

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting

Wednesday, March 22, 2017 * 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](#).

CITY COUNCILMEMBERS

Mike Nichols, Mayor

Ginger Marshall, Deputy Mayor

David A. Zito, Councilmember

Jewel Edson, Councilmember

Judy Hegenauer, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Mayor Nichols called the meeting to order at 6:02

Present: Mike Nichols, Ginger Marshall, David A. Zito, Jewel Edson, Judy Hegenauer

Absent: None

Also Present: Greg Wade, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk,
Mo Sammak, City Engineer/Public Works Dir.
Marie Berkuti, Finance Manager
Bill Chopyk, Community Development Dir.
Danny King, Assistant City Manager

CLOSED SESSION REPORT: (when applicable)

Johanna Canlas, City Attorney, stated that there was no reportable action.

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Deputy Mayor Marshall and second by Councilmember Zito. **Approved 5/0.** Motion carried unanimously.

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

Stevens Avenue Update

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

Council and Staff discussed communications from business owners regarding construction disruption specifically about one property's driveway which had been resolved, that the property owner was informed about the plan, that a lack of coordination between the contractor and Santa Fe Christian School regarding the storm drain had been managed, that bike lanes would be going in on both sides of the street and a portion of the corridor would have a buffer bike lane which would be separated by parked cars which was a preference of the bike community, and that all bike lanes would be stripped lanes and not physical barriers.

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.

Johnny Chou stated that he was the District 12 President for California Parks and Recreation Society which had a mission of advancing the Park and Recreation profession through education, networking, resources and advocacy, that their awards program recognized outstanding achievements of agencies in San Diego and Imperial Counties and presented Mayor Nichols an achievement award for the La Colonial Park Veterans Honor courtyard.

Mayor Nichols accepted the award and stated that it was a special project which honored Veterans, a place where Memorial Day celebrations were held, and that the community contributed to the courtyard by purchasing donation tiles.

Cindy Clemmons and Michele Stribling

Cindy Clemmons stated that she was a Board member of the Civic and Historical Society and Michele Stribling was the President, that they were presenting a check for \$2,000 to the Coastal Community Foundation for developing the skate park in La Colonia Park.

Mayor Nichols said that the check was appreciated, that there was a lot of excitement with many donations and community involvement, that the Civic and Historical Society was the longest standing organization in Solana Beach.

Cindy Clemmons also stated that the Civic and Historical Society and the Friends of the Library were offering two \$1,000 scholarships towards graduating seniors or returning continuing education students that lived in or attended school in Solana Beach and that

more information was at the High School counseling offices, the library, and the Civic and Historical Society and Friends of the Library websites, and the deadline to apply was April 30, 2017.

Kristine Schindler stated that she had lived in Solana Beach for over 15 years, that she had sent an email thanking the City for the efforts made to the community walk audit on Lomas Santa Fe, that it was well done, City Staff was well represented, there was a wonderful turnout, and she was speaking on behalf of *bikewalksolana* to encourage and educate others for more active transportation. She announced that, on behalf of the Clean and Green, this Saturday was Earth Hour held 8:30 p.m.-9:30 p.m., which would be held around the world, with the purpose to pause and think about doing something different and change daily habits to contribute towards environmental sustainability.

Council and Staff discussed that the walk audit would provide high level concepts and that there would be another community outreach effort, that anyone who had participated would be invited and that it would be Eblast and placed on the City's website.

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.6.)

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. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held February 22, 2017.

[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.

Motion: Moved by Deputy Mayor Zito and second by Councilmember Marshall. **Approved 5/0.** Motion carried unanimously.

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

Recommendation: That the City Council

1. Ratify the list of demands for February 18, 2017 through March 3, 2017.

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

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Motion: Moved by Deputy Mayor Zito and second by Councilmember Marshall. **Approved 5/0.** Motion carried unanimously.

A.3. General Fund Adopted Budget for Fiscal Year 2016-2017 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2016-2017 General Fund Adopted Budget.

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

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Motion: Moved by Deputy Mayor Zito and second by Councilmember Marshall. **Approved 5/0.** Motion carried unanimously.

A.4. Administrative Policy No. 16 – Anti-Harassment Policy and Complaint Resolution Procedures. (File 0180-05)

Recommendation: That the City Council

1. Approve **Resolution 2017-042** adopting the updated Administrative Policy No. 16 – Anti-Harassment Policy and Complaint Resolution Policy and authorizing the City Manager to make any subsequent changes to the Policy.

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

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Motion: Moved by Deputy Mayor Zito and second by Councilmember Marshall. **Approved 5/0.** Motion carried unanimously.

A.5. Underground Utility District along Glenmont, Canyon, Mar Vista, Marview and Rawl. (File 1010-90)

Recommendation: That the City Council

1. Adopt **Resolution 2017-039**, approving the payment of \$44,679 from the City's share of CPUC Rule 20A funds in seed money to cover the design costs for the preparation of preliminary plans and preliminary cost estimate by SDG&E for the Glenmont Avenue Underground Utility District that would include all of the properties along Glenmont Avenue, Rawl Place, Mar Vista Drive and some of the properties along Canyon Drive, Marview Drive and Marview Lane.

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

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Motion: Moved by Deputy Mayor Zito and second by Councilmember Marshall. **Approved 5/0.** Motion carried unanimously.

A.6. Claims Procedures Administrative Policy No. 27 Amendment. (File 0180-05)

Recommendation: That the City Council

1. Adopt **Resolution 2017-036** amending Administrative Policy No. 27 – Claims Procedures and authorizing the City Manager to make any subsequent changes to the Policy

This item was removed from the agenda.

A.7. AB (Assembly Bill) 805 Letter of Opposition

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

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Motion: Moved by Deputy Mayor Zito and second by Councilmember Marshall. **Approved 5/0.** Motion carried unanimously.

C. STAFF REPORTS: (C.1.)

Submit speaker slips to the City Clerk.

C.1. Skate Park at La Colonia Park Design Contract. (File 0720-30)

Recommendation: That the City Council

1. Adopt **Resolution 2017-045**
 - a. Authorizing the City Manager to execute a Professional Services Agreement, in the amount of \$91,000, with Van Dyke Landscape Architects for design and construction support of the Skate Park at La Colonia Park.
 - b. Appropriating \$91,000 in the City CIP fund to the Skate Park at La Colonia Park project from the Reserve in the City CIP fund set aside for the Skate Park element of the Master Plan.
 - c. Authorizing the City Treasurer to amend the FY 2016/17 Adopted Budget accordingly.

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

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Greg Wade, City Manager, presented a PowerPoint (on file) and stated that there would be two community outreach efforts and that the intention was to create what was expected for a state of the art park.

Linda Swindell (time donated by Steve Ostrow) thanked council for expediting the project, and made clarifications on the bid stating that it was going to include the whole northern portion from the skate park all the way through the basketball court. She asked if the breakdown of costs for the basketball court part could be provided which would benefit their funding efforts.

Mayor Nichols stated that the breakdown of costs could be provided including the bid form that outlined the different items including the skate park, lighting, and basketball court.

Linda Swindell said that she was glad that Site Design was involved, that she met with California Ramp Works who was a big company that created skate parks in San Diego as well as work for the X Games and that it was good to see that a solid company was working alongside her, that there were many community members getting involved in the project helping with fundraising efforts and the workshops, that many people were interested with the design of the skate park, and that The Tony Hawk Foundation put requirements on the funds that they donated and that safety guidelines were followed.

Council discussed that the steps at La Colonia Park had been in skate videos and were famous in the skateboard world and to incorporate those steps in the park to honor the history in the design and discussed about the timeline for bidding documents.

Mitch Van Dyke stated that there was no specific schedule yet, but that he could have the first workshop in a month, a second workshop in another 4-6 weeks and, after the second workshop was completed, it would take 4 months to get the documents ready.

Council and Mr. Van Dyke discussed having the Parks and Recreation Committee and the Parks and Recreation Commission continue to be involved in moving the project forward, that the workshops would be located at La Colonia and schedule them on Saturdays when people were off of work but tag them with previously planned events, to consider combining fundraising along with the workshops, that a few trees might be removed in the design but that the aim would be to preserve the best specimen trees, and that the location of the park was set so addressing noise issues may be difficult.

Motion: Moved by Deputy Mayor Zito and second by Councilmember Marshall. **Approved 5/0.** Motion carried unanimously.

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 designees 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: 426 N. Granados, Applicant: Kakimoto, Case 17-16-34. (File 0600-40)

Recommendation: 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. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, 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 2017-041** conditionally approving a DRP to construct a new one-story, single family residence with a partially subterranean garage, fully subterranean basement level and rooftop deck located at 426 N Granados Avenue, Solana Beach.

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

[B.1. Updated Report # 1 - R](#)

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Mayor Nichols and Councilmember Hegenauer recused themselves due to owning properties within 500 ft. of the project.

Deputy Mayor Marshall opened the public hearing.

Applicant, Bill Kakimoto, stated that he requested a continuance to the date certain via email to work out some items with the neighbors.

Motion: Moved by Zito and seconded by Edson **to continue the item to a date certain of April 26, 2017. Approved 3/0/2** (Recused: Nichols, Edson) **Motion carried.**

Johanna Canlas, City Attorney, reminded the public that no discussion could take place with the Council since the public hearing was open.

B.2. Public Hearing: 781 E. Solana Circle, Applicant: Corsetti, Case 17-16-42. (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 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 2017-040** conditionally approving a DRP to allow for the construction of a 948 square foot addition to the existing, one-story, single-family residence and garage at 781 East Solana Circle.

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

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Councilmember Edson recused herself due to owning property within 500 ft. of the project.

Greg Wade, City Manager, introduced the item.

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

Mayor Nichols opened the public hearing.

Council disclosures.

Allen Jaffe, applicant, waived his option to make a presentation.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Marshall to close the public hearing. **Approved 4/0/1** (Recused: Edson). Motion carried.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Marshall. **Approved 4/0/1** (Recused: Edson). Motion carried.

C. STAFF REPORTS: (C.2. - C.4.)

Submit speaker slips to the City Clerk.

C.2. Introduce Ordinance 474 (1st Reading) regarding California Public Employees Retirement System's (CalPERS) Contract Amendment. (File 0520-50)

Recommendation: That the City Council

1. Adopt Resolution of Intention, **Resolution 2017-038**, and introduce **Ordinance 474** approving the City's intention to amend its CalPERS contract in order to implement California Public Employees Retirement System's Government Code Section 20516 (Employees Sharing Additional Cost) for the Solana Beach Fire Association employee group.

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

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Greg Wade, City Manager, introduced the item, and stated that an adoption of the MOU for the Solana Beach Fire Association included a negotiated additional employee contribution of 3% of employer costs, and presented a PowerPoint (on file).

Council and Staff discussed that the savings was a ball park but that annually they would fluctuate due to change in salaries, retirements, and incoming tier 1 employees, that it was a big deal for the firemen to pick up the 3% costs on their retirement, and thanked Greg Wade, Dan King, Pouneh Sammak, and Marie Berkuti for their work on this issue.

Motion: Moved by Councilmember Edson and second by Councilmember Zito. **Approved 5/0.** Motion carried unanimously.

C.3. Adopt Ordinance 473 (2nd Reading) regarding Speed limits. (File 086-20)

Recommendation: That the City Council

1. Adopt **Ordinance 473** amending Chapter 10.36, Articles I and II, allowing speed limits to be declared by City Council resolution and repealing sections related to individual street segment speed limit changes.

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

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Johanna Canlas, City Attorney, read the title of the ordinance.

Council asked to clarify that the City could enforce the lower speed limits and that they would be enforceable now.

Johanna Canlas, City Attorney, stated that it was her understanding that there were circumstances and specific traffic conditions that warranted the speed limits that were adopted.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Marshall. **Approved 5/0.** Motion carried unanimously.

C.4. Introduce Ordinance 475 (1st Reading) regarding Renewal of Public, Education, and Government (PEG) fees for State Franchises. (File 086-20)

Recommendation: That the City Council

1. Introduce **Ordinance 475** amending Section 13.20.020(B) of Solana Beach Municipal Code to renew the PEG fee for State franchisees.

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

[C.4. Updated Report #1](#)

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Greg Wade, City Manager, introduced the item and explained that the City was advised by Cox, who is the City's primary franchise company, to update our ordinance in order to continue to receive PEG funds.

Council and Staff discussed that if the funds were not taken that there would not be a savings

from Cox and that as it was understood that they had no provision to give up the funds collected.

Motion: Moved by Councilmember Edson and second by Deputy Mayor Zito. **Approved 5/0.** Motion carried unanimously.

WORKPLAN COMMENTS: *Adopted June 8, 2016*
Special meeting schedule for Wed, March 29th 5:30 pm

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 at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS:

Regional Committees: (outside agencies, appointed by this Council)

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

Standing Committees: (All Primary Members) (Permanent Committees)

- a. Business Liaison Committee – Zito, Edson.
- b. Highway 101 / Cedros Ave. Development Committee – Edson, Nichols.
- c. Fire Dept. Management Governance & Organizational Evaluation – Edson, Hegenauer
- d. I-5 Construction Committee – Zito, Edson.
- e. Parks and Recreation Committee – Nichols, Zito
- f. Public Arts Committee – Marshall, Hegenauer.
- g. School Relations Committee – Nichols, Hegenauer.

Citizen Commission:

- a. Climate Action Commission – Hegenauer.

ADJOURN:

Mayor Nichols adjourned the meeting at 7:18 p.m.

Angela Ivey, City Clerk

Approved: May 24, 2017