



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

MINUTES

Joint REGULAR Meeting

Wednesday, June 26, 2024 * 6:00 p.m.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California

Teleconference Location: 7457 Lake Rd E, Madison OH. 44057 (Zito)



- 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

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

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6: 00 p.m.

Present: Lesa Heebner, Jewel Edson, Kristi Becker, Jill MacDonald, David A. Zito

Absent: None

Also Alyssa Muto, City Manager

Present: Johanna Canlas, City Attorney
 Angela Ivey, City Clerk
 Dan King, Deputy City Manager
 Mo Sammak, City Engineer/Public Works Dir.
 Rachel Jacobs, Finance Dir.
 Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT:

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Councilmember Becker and second by Councilmember Zito to approve and remove Item C.3. **Approved 5/0.** Ayes: Heebner, Edson, Becker, MacDonald, Zito. Noes: None. Motion carried unanimously.

ORAL COMMUNICATIONS: None

Comments relating to items on this evening's agenda are taken at the time the items are heard. 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. 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. No donations of time are permitted (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.8.)

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 heard immediately after approval of the Consent Calendar to hear the public speaker.

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

A.1. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for May 18, 2024 – June 07, 2024.

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

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

A.2. Appropriations Limit Fiscal Year (FY) 2024/25. (File 0330-60)

Recommendation: That the City Council

1. Adopt **Resolution 2024-053** establishing the FY 2024/25 Appropriations Limit in accordance with Article XIII B of the California Constitution and Government Code Section 7910 and choosing the County of San Diego's change in population growth to calculate the Appropriations Limit.

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

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

A.3. Annual Investment Policy. (File 0350-30)

Recommendation: That the City Council

1. Adopt **Resolution 2024-052** approving the City's Investment Policy for Fiscal Year 2024/25.

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

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

A.4. Fire Benefit Fee – Fiscal Year 2024-25. (File 0495-20)

Recommendation: That the City Council

1. Adopt **Resolution 2024-054:**
 - a. Setting the FY 2024/25 Fire Benefit Fee at \$10.00 per unit
 - b. Approving the Fee for levying on the tax roll.

[Item A.4. Report \(click here\)](#)

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

A.5. Municipal Improvement Districts Benefit (MID) Fees – FY 2024-25. (File 0495-20)

Recommendation: That the City Council

1. Approve **Resolution 2024-055**, setting the Benefit Charges for MID No. 9C, Santa Fe Hills, at \$232.10 per unit for FY 2024/25.
2. Approve **Resolution 2024-056**, setting the Benefit Charges for MID No. 9E, Isla Verde, at \$68.74 per unit for FY 2024/25.
3. Approve **Resolution 2024-057**, setting the Benefit Charges for MID No. 9H, San Elijo Hills #2, at \$289.58 per unit for FY 2024/25.
4. Approve **Resolution 2024-058** setting the Benefit Charges for MID No. 33, Highway 101/Railroad Right-of-Way, at \$3.12 per unit for FY 2024/25.

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

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

A.6. Work Plan Adoption – Fiscal Year (FY) 2024/25. (File 0410-08)

Recommendation: That the City Council

1. Consider and adopt the final Fiscal Year 2024/2025 Work Plan.

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

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

A.7. 2024 Street Maintenance & Repairs Project. (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2024-076:**
 - a. Awarding a construction contract to Quality Construction & Engineering in the amount of \$927,487.60, for the 2024 Street Maintenance & Repairs Project, Bid 2024-06.
 - b. Approving an amount of \$172,512.40 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 amount of the construction contingency.

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

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

A.8. Citywide Street Sweeping Services. (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2024-070:**
 - a. Authorizing the City Manager to execute a Professional Services Agreement, on behalf of the City, with Sweeping Corporation of America of California, LLC., for Citywide street sweeping services in Fiscal Year 2024/25 in an amount not to exceed \$99,681 for Fiscal Year 2024/25.
 - b. Authorizing the City Manager to extend the agreement for up to four additional years at the City's option, at an amount not to exceed the amount budgeted in each subsequent year.
 - c. Authorizing the City Manager to increase the annual not to exceed base contract amount by 3% for FY 2025/26, 3% for FY 2026/27, 3% for FY 2027/28, and 3% for FY 2028/29.

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

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

C. STAFF REPORTS: (C.1.)

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.

C.1. SANDAG NOP – LOSSAN Rail Realignment Update. (File 0820-48)

Recommendation: That the City Council

1. Receive the presentation from SANDAG, ask questions of SANDAG staff, provide feedback regarding the proposed Project and alternatives, and allow the public to provide comment on the NOP.

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

[Item C.1. Supplemental Docs \(updated 6-26-24 at 3:30pm\)](#)

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.

Alyssa Muto, City Manager, introduced the item.

Mario Orso, Chief Executive Officer, introduced the item.

Peter Casellini, AICP, Senior Planner, Rail Planning, and Keith Greer, Manager of Environmental Compliance, presented a PowerPoint (on file). They spoke about the update to the San Diego Lossan Rail Realignment Project, emphasizing its importance and the current stage of the project, that the project overview was to address the need to realign the Lossan Rail due to instability and erosion of the Del Mar Bluff, that the realignment aimed to provide a permanent solution to ensure the rail line's stability and future functionality. They said that the project was in its early stages and that a Notice of Preparation (NOP) had been released, marking the beginning of the environmental review process required under the California Environmental Quality Act (CEQA), which involved gathering public comments and technical studies to assess potential impacts. They stated that the rail line is crucial for regional transportation, being one of the busiest in the country, and that it supports significant trade and provides essential connectivity for passengers and freight. They reviewed the environmental and community goals being the relocation of the rail tracks away from the bluffs to prevent further erosion, minimize impacts on surrounding communities and maintain service throughout construction, enhance rail service frequency and efficiency, improve coastal access and safety, and be environmentally responsible, particularly regarding wetlands and sensitive resources. They said that several alignment alternatives had been proposed and were open for discussion, that the process includes evaluating these alternatives against project objectives and environmental impacts, and that public input was crucial for refining these options. They presented the alternatives, Alternative A being 7 miles long consisting of 3.8 miles of bored tunnel (deep tunnel using a boring machine) and 1.2 miles of cut-and-cover tunnel (tunnel with a cover over it) beginning in Sorrento Valley, moving towards Los Penasquitos Lagoon and lying predominantly on public lands (95%) with minimal impact on private property (5%) and then going underground from the southern end to the Del Mar Fairgrounds, transitioning to cut-and-cover near Solana Beach; Alternative B is 5 miles long consisting of 3.3 miles of bored tunnel and limited cut-and-cover sections starting from the Knoll, proceeding to a portal under Jimmy Durante Boulevard and connecting with existing double track platforms but stopping short of the San Dieguito Lagoon; and Alternative C is 5 miles long consisting of 2 miles of tunnel and elevated bridge structure through Los

Penasquitos Lagoon to minimize wetland impact and from the elevated bridge through the lagoon ending at a new tunnel portal at Torrey Pines Road. They stated that the project would proceed with detailed technical studies and public consultations to finalize the best alignment, that a draft Environmental Impact Report (EIR) would be prepared, summarizing technical findings and incorporating public feedback, that the project is highlighted as one of the largest and most complex undertaken by SANDAG, with significant implications for infrastructure and regional development, and that engagement and public feedback are crucial for navigating the complexity of the process.

Council and presenters discussed the fact that the SANDAG board, as the lead agency, has ultimate authority to approve or reject the project, that various federal, state, and local agencies will need to issue permits, including those related to endangered species and wetlands, that the scoping process had begun and agencies are being consulted for their input, that all alternatives aim to meet the project objectives with varying degrees of trade-offs, that Alternative A had minimal engineering analysis thus far at 1% complete, that Alternatives B & C had more advanced engineering analysis (about 10% complete) and lower cost estimates, that Alternative A is the most expensive at \$4.14 billion, compared to \$2.28 billion for Alternative B and \$1.85 billion for Alternative C, and that the cost estimates did not yet include right-of-way costs, which could significantly impact the final figures. Discussion continued regarding the project proceeding through further environmental analysis and public consultations, that a preferred alternative be identified in the draft EIR, and that considerations will include potential uses for areas above the new rail alignment and additional costs for mitigation.

Dave Clemons stated that he proposed an adjustment to Alternative A with an elevated rail track route, dubbed "Alternative L," which uses the southern half of the original Alternative A routing, crossing under Via de la Valle, included new double tracking, and passed over Jimmy Durante Boulevard before entering a tunnel, and that this proposal would meet most project objectives, reduce tunnel distance, and anticipate future sea level rise.

Council and Mr. Clemons discussed Alternative L's key benefits, particularly regarding minimizing impacts on surrounding communities and ensuring continuity of rail service during construction, that construction work, including the 45-degree turn and elevated sections, would occur south of the river and east of the existing tracks, allowing rail service to continue uninterrupted. He clarified that the investment in the new bridge and fairground platform would not be wasted, as construction would avoid affecting these facilities. Additionally, he confirmed that Alternative L would not impact the fairgrounds, preserving their potential for affordable housing and other developments.

Tina Zucker reflected on the significant impact of the previous Solana Beach grade separation construction on local businesses, particularly in the Cedros Design District, where they experienced severe disruptions with no compensation or support. They emphasized the need for SANDAG to consider reparations for businesses affected by the current project. The speaker expressed frustration over a lack of communication and clarity about the project's decisions. They urged that any decision made should have long-term benefits, considering the past failures, and the importance of addressing the needs of affected businesses and residents.

Kimberly Jones, Executive Director of the Solana Beach Chamber of Commerce, stated the Chamber's opposition for Alternative A of the rail project for the severe impact it would have on the local business community and the broader regional economy, the concerns that the proposed tunnel would affect the downtown business area, particularly the Cedros Design District, and complicate post-COVID recovery efforts, and the crucial role of events at the Del Mar Fairgrounds on local businesses, which drive significant revenue and contribute to city income through sales and transient occupancy taxes. She said that Alternative A would lead to prolonged closures, restricted access, and substantial economic and environmental damage and that the Solana Beach Chamber's letter to SANDAG called for the immediate dismissal of Alternative A affirming their commitment to actively oppose this option.

Lisa Montes expressed her opposition to Alternative A of the rail project, shared personal connections to the railroad and her grandfather's work at the Del Mar train station, and said the need to collaborate on finding a solution, given the significant environmental and economic impacts of Alternative A on both cities, was critical due to the negative effects on local businesses, walking, and biking communities, and described Alternative A as costly and impactful. She urged that alternatives B or C be considered instead of A, for the benefit of both cities.

Tara Hernandez expressed her opposition to Alternative A of the rail project and stated that the proposal was irresponsible due to its significant environmental and economic impacts on both Solana Beach and Del Mar, as well as the negative effects on businesses in Solana Beach.

Kelly Harless expressed opposition to Option A of the rail project and shared her past experience with the disruption caused by the trenching of the rail line at Lomas Santa Fe, which, despite the inconvenience, ultimately benefited the community without negatively impacting Del Mar. She said she has been deeply involved in the community, including serving as a Councilmember and Deputy Mayor, and was shocked to learn about Option A, which would impose significant negative impacts on Solana Beach residents, businesses, and the environment. She said it would disproportionately harm Solana Beach, a 3 ½ square mile City with 13,000 people, and described it as an unreasonable and fiscally irresponsible proposal, that the alternative solutions would be less costly and less detrimental to Solana Beach while still addressing the needs of the region. She urged SANDAG to discard Option A and instead pursue a smarter, more cost-effective, and less harmful solution that would benefit all residents of the region.

Carla Hayes expressed opposition to Alternative A of the rail project and the significant disruptions it would cause and said that she was disturbed to learn that the infrastructure from the past undergrounding of the railway would be removed, further impacting the community once again. She emphasized that this would severely impact the Coastal Rail Trail, a valued community resource built with regional funding, which she considers one of Solana Beach's "jewels." She said that she first heard about Alternative A at a Fairgrounds meeting earlier in the year, where there was strong opposition to using the fairgrounds as a construction staging area. She highlighted the broader economic consequences, referencing a San Diego State University economic report that estimated \$680 million in annual revenue was generated by fairground events pointing out that the economic impact would extend beyond Solana Beach and Del Mar, affecting Flower Hill Mall, rental properties during racing season, and the entire

region. She said that she strongly rejected Alternative A, citing the potential for economic devastation.

Spencer Gobar expressed concerns about several key issues facing the community and North County Coastal San Diego including the north bluff at Dog Beach, the disruption to natural habitats and neighborhoods, and that it did not seem like a logical or financially sound solution. She pointed to the success of San Diego's public transit connecting UTC La Jolla to Old Town, which was elevated along the freeway, as a simpler alternative compared to tunneling under the San Dieguito Lagoon. She said that the City should continue to prevent unnecessary overdevelopment of green spaces and miscellaneous lots and stated the importance of supporting business and landowners, particularly in the wake of COVID-19, by avoiding excessive red tape that could hinder growth. She called for a collaborative approach to address these issues, seeking "win-win" outcomes for all.

Andrea Freund spoke about the importance of preserving public spaces in the community, the strong sense of community and the accessibility of public areas, like the Coastal Rail Trail, which she uses daily. She said that Option A of the rail project would negatively impact these vital community areas. She emphasized that for those who cannot afford expensive real estate in the area, public spaces are essential for everyone to enjoy the natural beauty of Solana Beach. She urged Council to consider options that protect and preserve these public lands.

Peggy Walker expressed opposition to Alternative A of the rail track project and said that she was shocked to learn about Alternative A which could subject the community to 7 to 12 years of construction, take an extended construction timeline, and would have potentially severe environmental and economic impacts. She said that there would be disruption to Solana Beach's main traffic routes, Highway 101 and Lomas Santa Fe, which would affect residents' daily lives, have negative effects on local businesses, particularly the Cedros Design District and commercial establishments along Highway 101, and that other alternatives should be considered, including new ideas.

Ann Maria Grace stated the need to reconsider the current approach, that freight trains, which cause most of the damage to the rail infrastructure, should be rerouted inland, following a more direct path from Long Beach to Escondido, and that passenger trains, like Amtrak, could continue to serve the coast, while light rail could be used for local travel around San Diego County. She advocated for exploring existing resources and infrastructure, as this approach would likely reduce costs, minimize impact, and still meet transportation needs. She highlighted that the Bay Area rail system had a similar model that was successfully implemented, separating freight from passenger routes, and she recommended considering that type of alternative.

Tracy Richmond said that he supported Option B of the rail track project, considering it the best of the two viable options, which was less disruptive to both Del Mar and Solana Beach and meets all six project objectives, whereas Option A only meets four objectives and causes significant impacts, including disruption to the Coastal Rail Trail, traffic on Highway 101, and nearby homes. He shared his frustration over the lack of outreach to Solana Beach residents in the decision-making process, which he believes led to widespread dissatisfaction with Option A, and said that Option A was the most expensive and damaging choice for both communities.

Andrew Menshek, a board member of the Santa Fe Irrigation District (speaking as a resident, not on behalf of the district), spoke of his opposition to Option A for the potential impact on critical infrastructure, his concerns about the lack of communication and transparency from SANDAG, noting that he first heard about Option A from the Mayor, not through official channels, and his critique of SANDAG's community outreach process as a "complete abject failure." He voiced his distrust in SANDAG due to past instances of mismanagement, fraud, and ongoing investigations, expressing doubt about the feasibility and cost-effectiveness of Option A.

Mark Beherbaum urged the communities of Del Mar and Solana Beach to come together to address common concerns regarding the rail track project, noting that both communities share similar fears and concerns, and said that he encouraged fact-checking and warned against dismissing potential solutions, such as Option A, without considering the implications of the remaining options (B and C). He said that there were risks associated with tunnels under homes, such as hazardous materials, and advocated for finding a solution that avoids the use of eminent domain.

Council and presenters discussed the strong opposition expressed by speakers for Alternative A due to its potential environmental and economic impacts on Solana Beach and Del Mar including concerns of disruption to businesses, residents, and the environment, a request for better communication, transparency, and support for affected businesses. Council discussed Alternative A's involving a tunnel that could disrupt both cities, causing significant negative impacts, concerns about hazardous materials, construction noise, and vibrations, the additional costs and impacts related to the tunnel's length and the need for potential midpoints or venting structures. They continued discussion regarding SANDAG's process with an environmental review process (EIR/EIS) being funded with \$300 million from the state, but the timeline for the NEPA (National Environmental Policy Act) analysis was not yet clear due to the need to identify a federal lead agency, and the EIR/EIS (Environmental Impact Statement) process aims to document impacts and design specifics thoroughly. They discussed SANDAG's communication and transparency calling for clearer communication about the impacts of each alternative, particularly how they affect local communities and businesses, and concerns that were raised about the accuracy and clarity of project descriptions and maps, especially regarding Solana Beach's involvement.

Council discussed Option A's construction period that could last 7 to 12 years, with possible extensions depending on complexity where Options B and C have shorter estimated times, that the construction impacts in Solana Beach were expected to be significant, potentially affecting infrastructure, the Coastal Rail Trail, and businesses, that the environmental and economic impacts being analyzed in the NEPA process should include impacts on recreational resources, business areas, and the city's sales tax revenue. They discussed the significant impacts anticipated at the fairgrounds where construction will intersect with events and operations due to noise, dust, and vibrations.

Council discussed concerns about the Fairgrounds limited parking capacity and the impact of potential construction on residential neighborhoods, details on construction access for different project alternatives, and expressed concerns about potential disruptions, including impacts on existing infrastructure and private properties. Discussion continued about the project's phasing, the impacts on public and recreational lands, and how alternative alignments affect adjacent private lands, the potential obsolescence of existing infrastructure

and whether it represents a wise use of taxpayer dollars, the need for comprehensive analysis and stakeholder coordination throughout the project, and the importance of addressing cumulative effects and coordination with other regional projects.

Council discussed the criticism of SANDAG for including Alternative A without adequate consultation with key stakeholders like Solana Beach, the Santa Fe Irrigation District, North County Transit District (NCTD), the Port of San Diego, and others, that this lack of consultation was seen as undermining transparency and common sense, the request for improved communication regarding updates and changes to the project, and a suggestion that SANDAG should set up routine meetings and office hours in Solana Beach to better engage with residents and businesses.

Council stated that Mario Orso had just stepped into this job at a time when SANDAG is going through many controversies, with this issue being one of them, that this Alternative A is a mistake that was made by SANDAG since it only meets three of the six objectives of the project, that there would be recreational impacts from the loss of use and access to the Fairgrounds, the destruction of half of the City's Coastal Rail Trail that was already paid for, the impact on the homes along S. Cedros, the lack of rail line operations, the tragic results to workers using the rail line to get work, the biological impacts under the lagoon, the local Stevens Creek and its issues within a FEMA designated flood zone that would either have to be diverted or pumped, the decision to put Alternative A into this NOP was a wrong decision that needed to be corrected, and that SANDAG needs to do the right thing going forward on this project.

Mr. Orso, SANDAG CEO, stated that they would make a robust effort of communication with all cities, agencies, and that there is always room for improvement on their part. He said that the Board would have a conversation about next steps and opportunities and considering the spending of public funds, review any corrective actions to be considered, ensure an equal evaluation of all alternatives and, if there is a need for corrections and whether an NOP can be reissued, and the need for a robust analysis and stakeholder engagement, especially as the project progresses through the NEPA process.

Mayor Heebner thanked them for coming and listening to the community and emphasized the need for improved stakeholder engagement, public communications, careful consideration of alternative impacts, and timely decision-making to address community concerns and project challenges.

Mayor Heebner recessed the meeting for a break at 8:28 p.m. and reconvened at 8:34 p.m.

B. PUBLIC HEARINGS: (B.1.- B.3.)

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

B.1. Public Hearing: Solana Beach Coastal Rail Trail (CRT) Maintenance District Annual Assessments. (File 0495-20)

Recommendation: 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 **Resolution 2024-071**, approving the Engineer's Report regarding the Coastal Rail Trail Maintenance District.
3. Adopt **Resolution 2024-072**, ordering the levy and collection of the annual assessments regarding the Coastal Rail Trail Maintenance District for Fiscal Year 2024/25.

[Item B.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.

Alyssa Muto, City Manager, introduced the item.

Mo Sammak, Engineering/Public Works Dir., spoke about the Coastal Rail Trail Maintenance District being established in 2006 for the funding of the maintenance and operation of the Coastal Rail Trail park area, that the upcoming fiscal year's proposed assessment was \$8.36 per equivalent benefit unit (EBU), an increase of 18 cents from the previous year, and that the district, which aligns with city boundaries, is divided into three zones with varying base rates for assessments: Zone 1 (\$25/year), Zone 2 (\$16/year), and Zone 3 (\$4.18/year).

Mayor Heebner opened the public hearing

Council disclosures.

Angela Ivey, City Clerk, stated that no protests were received by the City.

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

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

B.2. Public Hearing: Solana Beach Lighting Maintenance District Annual Assessments. (File 0495-20)

Recommendation: 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 **Resolution 2024-073** confirming the diagram and assessment and approving the City of Solana Beach Lighting Maintenance District Engineer's Report.
3. Adopt **Resolution 2024-074** ordering the levy and collection of annual assessments for FY 2024/25 and ordering the transmission of charges to the County Auditor for collection.

[Item B.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.

Alyssa Muto, City Manager, introduced the item.

Mo Sammak, Engineering/Public Works Dir., spoke about the Solana Beach Lighting Maintenance District being established in 1987 for funding of the operation and maintenance of public lighting within the City, that the proposed assessment for the upcoming fiscal year would not exceed the maximum rate set at the district's formation, that the district, which mirrors the city's boundaries, is divided into two zones: Zone A (outside the Dark Sky Zone) with an assessment of \$8.80 per year, and Zone B (the Dark Sky Zone) with an assessment of \$1.62 per year.

Mayor Heebner opened the public hearing.

Council disclosures.

Angela Ivey, City Clerk, stated there were no written protests received by the City.

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

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

B.3. Public Hearing: 446 Seabright Lane, Applicant: Levitt, Case: MOD24-005, APN: 263-061-14. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings to approve a Modification to the approved DRP. 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 15301 (Existing Facilities) of the State CEQA Guidelines.
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2024-075** conditionally approving a Modification to the approved DRP, for a replacement single-family residence at 446 Seabright Lane, Solana Beach.

[Item B.3. 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.

Councilmember Zito recused himself from the item due to property interests within 500 ft. of the project.

Alyssa Muto, City Manager, introduced the item.

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

Mayor Heebner opened the public hearing.

Council disclosures.

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

Motion: Moved by Deputy Mayor Edson and second by Councilmember Becker to approve. **Approved 4/0/1.** Ayes: Heebner, Edson, Becker, MacDonald. Noes: None. Absent: Zito (Recused). Motion carried unanimously.

C. STAFF REPORTS: (C.2. – C.3.)

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.

C.2. Community Grant Program Awards – Fiscal Year (FY) 2024/25. (File 0330-25)

Recommendation: That the City Council

1. Select the FY 2024/25 Community Grant Program recipients and identify an award amount to each recipient.
2. Adopt **Resolution 2024-077** authorizing the funding for the selected community grant applicants for financial assistance under the FY 2024/25 Community Grant Program.

[Item C.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.

Alyssa Muto, City Manager, introduced the item.

Dan King, Assistant City Manager, presented a PowerPoint (on file) to outline initial allocations provided by individual Councilmembers to select the 2024-2025 Community Grant recipients and stated that three applicants are proposed for different funding sources due to Bike Walk Solana having excess funds from this year's grant and the Jaliscience Folkloric Academy and North Coast Repertory receiving funds from the Public Arts Reserve account.

Council and Staff discussed that two other groups were reviewed for possible TOT funds, but they did not provide enough information to meet the criteria to encourage visitors to visit Solana Beach.

Council discussed applicants and made funding allocations.

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

C.3. Budget Update Amendments - Fiscal Year (FY) 2025. (File 0330-30)

Removed from this agenda.

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 9:10 p.m.

Angela Ivey, City Clerk

Approved: September 11, 2024