



# 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, August 23, 2023 \* 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](#).

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#### PUBLIC MEETING ACCESS

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live. 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.

#### WATCH THE MEETING

- Live web-streaming: Meetings web-stream live on the City's website on the City's [Public Meetings](#) webpage. Find the large Live Meeting button.
- Live Broadcast on Local Govt. Channel: Meetings are broadcast live on Cox Communications - Channel 19 / Spectrum (Time Warner)-Channel 24 / AT&T U-verse Channel 99.
- Archived videos online: 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 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.

#### PUBLIC COMMENTS

Written correspondence (supplemental items) regarding an agenda item at an open session meeting should be submitted to the City Clerk's Office at [clerkoffice@cosb.org](mailto:clerkoffice@cosb.org) with a) Subject line to include the meeting date b) Include the Agenda Item # as listed on the Agenda.

- Correspondence received after the official posting of the agenda, but two hours prior to the meeting start time, on the meeting day, will be distributed to Council and made available online along with the agenda posting. All submittals received before the start of the meeting will be made part of the record.
- Written submittals will be added to the record and not read out loud.

And/Or

Verbal Comment Participation:

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. Public speakers have 3 minutes each to speak on each topic. Time may be donated by another individual who is present at the meeting to allow an individual up to 6 minutes to speak. Group: Time may be donated by two individuals who are present at the meeting allowing an individual up to 10 minutes to speak. Group Hearings: For public hearings only, time may be donated by two individuals who are present at the meeting allowing an individual up to 15 minutes to speak.

#### **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 all electronic devices to silent mode and engage in conversations outside the Council Chambers.

<u><b>CITY COUNCILMEMBERS</b></u>		
<b>Lesa Heebner</b> Mayor		
<b>David A. Zito</b> Councilmember District 1		<b>Jewel Edson</b> Councilmember District 3
<b>Kristi Becker</b> Councilmember District 2		<b>Jill MacDonald</b> Councilmember District 4

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**

#### **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.

**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.11.)

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. Minutes of the City Council.**

Recommendation: That the City Council

1. Approve the Minutes of the City Council meetings held on June 14, 2023, June 28, 2023, July 12, 2023, and July 24, 2023.

**COUNCIL ACTION: Approved 5/0**

**A.2. Register Of Demands.** (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for June 24, 2023 – August 04, 2023.

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

**COUNCIL ACTION: Approved 5/0**

**A.3. General Fund Adopted Budget for Fiscal Year 2023/2024 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2023-2024 General Fund Adopted Budget.

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

**COUNCIL ACTION: Approved 5/0**

**A.4. League of California Cities' 2023 Annual Business Meeting Voting Delegates Designees.** (File 0140-10)

Recommendation: That the City Council

1. Appoint Councilmember MacDonald, primary voting delegate, Councilmember Becker, 1<sup>st</sup> alternate, and City Manager Gregory Wade, 2<sup>nd</sup> alternate, as the voting delegates for the 2023 Annual Business Meeting of the League of California Cities Annual Conference.
2. Authorize the City Clerk to attest to the appointments and submit the Official Voting Form to the League of California Cities.

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

**COUNCIL ACTION: Approved 5/0**

**A.5. Fire Management Agreement Amendment.** (File 0260-10)

Recommendation: That the City Council

1. Adopt **Resolution 2023-095**:
  - a. Approve the Fifth Amendment to the Agreement for Cooperative Fire Management Services by and between the City of Del Mar, City of Encinitas, and the City of Solana Beach.
  - b. Authorize the City Manager to execute the fifth amendment.

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

**COUNCIL ACTION: Approved 5/0**

**A.6. Destruction of Obsolete Records.** (File 0170-50)

Recommendation: That the City Council

1. Adopt **Resolution 2023-103** authorizing the destruction of officially obsolete records.

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

[Item A.6. Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**A.7. Irrigation Controllers for the Coastal Rail Trail and Fletcher Cove Park.**

(File 0700-25)

Recommendation: That the City Council

1. Adopt **Resolution 2023-100**:
  - a. Authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Nissho of California, Inc. for Fiscal Year 2023/24.
  - b. Authorizing the City Manager to execute a one-time purchase of four Calsense Irrigation Controllers and corresponding hardware and accessories from Nissho of California, Inc., in the amount of \$24,125.42, for the Coastal Rail Trail and Fletcher Cove Park.
  - c. Appropriating \$24,125.42 from the Asset Replacement Fund to the Parks Operating Budget.
  - d. Authorizing the City Treasurer to amend the FY 2023/24 Adopted Budget accordingly.

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

[Item A.7. Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**A.8. Heating, Ventilation, and Air Conditioning (HVAC) Maintenance Services and As-Needed Repairs.** (File 0700-25)

Recommendation: That the City Council

1. Adopt **Resolution 2023-101**:

- a. Authorizing the City Manager to execute Amendment No. 3 to the Professional Services Agreement with Seaside Heating and Air for Fiscal Year 2023/24 increasing the compensation by \$43,685 for the purchase and installation of two rooftop HVAC units at City Hall, HVAC upgrades at the Fire Station, a construction contingency for the City Hall HVAC installation and installation of mini-split unit for IT at the Fire Station and as-needed repairs to the HVAC systems at City Hall and the La Colonia Community Center. Total not to exceed amount of the agreement for Fiscal Year 2023/24 is \$55,145.
- b. Appropriating \$33,685 from the Facilities Replacement Fund to the Facilities Operating Budget.
- c. Authorizing the City Treasurer to amend the FY 2023/24 Adopted Budget accordingly.

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

[Item A.8. Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**A.9. Door Inspection, Maintenance, and As-Needed Repairs.** (File 0700-25)

Recommendation: That the City Council

1. Adopt **Resolution 2023-102**:

- a. Authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with National Garage Door for Fiscal Year 2023/24.
- b. Authorizing the City Manager to approve a one-time purchase and installation of one Stanley ADA Controller at City Hall, in an amount of \$3,000 for Fiscal Year 2023/24.
- c. Authorizing the City Manager to increase the As-Needed Repairs amount by \$10,000, for Fiscal Year 2023/24.
- d. Authorizing the City Manager to execute amendments to the Professional Services Agreement with National Garage Door, in an amount not to exceed \$18,900, for Fiscal Years 2024/25, 2025/26, 2026/27.

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

[Item A.9. Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**A.10. Shoreline Monitoring Program Services.** (File 0610-12)

Recommendation: That the City Council

1. Adopt **Resolution 2023-107** authorizing the City Manager to execute a Professional Services Agreement with Coastal Frontiers.

[Item A.10. Report \(click here\)](#)

[Item A.10. Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**A.11. City Attorney Services.** (File 0400-05)

Recommendation: That the City Council

1. Adopt **Resolution 2023-106** authorizing the Mayor and City Manager to execute the First Amendment to the Agreement between the City of Solana Beach and the Successor Agency to the Solana Beach Community Development Agency and Burke, Williams & Sorensen LLP.

[Item A.11. Report \(click here\)](#)

[Item A.11. Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**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: 508 S. Nardo Ave., Applicant: Hartnack, Application: DRP22-020/SDP22-018.** (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 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; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2023-104** conditionally approving a DRP and SDP Waiver to convert a 555 square-foot attached garage to living area, construct a 784 square-foot living area addition and a 668 square-foot two-car attached garage to a single-story single-family residence, and perform associated site improvements at 508 South Nardo Avenue, Solana Beach.

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

[Item B.1. Power Point](#)

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



### **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. Bicycle Safety and Education Programs and Consider Introduction (1<sup>st</sup> Reading) of Ordinance 531 - Miscellaneous Driving Rules. (File 0230-20)**

Recommendation: That the City Council

1. Continue to discuss options for bicycle safety and education programs.
2. If the City Council so desires, introduce **Ordinance 531** amending Chapter 10.44 (Miscellaneous Driving Rules) of Title 10 (Vehicles and Traffic) of the Solana Beach Municipal Code regarding bicycles.

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

[Item C.1. Supplemental Docs \(upd. 8-23-23 at 11:45am\)](#)

[Item C.1. Power Point](#)

**COUNCIL ACTION: Approved 5/0**

#### **C.2. California Uniform Public Construction Cost Accounting Act (CUPCCAA).**

(File 0700-10)

Recommendation: That the City Council

1. Receive the report and provide direction as necessary for the proposed implementation of the California Uniform Public Construction Cost Accounting Act and formation of the Solana Beach Qualified Contractor's List.

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

[Item C.2. Power Point](#)

**Direction provided.**

#### **C.3. City Manager's Employment Agreement. (File 0520-00)**

Recommendation: That the City Council

1. Consider and adopt **Resolution 2023-105** authorizing the Mayor to execute the Eighth Amendment to the Employment Agreement between the City of Solana Beach and Gregory Wade to reflect a base salary increase of 7% to \$263,031.00 effective July 1, 2023, a one-time stipend of \$11,000.00, and a \$1,000.00 increase to the annual vehicle allowance.

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

**COUNCIL ACTION: Approved 5/0**

### **WORK PLAN COMMENTS:**

*Adopted June 28, 2023*

## **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-Heebner, Alternate-Edson
- b. Clean Energy Alliance (CEA) JPA: Primary-Becker, Alternate-Zito
- c. County Service Area 17: Primary-MacDonald, Alternate-Edson
- d. Escondido Creek Watershed Authority: Becker / Staff (no alternate).
- e. League of Ca. Cities' San Diego County Executive Committee: Primary-MacDonald, Alternate-Becker. Subcommittees determined by its members.
- f. League of Ca. Cities' Local Legislative Committee: Primary-MacDonald, Alternate-Becker
- g. League of Ca. Cities' Coastal Cities Issues Group (CCIG): Primary-MacDonald, Alternate-Becker
- h. North County Dispatch JPA: Primary-MacDonald, Alternate-Becker
- i. North County Transit District: Primary-Edson, Alternate-MacDonald
- j. Regional Solid Waste Association (RSWA): Primary-Zito, Alternate-MacDonald
- k. SANDAG: Primary-Heebner, 1<sup>st</sup> Alternate-Zito, 2<sup>nd</sup> Alternate-Edson. Subcommittees determined by its members.
- l. SANDAG Shoreline Preservation Committee: Primary-Becker, Alternate-Zito
- m. San Dieguito River Valley JPA: Primary-MacDonald, Alternate-Becker
- n. San Elijo JPA: Primary-Zito, Primary-Becker, Alternate-City Manager
- o. 22<sup>nd</sup> Agricultural District Association Community Relations Committee: Primary-Edson, Primary-Heebner

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

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

### **CITIZEN COMMISSION(S)**

- a. Climate Action Commission – Zito, Becker

## **ADJOURN:**

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***Next Regularly Scheduled Meeting is September 13, 2023***

*Always refer to the City's website Event Calendar for an 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 }

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the August 23, 2023 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 August 16, 2023 at 3:40 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., August 23, 2023, 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**