



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

MINUTES

Joint REGULAR Meeting

Wednesday, September 25, 2024 * 6:00 p.m.

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



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

- 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 6:09 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: None

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Councilmember Becker and second by Councilmember Zito to approve. **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.2.)

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 August 17, 2024 – September 06, 2024.

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

A.2. State Homeland Security Program (SHSP) Grant Funds for Firefighting Equipment. (File 0260-40)

Recommendation: That the City Council

1. Approve **Resolution 2024-095:**
 - a. Accepting \$9,409 in federal funds from a 2023 State Homeland Security Program (SHSP) grant awarded to the City of Solana Beach for the purchase of firefighting hoods and gas monitors.
 - b. Authorizing the City Manager, or her designee, to sign and submit the required California Governor's Office of Emergency Services Standard Assurances for Cal OES Federal Non-Disaster Grant Programs.
 - c. Approving a budget amendment of \$9,409 to the Misc. Grant Fund - Federal Grants revenue account 246-46600 and the Minor Equipment expenditure account 2466120-64190.
 - d. Authorizing the City Treasurer to amend the FY 2024/25 Adopted Budget accordingly.

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

B. PUBLIC HEARINGS: (B.1.)

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: 403 Pacific Ave., Applicant: Bates, Case No.: MOD24-001, APN: 263-051-07 (File 0600-40)

The proposed project meets the minimum objective requirements under the LUP, SBMC, is 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 modification to a 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 of the State CEQA Guidelines.
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2024-088** conditionally approving a to a Development Review Permit (DRP) to remodel the interior of the residence and replace the windows, exterior doors, roofing, siding, and replace existing fireplace with a gas fireplace at the existing two-story residence at 403 Pacific Avenue.

Alyssa Muto, City Manager, introduced the item.

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

Council disclosures.

Applicant had no presentation.

Council and Reggie Reyes, Applicant's architect, discussed capping off the irrigation.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Edson 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.

C. STAFF REPORTS: (C.1. – 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.1. Wildcoast Petition to Change Swami's Marine Protected Area (MPA) Boundaries. (File 0220-70)

Recommendation: That the City Council

1. Provide direction on next steps, if any, for community outreach and involvement.

Alyssa Muto, City Manager, introduced the item.

Joe Lim, Community Development Dir., stated that this was an informational item regarding a petition submitted by Wildcoast to the California Department of Fish and Wildlife pertaining to proposed boundary changes for the Swami's Marine Protected Area(MPA), that City Staff has been in discussions with Wild Coast, other interested agencies, and representatives from Encinitas and the California State Lands Commission about the proposal.

Katy O'Donnell, US Ocean Conservation Manager, presented a PowerPoint (on file).

Angela Kensley, Director of Conservation at Wild Coast, addressed the findings from biological surveys conducted as part of the Decadal Management Review.

Council, City Manager and Speaker Discussion to ask numerous questions about the proposal and process that has occurred to date, and what the next steps would be for the consideration of the proposal. (video of discussion on file)

The City Manager shared that City staff had not been engaged on the Wildcoast proposal prior to submittal to the State. Council stated that the City request's Wildcoast to advocate to California Department of Fish and Wildlife to to move the proposal from "Bin 1" to "Bin 2" (part of the progression of the project) to allow the community to better understand and engage with Wildcoast on their proposal before any final decisions are made.

John LaGrange spoke about his opposition to the proposed boundary changes for the Marine Protected Areas (MPAs).

Travis Vaughn said that on behalf of the California Lobster Trap Fishing Association (C-L-T-F-A) there were concerns about the potential impacts of the proposed MPAs.

Council discussed that there was a consensus that more information was needed before any decisions should be made by the State, and that concerns regarding potential negative impacts on fishing activities and beach enjoyment needed to be addressed. The Council appreciated Wild Coast's presentation of information at the public hearing but noted that the City had not been informed or engaged in advance, leaving little time to

assess the full implications of the proposal. Therefore, the City is requesting that this proposal be moved to Bin 2.

C.2. Utility Underground Districts and Adopting District Boundary Maps for the Glenmont/Mar Vista/Marview UUD and the Nardo/Granados/Rios UUD. (File 0820-48)

Recommendation: That the City Council

1. Adopt **Resolution 2024-006**:
 - a. Authorizing payment of \$18,647 to SDG&E from the City's share of CPUC Rule 20A allocation for the redesign of the Glenmont/Mar Vista/Marview Utility Underground District.
 - b. Approving the Revised District Boundary Map for the Glenmont/Mar Vista/Marview Utility Underground District subject to final voting approval from the District property owners as outlined in the "Steps to Forming a Private Residential Utility Underground District" brochure.

2. Adopt **Resolution 2024-007**:
 - a. Authorizing payment of \$24,979 to SDG&E from the City's share of CPUC Rule 20A allocation for the redesign of the of the Nardo/Granados/Rios Utility Underground District.
 - b. Approving the Revised District Boundary Map for the Nardo/Granados/Rios Utility Underground District subject to final voting approval from the District property owners as outlined in the "Steps to Forming a Private Residential Utility Underground District" brochure.

Alyssa Muto, City Manager, introduced the item.

Deputy Mayor Edson disclosed that a small portion of her property interest is within 1,000 ft. of the project and could remain fair and impartial.

Mo Sammak, Engineering/Public Works Dir., presented a PowerPoint (on file) reviewing the projects.

Joe Gabaldon, SDG&E, presented a PowerPoint (on file).

Council, City Manager, Mr. Gabaldon, SDG&E representatives, and Staff discussion. (video of discussion on file)

Councilmember Becker recused herself having property interests within 500 ft. of the Nardo, Granados, Rios UUD.

Bob DeSimone, Richard Marcos, Connor Bates, Carla Hayes, Karen Griglak, and Jeff Becker spoke regarding the Nardo/Granados/Rios Utility Underground District.

Council, Staff, and SDG&E discussion.

Motion: Moved by Councilmember Zito and second by Mayor Heebner to adopt Resolution 2024-007 with modifications adopting the exterior boundary for the district and

delegating authority to the City Manager to finalize any interior parcels that require exclusion due to easements or other constraints. **Approved 4/0/1.** Ayes: Heebner, Edson, MacDonald, Zito. Noes: None. Absent: Becker (recused). Motion carried.

Mayor Heebner recused herself from C.2. recommendation 1. (Glenmont) due to property interests within 500 feet of the project.

Phil Lane, Lawrence "Pete" Cohen, Ian Heidt, Kevin Shaw, Eric Lodge, Nathan Rose, Craig Faulkner, Shane Noroozi, and Diana Driscoll spoke regarding the Glenmont/Mar Vista/Marview Utility Underground District.

Council, Staff, and SDG&E discussion.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Edson to adopt Resolution 2024-006 with modifications adopting the exterior boundary for the district and delegating authority to the City Manager to finalize any interior parcels that require exclusion due to easements or other constraints. **Approved 4/0/1.** Ayes: Edson, Becker, MacDonald, Zito. Noes: None. Absent: Heebner (recused). Motion carried.

Mayor Heebner recessed the meeting at 9:06 p.m. for a break and reconvened at 9:12 p.m.

C.3. General Fund Update (Unaudited) for Fiscal Year (FY) 2024. (File 0330-30)

Recommendation: That the City Council

1. Accept and file the General Fund Update for FY24.
2. Provide direction to Staff regarding whether to use an amount of the projected General Fund surplus to fund the PARS Irrevocable Trust for Pensions as part of a budget appropriation to the General Fund Unreserved Fund Balance, and other funds as determined by the Finance Department, in FY24.
3. Provide direction to Staff regarding whether to use an amount of the projected General Fund surplus to add funding to the Asset Replacement Fund as part of a budget appropriation to the General Fund Unreserved Fund Balance in FY24.
4. Provide direction to Staff regarding whether to use an amount of the projected General Fund surplus to add funding to the Facilities Replacement Fund as part of a budget appropriation to the General Fund Unreserved Fund Balance in FY24.
5. Approve **Resolution 2024-100** revising appropriations in the FY24 budget.
6. Authorize the City Treasurer to amend the FY24 budget accordingly.

Alyssa Muto, City Manager, introduced the item.

Rachel Jacobs, Finance Director, presented a PowerPoint (on file).

Council and Staff discussion. (video of discussion on file)

Motion: Moved by Councilmember Zito and second by Deputy Mayor Edson to approve with some specific General fund allocations of PARS \$1,067,341, OPEB \$197,860, Asset Replacement \$500,000, Facilities \$500,000 and from Measure S funds CIP Pavement

\$500,000, CIP Stormwater \$500,000, and Marine Safety Center \$1,000,000. **Approved 5/0.** Ayes: Heebner, Edson, Becker, MacDonald, Zito. Noes: None. Motion Carried.

WORK PLAN COMMENTS:

Adopted June 26, 2024

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)

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

CITIZEN COMMISSION(S)

ADJOURN:

Mayor Heebner adjourned the meeting at 9:40 p.m.

Angela Ivey, City Clerk

Approved: October 23, 2024