

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live. 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.

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.

AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is available at City Hall, the Solana Beach Branch [Library](#) (157 Stevens Ave.), La Colonia Community Ctr., and online www.cityofsolanabeach.org. Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. Writings and documents regarding an agenda of an open session meeting, received after the official posting, and distributed to the Council for consideration, will be made available for public viewing at the same time. In addition, items received at least 1 hour 30 minutes prior to the meeting time will be uploaded online with the agenda posting. Materials submitted for consideration should be forwarded to the [City Clerk's department](#) 858-720-2400. The designated location for viewing of hard copies is the City Clerk's office at City Hall during normal business hours.

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 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 two hours 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.

And/Or

Verbal Comment Participation:

Please submit a speaker slip to the City Clerk prior to the meeting, or the announcement of the Section/Item, to provide public comment. Allotted times for speaking are outlined on the speaker's slip for each agenda section: Oral Communications, Consent, Public Hearings and Staff Reports. Public speakers have 3 minutes each to speak on each topic. Time may be donated by another

individual who is present at the meeting to allow an individual up to 6 minutes to speak. Group: Time may be donated by two individuals who are present at the meeting allowing an individual up to 10 minutes to speak. Group Hearings: For public hearings only, time may be donated by two individuals who are present at the meeting allowing an individual up to 15 minutes to speak.

COUNCIL DISCLOSURE

Pursuant to the Levine Act (Gov't Code Section 84308), any party to a permit, license, contract (other than competitively bid, labor or personal employment contracts) or other entitlement before the Council is required to disclose on the record any contribution, including aggregated contributions, of more than \$250 made by the party or the party's agents within the preceding 12 months to any Council Member. Participants and agents are requested to make this disclosure as well. The disclosure must include the name of the party or participant and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made.

SPECIAL ASSISTANCE NEEDED

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 at least 72 hours prior to the meeting.

As a courtesy to all meeting attendees, please set all electronic devices to silent mode and engage in conversations outside the Council Chambers.

<u>CITY COUNCILMEMBERS</u>		
Lesa Heebner Mayor		
Jewel Edson Deputy Mayor / Councilmember District 3		Kristi Becker Councilmember District 2
Jill MacDonald Councilmember District 4		David A. Zito Councilmember District 1

Alyssa Muto
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

SPEAKERS:

Please submit your speaker slip to the City Clerk prior to the meeting or the announcement of the Item. Allotted times for speaking are outlined on the speaker's slip for Oral Communications, Consent, Public Hearings and Staff Reports.

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:

FLAG SALUTE:

APPROVAL OF AGENDA:

D. STAFF REPORTS: (D.1. – D.2.)

Submit speaker slips to the City Clerk.

All speakers should refer to the public comment section at the beginning of the agenda for time allotments. Please be aware of the timer light on the Council Dais.

D.1. Council Reorganization: Mayor and Councilmember District 1 & 3 Appointments of Office (2024-2028). (File 0410-85)

Recommendation: That the City Council

1. Administer the official Oath of Office, prescribed in the California Constitution, to the newly appointed officials in lieu of election, Mayor Lesa Heebner, Councilmember District 1 David A. Zito and Councilmember District 3 Jewel Edson for terms of 2024-2028.

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

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

D.2. Annual Deputy Mayor Appointment. (File 0410-85)

Recommendation: That the City Council

1. Review and designate an appointment of the 2025 Deputy Mayor for a term of December 11, 2024, to December 10, 2025.

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

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

ADJOURN:

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 December 11, 2024 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 December 5, 2024 at 4:45 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 5:45 p.m., December 11, 2024, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk
City of Solana Beach, CA



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Alyssa Muto, City Manager
MEETING DATE: December 11, 2024
ORIGINATING DEPT: City Clerk’s Department, Angela Ivey, City Clerk
SUBJECT: **Council Reorganization: Mayor and Councilmember District 1 & 3 Appointments of Office (2024-2028)**

BACKGROUND:

Pursuant to Election Code Section 10229, Council adopted Resolution 2024-087 (Attachment 1) on August 21, 2024, electing to make official appointments of candidates, in lieu of an election, to the positions of Mayor, Councilmember District 1 and Councilmember District 3 with 4-year terms, 2024-2028, as follows:

APPOINTED MAYOR
Lesa Heebner

APPOINTED COUNCILMEMBERS
David A. Zito – District 1
Jewel Edson – District 3

This item is before Council to memorialize the official appointments of the position of Mayor, Councilmember District 1 and Councilmember District 3 seats and administer the required Oath of Office to commence with their appointment terms.

DISCUSSION:

California Government Code Section 36503, "City officers holding elective city office shall hold office for their prescribed terms from the date of the installation of officers following adoption by the council of the official canvass of their election and until their successors are elected and qualified."

Appointment and Seating Protocol

In the event that an official appointment replaces the election certification process, California Elections Code Section 10229 (a) states, "The person appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office." These appointed officials will use the term Appointed instead of Elected during their terms. Although Council approved the appointments of Lesa Heebner as Mayor, David

CITY COUNCIL ACTION:

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A. Zito as District 1 Councilmember, and Jewel Edson as District 3 Councilmember on August 21, 2024, the candidates officially assume office on the same date that the election results would be certified and the elected officials would be seated, which is December 11, 2024.

Certificate of Appointment/Administer Oath of Office

Pursuant to California Elections Code Section 10265, the elections official shall sign and deliver to each elected position a certificate of election or appointment. In addition, the City Clerk, as elections official, shall administer to each person, the official Oath of Office prescribed in the California Constitution to appointed Mayor Lesa Heebner, appointed Councilmember District 1 David A. Zito, and appointed Councilmember District 3 Jewel Edson, who will all serve four-year terms until December 2028.

CEQA COMPLIANCE STATEMENT: N/A

FISCAL IMPACT: N/A

WORK PLAN: N/A

OPTIONS:

- Proceed with administering the oaths and making appointments.
- Do not administer oaths. Pursuant to EC 10265, appointees may not assume responsibilities of Mayor or Councilmembers until they have taken the official Oath of Office.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Clerk:

1. Administer the official Oath of Office, prescribed in the California Constitution, to the newly appointed officials in lieu of election, Mayor Lesa Heebner, Councilmember District 1 David A. Zito and Councilmember District 3 Jewel Edson for terms of 2024-2028.

CITY STAFF RECOMMENDATION:

Approve Department Recommendation


Alyssa Muto, City Manager

Attachment:

1. Resolution 2024-087

RESOLUTION 2024-087

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED ON TUESDAY, NOVEMBER 5, 2024.

WHEREAS, pursuant to Government Code 36503 of the State of California, a General Municipal Election shall be held on a date prescribed by Section 1301 of the Elections Code and elective city offices shall be filled by the city electorate. City officers holding elective city office shall hold office for their prescribed terms from the date of the installation of officers following adoption by the Council of the official canvass of their election and until their successors are elected and qualified; and

WHEREAS, the City of Solana Beach called a General Municipal Election to be held in the City of Solana Beach on Tuesday, November 5, 2024, for the purpose of filling three expiring terms of the City Council Mayor and Councilmembers for Districts 1 and 3; and

WHEREAS, pursuant to Section 10229 of the Elections Code, as of the close of the nomination period on Wednesday, August 9, 2024, there were not more candidates than offices to be elected and Section 10229 (a) allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the persons who have been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one, or only one person, has been nominated.

;and

WHEREAS, pursuant to Section 10229 (a) of the Elections Code, the Certificate of Facts, which states the outcome of the nomination and the courses of action available to the City Council, was published in *The Union Tribune* on August 14, 2024; and

WHEREAS, pursuant to Section 10229 of the Elections Code, if after the fifth day following the date of the publication and by the 75th day prior to the election, the City Council makes appointments to the open positions, the election will be cancelled; and

WHEREAS, pursuant to Section 10229 of the Elections Code, once appointments are made, the Elections Official shall not accept for filing any statement of write-in candidacy that is submitted; and

WHEREAS, if the City Council desires to make appointments, this resolution provides for the appointment of the nominees for open City Council positions.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve, declare, determine and order as follows:

Section 1. That the above recitations are true and correct.

Section 2. That pursuant to Section 10229(a) of the Elections Code of the State of California, the following action is taken:

The following persons are being appointed to the offices to which they were nominated, and are considered to be the same as being elected, pursuant to Section 10229(a) of the California Elections Code.

<u>Qualified Candidate</u>	<u>Office</u>	<u>Term</u>
Lesia Heebner	Mayor	4 year term
David A. Zito	Councilmember District 1	4 year term
Jewel Edson	Councilmember District 3	4 year term

Section 3. That pursuant to California Elections Code Section 10229, the General Municipal Election scheduled to be held on Tuesday, November 5, 2024, is cancelled due to the above appointments.

Section 4. The persons appointed shall qualify and take office and serve exactly as if elected at a General Municipal Election for the office. The appointees will take office for this term on December 11, 2024, when they recite their Oath of Office.

Section 5. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

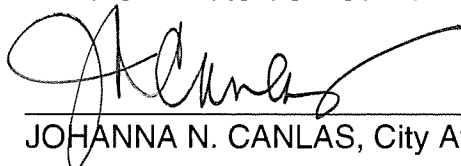
PASSED AND ADOPTED this 21st day of August, 2024, at a Special Meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers – Heebner, Edson, Becker, MacDonald, Zito
NOES: Councilmembers – None
ABSENT: Councilmembers – None
ABSTAIN: Councilmembers – None



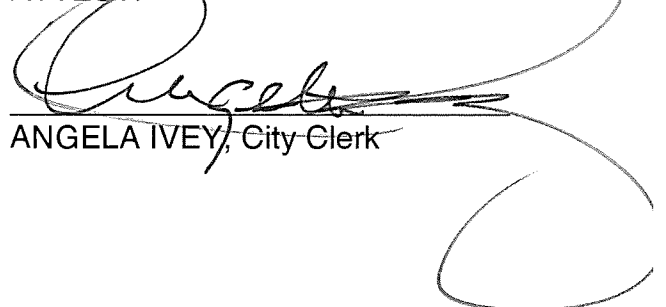
LESA HEEBNER, Mayor

APPROVED AS TO FORM:



JOHANNA N. CANLAS, City Attorney

ATTEST:



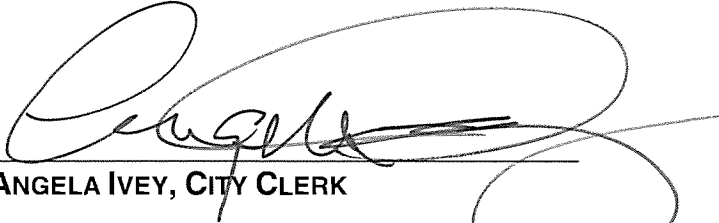
ANGELA IVEY, City Clerk



RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } SS.
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, **DO HEREBY CERTIFY** that the foregoing is a full, true and correct copy of **Resolution 2024-087** *approving the appointment of Candidates to the offices of this City to be elected on Tuesday, November 5, 2024* as duly passed and adopted at a Regular Solana Beach City Council meeting held on the 21st day of August, 2024 and is the original on file in the City Clerk's Office.



ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: August 21, 2024



STAFF REPORT

CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Alyssa Muto, City Manager
MEETING DATE: December 11, 2024
ORIGINATING DEPT: City Clerk's Department
SUBJECT: **Annual Deputy Mayor Appointment**

BACKGROUND:

On July 10, 2018, the City Council adopted Ordinance 488 establishing a By-District Election Process in four Council Districts and an Elective Office of Mayor. The November 3, 2020, General Election was the first election transitioning to district elections and a separately elected Mayor, for a full term of four years. On December 13, 2023, Councilmember Jewel Edson was appointed Deputy Mayor for the term of December 13, 2023, through December 11, 2024.

Thus, an annual appointment of Deputy Mayor is needed to fill the Deputy Mayor's position. Resolution 2023-057 (Attachment 1) provides a guide for rotation of the Deputy Mayor. It states that the City Council shall appoint a Deputy Mayor on an annual basis at the first City Council meeting in December. The Deputy Mayor shall be selected by the affirmative vote of not less than three members of the City Council.

This item is before Council to appoint a Deputy Mayor for the term of December 11, 2024, through December 17, 2025, or any other December City Council meeting as scheduled.

DISCUSSION:

Pursuant to Resolution 2023-057, the Council shall proceed with the nomination and appointment of the 2025 Deputy Mayor. This is a summary of Resolution 2023-057 which provides some general guidelines for making an appointment of the Deputy Mayor:

- Each Councilmember has a specified position in the rotation sequence based on their electoral district. These districts are seated in the following sequence: District 1, District 3, District 2, District 4. Districts 1 and 3 are elected at the same election, whereas Districts 2 and 4 are elected at the next election. In any given year, the first person seated after the Mayor is typically selected as Deputy Mayor, subject to a majority vote.

CITY COUNCIL ACTION:

- In non-election years, the presiding Deputy Mayor typically moves to the end of the rotation sequence on the dais and the remaining three councilmembers move forward in their current order.
- In election years, the newly elected, re-elected, or appointed Councilmembers are seated at the end of the dais in the sequence as stated above.
- After the City Council has been seated, the City Council will proceed with appointing a Deputy Mayor.
- A Councilmember may decline to serve as Deputy Mayor. In this case, the office would pass to the next Councilmember in the dais seating sequence, pursuant to a majority vote.
- The Council may choose to appoint a person to the position of Deputy Mayor based on factors other than those set forth in the resolution.
- To the extent possible, each Councilmember shall be given the opportunity to serve as Deputy Mayor.

CEQA COMPLIANCE STATEMENT: N/A

FISCAL IMPACT: N/A

WORK PLAN: N/A


OPTIONS:

- Appoint a new Deputy Mayor.
- Provide alternative direction.

CITY STAFF RECOMMENDATION:

Staff recommends that the City Council:

1. Review and designate an appointment of the 2025 Deputy Mayor for a term of December 11, 2024, to December 10, 2025.



Alyssa Muto, City Manager

Attachment:

1. Resolution 2023-057 - Guidelines regarding the Annual Appointment of the Deputy Mayor.

RESOLUTION 2023-057

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SOLANA BEACH, CALIFORNIA, ESTABLISHING
GUIDELINES REGARDING APPOINTMENT OF THE
DEPUTY MAYOR**

WHEREAS, the City Council is authorized and directed by Government Code Section 36801 to meet after a general municipal election and choose one of its members as Deputy Mayor; and

WHEREAS, the City of Solana Beach has historically made an appointment of Deputy Mayor on an annual basis; and

WHEREAS, the City of Solana Beach refers to the Mayor Pro Tempore as the Deputy Mayor; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Solana Beach to establish guidelines regarding the appointment of the Deputy Mayor; and

WHEREAS, starting in November 2020, the election of District 1 and District 3 took place, and in November 2022 District 2 and District 4 were elected. The seating at the dais is in the following order: District 1, District 3, District 2, and District 4; and

WHEREAS, the Deputy Mayor is appointed by the City Council for a one-year term at a December City Council meeting. In an election year, it will occur at a meeting following the declaration of the election results for a general municipal election. (Gov. Code§ 36801.); and

WHEREAS, to be eligible for appointment as Deputy Mayor, a Councilmember ideally would have completed at least one year of his or her current term on the Council. Experience as a Councilmember will assist those who are selected to serve as Deputy Mayor, and that it is in the City's best interest that these selections be made in a manner that acclimates the Deputy Mayor to the roll and task prior to assuming the respective office; and

WHEREAS, the City Council wishes to amend the selection process of the Deputy Mayor as was adopted per Resolution 1996-17, since an elected Mayor would no longer be included, as well as to consider the electoral districts.

NOW, THEREFORE, the City Council of the City of Solana Beach California, resolves as follows:

1. The mayor pro tempore shall be referred to as the Deputy Mayor.

2. The City Council shall appoint a Deputy Mayor on an annual basis.
3. The Deputy Mayor shall be selected by a majority vote of the City Council, or not less than three members of the City Council.
4. In the absence of the Mayor, the Deputy Mayor shall serve and perform the functions of the Mayor. If both the Mayor and Deputy Mayor are absent from a City Council meeting, the Councilmembers present shall select a Councilmember from those present to perform the functions of Mayor at that meeting.
5. Selection of the Deputy Mayor:
 - a. Each Councilmember has a specified position in the rotation sequence based on their electoral district. These districts are seated in the following sequence: District 1, District 3, District 2, District 4. Districts 1 and 3 are elected at the same election, whereas Districts 2 and 4 are elected at the next election. In any given year, the first person seated after the Mayor is typically selected as Deputy Mayor, subject to a majority vote.
 - i. In non-election years, the presiding Deputy Mayor typically moves to the end of the rotation sequence on the dais and the remaining three Councilmembers move forward in their current order.
 - ii. In election years, the newly elected, re-elected, or appointed Councilmembers are seated at the end of the dais in the sequence as stated above.
 - iii. After the Council has been seated, the City Council will proceed with appointing a Deputy Mayor.
 - b. If an appointment is made to fill a mid-term vacancy, the newly appointed Councilmember will be seated in the vacant seat. If that vacancy was the current Deputy Mayor, the Council may determine the experience of the appointed member or move this position to the end of the dais.
 - c. A Councilmember may decline to serve as Deputy Mayor. In this case, the office would pass to the next Councilmember in the dais seating sequence, pursuant to a majority vote.
 - d. If a member accepts a shared term of at least six months as Deputy Mayor, that term shall be deemed a full term as Deputy Mayor.
 - e. If a Deputy Mayor is not able to complete their term as Deputy Mayor, and a member is called upon to fill in for the remainder of the term and serves longer than six months, this Deputy Mayor may not be considered to have served a full term. The member called upon under such a situation may be allowed to continue serving as Deputy Mayor for the next full term, subject to a majority vote.
 - f. The Council may choose to appoint a person to the position of Deputy Mayor based on factors other than those set forth in this resolution.
6. To the extent possible, each Councilmember shall be given the opportunity to serve as Deputy Mayor.

7. This resolution shall supersede all prior resolutions concerning this matter.

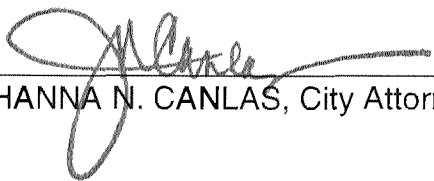
PASSED AND ADOPTED this 10th day of May 2023, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers – Heebner, Zito, Edson, Becker, MacDonald
NOES: Councilmembers – None
ABSTAIN: Councilmembers – None
ABSENT: Councilmembers – None



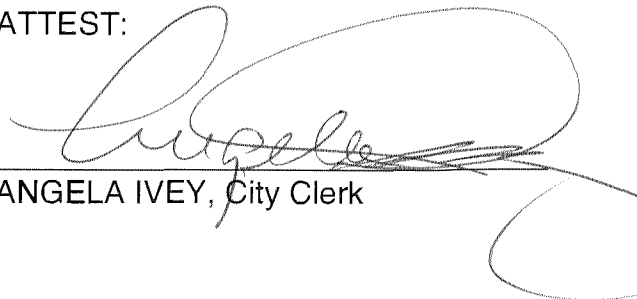
LESA HEEBNER, Mayor

APPROVED AS TO FORM:



JOHANNA N. CANLAS, City Attorney

ATTEST:



ANGELA IVEY, City Clerk



RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } SS.
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, **DO HEREBY CERTIFY** that the foregoing is a full, true and correct copy of **Resolution 2023-057** *establishing guidelines regarding appointment of the Deputy Mayor* as duly passed and adopted at a Regular Solana Beach City Council meeting held on the 10th day of May, 2023 and is the original on file in the City Clerk's Office.


ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: May 17, 2023