



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, September 25, 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. 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.

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

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:

COUNCIL ACTION: Approved 5/0

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

1. Mira Costa College

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.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 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 August 10 – September 13, 2019.

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

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 \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.3. Emergency Storm Drainpipe Repairs in the Solana Beach Towne Centre Update No. 8. (File 0850-40)

Recommendation: That the City Council

1. Receive Update No. 8 and provide further direction, if necessary.

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

COUNCIL ACTION: Approved 5/0

A.4. Council Use Policy – Public Availability of Drinking Water. (File 0230-55)

Recommendation: That the City Council

1. Adopt **Resolution 2019-129**:
 - a. Provide comment and direction and consider formally adopting City Council Policy No. __ increasing the City's commitment to provide public drinking water.

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

COUNCIL ACTION: Approved 5/0

A.5. Sewer Pipeline Replacement Project - Notice of Completion (File 1040-36)

Recommendation: That the City Council

1. Adopt **Resolution 2019-113**:
 - a. Authorizing the City Council to accept as complete the 2019 Sewer Pipeline Replacements, Bid 2019-01, performed by DB Pipeline.
 - b. Authorizing the City Clerk to file a Notice of Completion.
2. Adopt **Resolution 2019-123**:
 - a. Receiving this report detailing the specifics of the emergency nature of this project.
 - b. Making a finding, based on substantial evidence set forth in the Staff Report, that the emergency would not permit a delay resulting from a competitive solicitation for bids, and that the action was necessary to respond to the emergency.
 - c. Ratifying the City Manager's decision for the emergency storm drain repairs located along south side of Lomas Santa Fe Drive approximately 200 yards east of Las Banderas Drive under the authority of Section 3.08.060 of the Solana Beach Municipal Code (SBMC) which states that the City Manager may make emergency purchases that exceed \$25,000 in response to conditions that endanger life, health or safety and that those emergency purchases are free from the provisions of Chapter 3.08 of the SBMC.
 - d. Authorizing the City Manager to pay all invoices associated with the emergency storm drain repairs located along south side of Lomas Santa Fe Drive approximately 200 yards east of Las Banderas Drive.

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

COUNCIL ACTION: Approved 5/0

A.6. 2019 Street Maintenance and Repair Project. (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2019-124**:
 - a. Awarding a construction contract for the 2019 Street Maintenance & Repair Project, Bid 2019-04, in the amount of \$381,127, to PAL General Engineering, Inc.
 - b. Approving an amount of \$95,000 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 construction contingency amount.

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

COUNCIL ACTION: Approved 5/0

A.7. Cardiac Monitor Equipment. (File 0260-40)

Recommendation: That the City Council

1. Adopt **Resolution 2019-127:**

- a. Authorizing the City to utilize the Request for Proposals (RFP) approved by the County of Los Angeles awarding Zoll Medical Corporation the contract to provide for the purchase and warranty of cardiac monitors/defibrillators, accessories/supplies, and upgrades.
- b. Authorizing the City Manager to enter into an Agreement with Zoll Medical Corporation for the purchase of three (3) cardiac monitors, one (1) cardiopulmonary resuscitation (CPR) device, enter into a five (5) year service agreement, and approve trade-in of the three (3) existing cardiac monitors in the amount of \$117,688.
- c. Authorizing an appropriation into the County Service Area 17 (CSA-17) revenue and expenditure accounts in the Public Safety Special Revenue fund.
- d. Authorizing the City Treasurer to amend the FY 2019/20 Adopted Budget accordingly.

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

COUNCIL ACTION: Approved 5/0

A.8. Solana Energy Alliance (SEA) 2018 Power Content Label and Attestation.

(File 1010-40)

Recommendation: That the City Council

1. Attest to the accuracy of information provided in Solana Energy Alliance's 2018 Power Content Label based on Staff's review, consultant input and review and an independent auditor report.

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

COUNCIL ACTION: Approved 5/0

B. PUBLIC HEARINGS: (B.1. – B.2.)

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. Public Hearing: 4250 North Lane, Applicant: Brad Fomon, Case 17-19-01.
(File 0600-40)

The proposed project meets the minimum zoning 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 Development Review Permit (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 2019-128** conditionally approving a DRP to demolish a single-family residence, construct a replacement single-story, single-family residence with an attached three-car garage, and perform associated site improvements at 4250 North Lane, Solana Beach.

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

[Item B.1. Supplemental Docs \(updated 9-25 at 9:30am\)](#)

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

B.2. Public Hearing: 336 South Nardo, Applicant: Evan & Afsaneh Cooper, Case 17-19-07. (File 0600-40)

The proposed project meets the minimum zoning 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 Development Review Permit (DRP) and Structure Development Permit (SDP). Therefore, Staff recommends that the City Council:

1. Conduct the continued 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 2019-125** conditionally approving a DRP and SDP to demolish a single-family residence, construct a replacement single-family residence with an attached two-car garage and a second level attached accessory dwelling unit (ADU), and perform associated site improvements at 336 South Nardo Avenue, Solana Beach.

[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.

COUNCIL ACTION: Approved 5/0 with modifications.

C. STAFF REPORTS: (C.1. - C.5.)

Submit speaker slips to the City Clerk.

C.1. Solana Beach Pump Station Construction Update. (File 1040-30)

Recommendation: That the City Council

1. Adopt **Resolution 2019-126**:
 - a. Authorizing the City Manager to execute a change order with PCL Construction in the amount of \$247,556.
 - b. Authorizing the City Manager to execute an amendment to the Professional Services Agreement with Valley Construction Management in the amount of \$106,235.
 - c. Authorizing the City Manager to execute an amendment to the Professional Services Agreement with Dudek in the amount of \$46,756.

[Item C.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

C.2. Adopt (2nd Reading) Ordinance 504 - Regulation of Food Service Ware, Polystyrene and Plastic Bottles in Furtherance of Protecting the Environment and Reducing Single-Use Plastics and Waste. (File 0230-55)

Recommendation: That the City Council

1. Adopt **Ordinance 504** amending Solana Beach Municipal Code Title 5 to expand the ban on polystyrene products to address single-use plastics and plastic bottles on City property.

[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.

COUNCIL ACTION: Approved 5/0

C.3. Adopt (2nd Reading) Ordinance 505 – Safe Storage of Firearms. (File 0250-70)

Recommendation: That the City Council

1. Adopt **Ordinance 505** amending Solana Beach Municipal Code Chapter 7.20 to add a new section 7.20.030, relating to the safe storage of firearms.

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

[Item C.3. Supplemental Docs \(updated 9-23-19\)](#)

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

C.4. Citizen Commission Appointments. (File 0120-06)

Recommendation: That the City Council

1. Consider the application(s) submitted and appoint (by Council-at-large) a member to the professional position on the Climate Action Commission with a term expiration date of January 2020.

[Item C.4. 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 to appoint Paul Basore.

C.5. City Manager Agreement Amendment. (File 0560-30)

Recommendation: That the City Council

1. Adopt **Resolution 2019-130** authorizing the Mayor to execute the Fourth Amendment to the Employment Agreement between the City of Solana Beach and Gregory Wade to reflect the 2.5% increase in base salary, \$2,500 increase towards Deferred Compensation, and allowing the City Manager to use City provided power to charge his vehicle.

[Item C.5. 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

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, 1st Alternate-Edson, 2nd 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. 22nd 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:

Next Regularly Scheduled Meeting is October 9, 2019

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

www.cityofsolanabeach.org 858-720-2400

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } §
CITY OF SOLANA BEACH }

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the September 25, 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 September 18, 2019 at 5:15 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., September 25, 2019, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk
City of Solana Beach,

UPCOMING CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:

Regularly Scheduled, or Special Meetings that have been announced, as of this Agenda Posting. Dates, times, locations are all subject to change. See the [Citizen Commission’s Agenda webpages](#) or the City’s Events [Calendar](#) for updates.

- **Budget & Finance Commission**
Thursday, October 17, 2019, 5:30 p.m. (City Hall)
- **Climate Action Commission**
Wednesday, October 16, 2019, 5:30 p.m. (City Hall)
- **Parks & Recreation Commission**
Thursday, October 10, 2019, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**
Tuesday, September 24, 2019, 5:30 p.m. (City Hall)
- **View Assessment Commission**
Tuesday, October 15, 2019, 6:00 p.m. (Council Chambers)