



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

**ACTION AGENDA**

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

**Joint REGULAR Meeting**

**Wednesday, November 13, 2019 \* 6:00 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 on Cox Communications-Channel 19, Spectrum(Time Warner)-Channel 24, and AT&T U-verse Channel 99. 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](http://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 courtesy 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.

**SPEAKERS**

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.

**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 cellular phones and pagers to silent mode and engage in conversations outside the Council Chambers.

|                                     |                                      |  |
|-------------------------------------|--------------------------------------|--|
| <b><u>CITY COUNCILMEMBERS</u></b>   |                                      |  |
| <b>David A. Zito, Mayor</b>         |                                      |  |
| <b>Jewel Edson, Deputy Mayor</b>    | <b>Judy Hegenauer, Councilmember</b> |  |
| <b>Kristi Becker, Councilmember</b> | <b>Kelly Harless, Councilmember</b>  |  |

Gregory Wade  
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:**

**CLOSED SESSION REPORT:**

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

1. Workplace Gender Equity Day

**PRESENTATIONS:** *Ceremonial items that do not contain in-depth discussion and no action/direction.*

1. International Kindness Pledge

**ORAL COMMUNICATIONS:**

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. 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 presentation is THREE MINUTES (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.4.)

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 discussed immediately after approval of the Consent Calendar.

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

Recommendation: That the City Council

1. Ratify the list of demands for October 05 – October 25, 2019.

[Item A.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.*

**COUNCIL ACTION: Approved 5/0**

**A.2. General Fund Adopted Budget for Fiscal Year 2019-2020 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2019-2020 General Fund Adopted Budget.

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

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**COUNCIL ACTION: Approved 5/0**

**A.3. Community Development Agreements** (File 0600-40)

Recommendation: That the City Council

1. Adopt **Resolution 2019-143** authorizing the City Manager to execute a Professional Services Agreement with Hogan Law APC.
2. Adopt **Resolution 2019-144** authorizing the City Manager to execute Professional Services Agreements with Helix Environmental Planning, Inc., Harris & Associates, Inc., Michael Baker International, Inc., The Altum Group, and ESA.

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

[Item A.3. Updated Report #1 \(updated 11-13 at 5pm\)](#)

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**COUNCIL ACTION: Approved 5/0**

**A.4. Master Art Policy Compliance – 330 South Cedros Revised Public Art Proposal.**

(File 0600-40)

Recommendation: That the City Council

1. Adopt **Resolution 2019-148** approving the proposed art as the fulfillment of the Master Art Policy (MAP) and authorize staff to refund the \$14,250.77 Public Art Fee (PAF) for the private development project once the art has been installed and the final occupancy for the project have been granted.

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

[Item A.4. Updated Report #1 \(updated 11-13 at 5pm\)](#)

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**This item was pulled from the agenda.**

## **B. PUBLIC HEARINGS:** (B.1. – B.5.)

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 have three minutes each. Please be aware of the timer light on the Council Dais.

### **B.1. Schedule of Fees Update** (File 0390-23)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the Public Hearing; Report Council Disclosures; Receive Public Testimony; Close the Public Hearing.
2. Consider adoption of **Resolution 2019-149** updating the Schedule of Fees effective January 1, 2020.

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

[Item B.1. Updated Report #1 & #2 \(Reso Exhibit and Attachment 2\)](#)

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**COUNCIL ACTION: Approved 5/0**

### **B.2. Community Development Block Grant Funds – ADA Pedestrian Ramp Improvements Fiscal Year 2020-2021** (File 0390-32)

The proposed project meets the minimum objective 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 administratively issue a SDP. 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. Adopt **Resolution 2019-146**:
  - a. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.
  - b. Approving the list of public street ADA ramp locations.
  - c. Requesting FY 2020-21 Community Development Block Grant Funds for ADA pedestrian ramp improvements at various public street intersections.
  - d. Finding that all of FY 2020-21 CDBG funds, presently estimated at a total of \$44,520, are designated to be used for ADA pedestrian ramp improvements.
  - e. Authorizing the City Manager to execute the County contract for management and implementation of the CDBG program.

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

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**COUNCIL ACTION: Approved 5/0**

**B.3. Introduce (1<sup>st</sup> Reading) Ordinance 507 - Floodplain Overlay Zone** (File 0610-10)

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. If the Council could make the findings as required under SMBC section 17.76.070, introduce **Ordinance 507** to amend the Solana Beach Floodplain Overlay Zone (Sections 17.80.020, 17.80.090, 17.80.110, 17.80.120, 17.80.140, 17.80.150 and 17.80.200) of the SBMC.

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

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**COUNCIL ACTION: Approved 5/0**

**B.4. Public Hearing: 710 W. Solana Circle, Applicant: Hoverman, Case 17-18-29.**  
(File 0600-40)

The proposed project meets the minimum objective requirements under the Park Del Mar Development regulations and the underlying SBMC, could be found to be consistent with the General Plan and could be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, 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 and approves the project, adopt **Resolution 2019-147** conditionally approving a DRP to allow for the construction of a new 1,997 square foot one-story, single-family residence and garage at 710 West Solana Circle.

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

[Item B.4. Supplemental Document\(s\) – Updated 11-12-19 \(click here\)](#)

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**COUNCIL ACTION: Approved 4/0/1 (Recused: Edson)**

**B.5. Public Hearing: Mixed Use Development at the Northwest Corner of South Highway 101 and Dahlia Drive, Applicant: Zephyr Partners, Case 17-14-08.**

(File 0600-40)

The proposed DRP condition amendments meet the minimum objective requirements under the SBMC and may be found consistent with the Highway 101 Specific Plan and General Plan. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Receive Public Testimony, Close the Public Hearing.
2. If the City Council makes the requisite findings to approve the request for a SUB/DRP/SDP/CSP Modification, adopt **Resolution 2019-139** to revise specific conditions of approval in Resolution No. 2018-099 as well as modifications to the Mixed Use Development at the Northwest Corner of S. Highway 101 and Dahlia Drive, Solana Beach.

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

[Item B.5. Updated Reports \(updated 11-13 at 5pm\)](#)

[Item B.5. Supplemental Docs \(updated 11-13 at 5pm\)](#)

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

**C. STAFF REPORTS: (C.1. - C.3.)**

*Submit speaker slips to the City Clerk.*

**C.3. Clean Energy Alliance (CEA) Upfront Costs.** (File 1010-46)

Recommendation: That the City Council

1. Adopt **Resolution 2019-150:**
  - a. Authorizing the City to provide \$150,000 for the City's equal share in upfront costs to develop CEA for FY 2019/2020.
  - b. Authorizing the City Manager to negotiate a no-interest Cost Reimbursement for Member Agency Support Agreement with CEA.

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

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**COUNCIL ACTION: Approved 5/0**

**C.1. Proposed Netly Cabinet Locations for Fiber Optic Network in Public Right of Way** (File 1000-10-05)

Recommendation: That the City Council

1. Receive report and provide direction as necessary for the proposed Netly cabinet locations and possible wrapping design options.

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

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**Discussion**



## C.2. Adopt (2<sup>nd</sup> Reading) Ordinance 506 – Building and Fire Code Updates

(File 0250-70)

Recommendation: That the City Council

1. Adopt **Ordinance 506** (2<sup>nd</sup> Reading) amending Title 15 of the Solana Beach Municipal Code.

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

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**COUNCIL ACTION: Approved 5/0**

### **WORK PLAN COMMENTS:**

*Adopted June 12, 2019*

### **COMPENSATION & REIMBURSEMENT DISCLOSURE:**

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency "City" at the next regular meeting of the legislative body.

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

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

- a. City Selection Committee (meets twice a year) Primary-Edson, Alternate-Zito
- b. County Service Area 17: Primary- Harless, Alternate-Edson
- c. Escondido Creek Watershed Authority: Becker /Staff (no alternate).
- d. League of Ca. Cities' San Diego County Executive Committee: Primary-Becker, Alternate-Harless and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee: Primary-Harless, Alternate-Becker
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG): Primary-Becker, Alternate-Harless
- g. North County Dispatch JPA: Primary-Harless, Alternate-Becker
- h. North County Transit District: Primary-Edson, Alternate-Becker
- i. Regional Solid Waste Association (RSWA): Primary-Hegenauer, Alternate-Becker
- j. SANDAG: Primary-Zito, 1<sup>st</sup> Alternate-Edson, 2<sup>nd</sup> Alternate-Becker, and any subcommittees.
- k. SANDAG Shoreline Preservation Committee: Primary-Hegenauer, Alternate-Zito
- l. San Dieguito River Valley JPA: Primary-Hegenauer, Alternate-Zito
- m. San Elijo JPA: Primary-Zito, Primary-Becker, Alternate-City Manager
- n. 22<sup>nd</sup> Agricultural District Association Community Relations Committee: Primary-Edson, Primary-Harless

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

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

**ADJOURN:**

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**Special Meeting Scheduled for November 20, 2019**

**Next Regularly Scheduled Meeting is December 11, 2019**

*Always refer the City's website Event Calendar for updated schedule or contact City Hall.*

[www.cityofsolanabeach.org](http://www.cityofsolanabeach.org) 858-720-2400

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**AFFIDAVIT OF POSTING**

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

CITY OF SOLANA BEACH

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I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the November 13, 2019 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 November 5, 2019 at 5:20 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., November 13, 2019, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk  
City of Solana Beach, CA

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**UPCOMING CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:**

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

- **Budget & Finance Commission**
- **Climate Action Commission**
- **Parks & Recreation Commission**
- **Public Arts Commission**
- **View Assessment Commission**