

# 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 28, 2023 \* 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

**David A. Zito**  
Deputy Mayor / Councilmember District 1

**Jewel Edson**  
Councilmember District 3

**Kristi Becker**  
Councilmember District 2

**Jill MacDonald**  
Councilmember District 4

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6:13 p.m.

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

Absent: None

Also: Greg Wade, City Manager

Present: Johanna Canlas, City Attorney  
Megan Bavin, Deputy City Clerk  
Dan King, Assistant 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 Deputy Mayor Zito and second by Councilmember Edson to approve.  
**Approved 5/0.** Ayes: Heebner, Zito, Edson, Becker, MacDonald. Noes: None. Motion carried unanimously.

**PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

*None at the posting of this agenda*

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

*None at the posting of this agenda*

**ORAL COMMUNICATIONS:**

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.

Barbara Gordon stated that she is the youth advisor for a Hispanic youth group called The Changers, that all of her high school students live in multi-unit housing, that she is concerned by the amount of unprotected exposure to secondhand smoke and marijuana smoke in their homes, that families living in multi-unit housing are disproportionately affected by tobacco and marijuana secondhand smoke and are more likely to suffer from either disease or death from tobacco use, and asked that Council make prohibiting smoking in multi-unit housing a priority.

Peggy Walker stated that she works with The Changers, that the group is working on a teen driving project related to the Teen Deadly Driving Zone, and that the youth are working to inform their peers and parents about DUI risks, as well as the risks of driving under the influence of marijuana.

**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.9.)

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 27, 2023 – June 09, 2023.

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

**A.2. General Fund Adopted Budget for Fiscal Year 2022/2023 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2022/2023 General Fund Adopted Budget.

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

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

**A.3. Appropriations Limit - Fiscal Year (FY) 2023/24.** (File 0330-60)

Recommendation: That the City Council

1. Adopt **Resolution 2023-073** establishing the FY 2023/24 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.3. Report \(click here\)](#)

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

**A.4. Annual Fire Inspection Compliance.** (File 0260-20)

Recommendation: That the City Council

1. Adopt **Resolution 2023-087** accepting a report on the status of all state-mandated annual fire inspections in the City of Solana Beach in conjunction with SB 1205 and California Health and Safety Code Section 13146.4.

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

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

**A.5. Fiscal Year 2023/2024 Work Plan Adoption.** (File 0410-08)

Recommendation: That the City Council

1. Consider and adopt the final Fiscal Year 2023/2024 Work Plan.

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

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

**A.6. 2023 Street Maintenance and Repairs Project.** (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2023-085**:
  - a. Awarding a construction contract to Quality Construction & Engineering in the amount of \$1,088,838.40, for the 2023 Street Maintenance & Repairs Project, Bid 2023-07.
  - b. Approving an amount of \$86,161.60 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.
  - e. Authorizing the appropriation of \$110,000 from the Road Repair and Accountability Act (SB1) account to the Annual Pavement Management Project.
  - f. Authorizing the City Treasurer to amend the FY 2022/23 Adopted Budget accordingly.

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

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

**A.7. Heating, Ventilation, and Air Conditioning (HVAC) Central Control System & HVAC Rooftop Units Project.** (File 0700-25)

Recommendation: That the City Council

1. Adopt **Resolution 2023-086**:
  - a. Authorizing the City Council to accept, as complete, the HVAC Control System & HVAC Rooftop units Replacement Project, Bid No. 2022-05, performed by Seaside Heating and Air.
  - b. Authorizing the City Clerk to file a Notice of Completion.

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

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

**A.8. Fiscal Year 2021/22 Street Maintenance and Repair Project.** (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2023-084**:
  - a. Authorizing the City Manager to execute a final change order in the amount of \$179,265 for a final contract amount of \$878,329.
  - b. Authorizing the City Council to accept, as complete, the FY 21-22 Street Maintenance & Repair Project, Bid No. 2022-01, performed by PAL General Engineering.
  - c. Authorizing the City Clerk to file a Notice of Completion.
  - d. Appropriating \$6,715 to the FY 2021/22 Annual Pavement Management Project from the Sanitation Fund.

- e. Appropriating \$168,114 to the FY 2021/22 Annual Pavement Management Project from the General Fund.
- f. Authorizing the City Treasurer to amend the FY 2022/23 Adopted Budget accordingly.

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

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

**A.9. Fire Apparatus Maintenance and Repair Services.** (File 0260-40)

Recommendation: That the City Council

1. Adopt **Resolution 2023-088**:
  - a. Authorizing an increase to the PSA with North County Emergency Vehicle Services for an amount not to exceed \$70,000 for FY 2022/23.
  - b. Authorizing an increase to the four (4) potential extensions of the PSA with North County Emergency Vehicle Services to an amount not to exceed \$85,000 per year.
  - c. Authorizing the first-time extension for Fiscal Year 2023-2024.
  - d. Authorizing the City Manager to execute the First Amendment and subsequent time extensions to the agreement with North County Emergency Vehicle Services.

[Item A.9. Report \(click here\)](#)

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Zito to approve.  
**Approved 5/0.** Ayes: Heebner, Zito, Edson, Becker, MacDonald. 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. Community Grant Program Awards – Fiscal Year (FY) 2023/24.** (File 0330-25)

Recommendation: That the City Council

1. Select the FY 2023/24 Community Grant Program recipients and identify an award amount to each recipient.
2. Adopt **Resolution 2023-091** ratifying and authorizing the funding for the selected community grant applicants for financial assistance under the FY 2023/24 Community Grant Program.

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

Gregory Wade, City Manager, introduced the item.

Dan King, Assistant City Manager, said that the allotted amount was \$56,000 but that some Councilmembers had discussed increasing the amount.

Council discussed requests and allocations.

Assistance League Rancho San Dieguito - \$4,000  
BikeWalk Solana - \$3,650  
Boys & Girls Club of San Dieguito - \$6,000  
California Western School of Law - \$5,000  
Casa de Amistad - \$5,000  
Community Resource Center - \$5,000  
Disconnect Collective Inc. - \$3,000  
Jailsience Folkloric Academy - \$5,000  
La Colonia Community Foundation - \$6,000  
North Coast Reparatory Theater - \$6,000  
Pathways to Citizenship - \$4,350  
Rancho Santa Fe Youth Soccer - \$1,000  
Solana Beach Community Connections - \$6,000  
Solana Beach Civic & Historical Society - \$6,000

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

**B. PUBLIC HEARINGS:** (B.1. – B.4.)

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: Solid Waste and Recycling Rate Increase for EDCO Waste and Recycling Services.** (File 1030-15)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Report Written Protests Received, Receive Public Testimony, and Close the Public Hearing.
2. Following the Public Hearing, consider adoption of **Resolution 2023-092** approving EDCO's rate review request increasing solid waste, recycling and organics rates for Fiscal Year 2023/24 in accordance with the Franchise Agreement.

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

[Item B.1. Supplemental Docs \(upd. 6-27-23 at 515pm\)](#)

Gregory Wade, City Manager, introduced the item.

Dan King, Assistant City Manager, presented a Powerpoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Megan Bavin, Deputy City Clerk, reported that the only protest received was distributed as a Blue Folder.

Deputy Mayor Zito said that the City normally would have seen a higher rate increase because in a usual year there would have been a tipping increase and that the City had renegotiated a new contract with EDCO which froze the rates of the tipping fees for this year.

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

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

**B.2. This item has been left blank.**

**B.3. Public Hearing: 107 S. Cedros Ave., Applicant: C2 Building Group, Case: DRP22-015, SDP22-013.** (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 required as discussed in this report to approve a DRP and 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. Find the project exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2023-082** conditionally approving a DRP, SDP, and comprehensive sign plan amendment for exterior improvements to an existing two-story commercial building at 107 South Cedros Avenue, Solana Beach.

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

Gregory Wade, City Manager, introduced the item.

Tiffany Wade, Associate Planner, presented a Powerpoint (on file).

Council disclosures.

Mayor Heebner opened the public hearing.

Council and Staff discussed that there would be no change to the vehicular access, that the wheel stops provided more parking across the back on the NCTD side, that the pedestrian access would be maintained via the gate, signage and placement, that the intent for the



vehicular security gate was to have it closed during off hours, the concerns about parking spaces and office space tenants using all of the parking, that there would not be enough parking left for retail, that they have a shared parking agreement with NCTD, that the retail component was approximately 900 square feet requiring a little over three parking spaces, and that they have more parking than required by the code.

Josh Chesnut, Applicant, spoke about the culture and environment of their building, wanting to open windows and doors, having an indoor and outdoor feel, bringing people back to work, that they have a great retail tenant, and that they want to continue to build up Solana Beach.

Council and applicant discussed that the deck was uncovered, that the current lease with retail tenants allocated them three stalls, and that they plan to collaborate with a local artist to update the mural to something reflective of Solana Beach.

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

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

#### **B.4. Fiscal Years 2023/24 and 2024/25 Budget Adoption.** (File 0330-30)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing.
2. Adopt **Resolution 2023-089** approving the Fiscal Year 2023/24 and Fiscal Year 2024/25 Budget.

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

[Item B.4. Updated Report #1 \(added 6-27-23\)](#)

[Item B.4. Updated Report #2 \(added 6-27-23\)](#)

[Item B.4. Updated Report #3 \(added 6-28-23\)](#)

Gregory Wade, City Manager, introduced the item.

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

Council Disclosures.

Council and Staff discussed that the City had a notable projected deficit for the current year, that this was due to contributions from the prior year's large surplus to the PARS Trust Fund and the Street Repair Project being recorded in Fiscal Year (FY) 2023 rather than FY 2022, which caused the deficit, that typically the surplus funds are allocated to the prior fiscal year in which they were generated but it was done differently this year, that there is not a large operating deficit in FY 2023, and that it's a bookkeeping change that will be addressed next year.



Council and Staff discussed that by the second year there will be a healthy deficit of about 1.5 million in the sewer fund, that the last sewer rate study was done in 2021 and continues through Fiscal Year 2025/26, that the current study recommended a 0% annual increase, different options for handling the next sewer studies, bringing the options back to Council to discuss further, that over the next two years allocating enough funds from Measure S to the Streets and Roads Project to get to \$1.1 million which the last road study said was the amount needed to see notable improvements in street conditions, adding funds to the CIP item for upgrades and maintenance to the Coastal Rail Trail, and having the City Manager look at adding to the asset replacement funds as some buildings and trucks are older and may need to be replaced.

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

**Motion:** Moved by Deputy Mayor Zito and second by Councilmember Becker to approve with the following two changes: 1. Return to Council with a CIP Request, 2. Adjust the budget such that there is enough revenue moved from the anticipated Measure S revenues into the annual Pavement Management Program to get to \$1.1 million for each year going forward. **Approved 5/0.** Ayes: Heebner, Zito, Edson, Becker, MacDonald. Noes: None. Motion carried.

### **C. STAFF REPORTS: (C.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.*

#### **C.2. 437 Marview Drive, Applicants: Bertolino, DRP21-009 – Deferred Landscape Plan** (File 0600-40)

The revised Conceptual Landscape Plan meets the minimum objective requirements under the SBMC, Chapter 17.56 and may be found to be acceptable by the City Council. Therefore, Staff recommends that the City Council:

1. Consider approval of the revised conceptual landscape plan and find that City Council Condition D.II. of **Resolution 2023-006** has been satisfied for the associated DRP/SDP at 437 Marview Drive, Solana Beach.

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

[Item C.2. Updated Report #1 \(added 6-27-23\)](#)

[Item C.2. Supplemental Docs \(upd. 6-26-23 at 5:30pm\)](#)

Mayor Heebner recused herself due to property interest within 500ft of the project property.

Gregory Wade, City Manager, introduced the item.

Council Disclosures.

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

John Mansdorfer, neighbor, stated that he was a signer in the supplemental blue folder letters, and asked if the conceptual plan would become the final landscape plan.

**Motion:** Moved by Councilmember Edson and second by Councilmember Becker to approve the landscape plan as final and that all plant container sizes and locations and any native planting areas be approved by the neighbors involved in this matter (Mansdorfer, Greenstein, Sampson). **Approved 4/0/1.** Ayes: Zito, Edson, Becker, MacDonald. Noes: None. Absent: Heebner (Recused). Motion carried.

**WORK PLAN COMMENTS:**

*Adopted June 22, 2022*

Councilmember Zito spoke about seeing families and children biking through Harbaugh Seaside Trails, that they are biking through the area because the Coastal Rail Trail stops at the south end of it and the Encinitas protected bike lanes start at the north end, that this is happening because there are no other protected bike lanes, that the City should look at adding protected bike lanes and possibly continuing the Coastal Rail Trail all the way to the edge of the City along the side of Harbaugh Seaside Trails.

**COMPENSATION & REIMBURSEMENT DISCLOSURE:** None

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

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

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

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

**CITIZEN COMMISSION(S)**

**ADJOURN:**

Mayor Heebner adjourned the meeting at 8:02 p.m.

Megan Bavin, Deputy City Clerk

Council Approved: August 23, 2023