



**CITY OF SOLANA BEACH**  
SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT  
AGENCY, PUBLIC FINANCING AUTHORITY, AND 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, February 09, 2022 \* 6:00 p.m.**

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California

This meeting will be conducted in accordance with California Government Code sections 54953(e) and 54954.3 and other applicable law.

#### **MEETING LOCATION WILL NOT BE OPEN TO THE PUBLIC**

Be advised that due to the COVID-19 pandemic in-person participation will not be allowed, there will be no members of the public in attendance at Council Meetings. Alternatives to in-person attendance for viewing and participating in City Council meetings are being provided under provided below.

#### **AGENDA MATERIALS**

A full City Council agenda packet including relative supporting documentation is posted online [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org) Closed Session Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings.

#### **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.

#### **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 before 3:00 p.m. (or 3 hrs. 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.
- The designated location for viewing supplemental documents is on the City's website [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org) on the posted Agenda under the relative Agenda Item.

OR

**Verbal Comment Participation**: If you wish to provide a live verbal comment during the meeting, attend the virtual meeting via your computer or call in.

#### Before Meeting

- Alert Clerk's Office. We ask that you alert us that you will joining the meeting to speak. Please email us at [clerkoffice@cosb.org](mailto:clerkoffice@cosb.org) to let us know which item you will speak on. This allows our Staff to manage speakers more efficiently.
- Watch the Meeting and Make a Public Comment  
You can watch the meeting on the Live Meeting button on the Public Meetings page OR on TV at the stations provided above OR on the zoom event:

Link: <https://cosb-org.zoom.us/j/82272925698>

**Webinar ID: 822 7292 5698**

If you cannot log on or need to use a phone for audio quality, use one of these call-in numbers (toll free):  
**888 475 4499 (Toll Free) or 833 548 0276 (Toll Free)**

- Join/Log-In to the meeting at least 15 minutes prior to the start time so that the City Clerk can verify that you are ready to speak before the meeting begins.

- Audio Accessibility: If your computer does not have a microphone or you have sound issues, you can call-in from a landline or cell phone and use it as your audio (phone # is provided once you log-in to Zoom, see above). If you call in for better audio, mute your computer's speakers to eliminate feedback so that you do not have two audios when you are speaking.

During Meeting:

- o During each Agenda Item and Oral Communications, attendees will be asked if they would like to speak. Speakers are taken during each agenda item.
- o Speakers will be asked to raise their hand (zoom icon under participants can be clicked or on the phone you can dial \*9) if they would like to be called on to speak during each item. We will call on you by your log in name or the last 4 digits of your phone #. When called on by the meeting organizer, we will unmute so you may provide comments for the allotted time. Allotted speaker times are listed under each [Agenda](#) section.
- o Choose Gallery View to see the presentations, when applicable.

**SPECIAL ASSISTANCE NEEDED - AMERICAN DISABILITIES ACT TITLE 2**

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 [clerkoffice@cosb.org](mailto:clerkoffice@cosb.org) at least 72 hours prior to the meeting.

| <b>CITY COUNCILMEMBERS</b>           |                                                     |                                                   |                                       |
|--------------------------------------|-----------------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>Lesa Heebner, Mayor</b>           |                                                     |                                                   |                                       |
| <b>Kelly Harless</b><br>Deputy Mayor | <b>David A. Zito</b><br>Councilmember<br>District 1 | <b>Jewel Edson</b><br>Councilmember<br>District 3 | <b>Kristi Becker</b><br>Councilmember |

Gregory Wade  
**City Manager**

Johanna Canlas  
**City Attorney**

Angela Ivey  
**City Clerk**

**SPEAKERS:**

See Public Participation on the first page of the Agenda for publication participation options.

**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:**

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

- Black History Month

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 4/0/1 (Absent: Zito)**

**ORAL COMMUNICATIONS:**

*Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.*

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 joining the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. No written correspondence may be submitted in lieu of public speaking. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

### **COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:**

*An opportunity for City Council to make brief announcements or report on their activities. These items are not agendaized for official City business with no action or substantive discussion.*

### **A. CONSENT CALENDAR: (Action Items) (A.1. - A.5.)**

**Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.**

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 written correspondence for the record to be filed with the record or by joining the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

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 December 8, 2021 City Council Meetings.

**COUNCIL ACTION: Approved 4/0/1 (Absent: Zito)**

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

Recommendation: That the City Council

1. Ratify the list of demands for January 08, 2022 – January 21, 2022.

#### **[Item A.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 4/0/1 (Absent: Zito)**

#### **A.3. General Fund Budget Adjustments for Fiscal Year 2021/2022. (File 0330-30)**

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2021/2022 General Fund Adopted Budget.

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

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**COUNCIL ACTION: Approved 4/0/1 (Absent: Zito)**

#### **A.4. Local Emergency Teleconferencing.** (File 0240-25)

Recommendation: That the City Council

1. Adopt **Resolution 2022-015** authorizing remote teleconference meetings of the legislative bodies of the City for the period of February 10, 2022 through March 12, 2022 pursuant to the new provisions of the Brown Act.

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

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**COUNCIL ACTION: Approved 4/0/1 (Absent: Zito)**

#### **A.5. Conflict of Interest Code Update.** (File 0440-00)

Recommendation: That the City Council

1. Adopt **Resolution 2022-010** adopting an amended Solana Beach Conflict of Interest Code.

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

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**COUNCIL ACTION: Approved 4/0/1 (Absent: Zito)**

### **B. PUBLIC HEARINGS:** (B.1. – B.3.)

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

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.

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.

#### **B.1. Public Hearing: 135 South Sierra Ave., Applicant: Las Brisas Homeowners Association, Case: CUP20-004.** (File 0600-40)

Recommendation: 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 this the Proposed Project exempt from the requirements of CEQA pursuant to 2022 State California CEQA Guidelines §15269 as emergency conditions exist onsite.
3. Adopt **Resolution 2022-013** conditionally approving a Conditional Use Permit Modification to construct a return wall that would consist of a drilled

pier/caisson design with structural concrete between piers, extend from the top of the southern terminus of the existing seawall to the top of the bluff, and would be covered with hand sculpted, colored shotcrete to match the adjacent natural bluff at 135 S. Sierra Avenue, Solana Beach.

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

[Item B.1. Supplemental Docs \(updated 2-09-22 at 3:01pm\)](#)

*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 4/0/1 (Absent: Zito) with a modification.**

**B.2. Public Hearing Continued: 211 Ocean St., Applicant: Blakely, Case: DRP21-004/ SDP21-004.** (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 and 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 2021-128** conditionally approving a DRP, SDP, and SDP Waiver to demolish a single-family residence, construct a replacement two-story, single-family residence with an attached two-car garage, and perform associated site improvements at 211 Ocean Street, Solana Beach.

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

[Item B.2. Supplemental Docs \(updated 2-09-22 at 1:20pm\)](#)

*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 4/0/1 (Absent: Zito)**

**B.3. Public Hearing: 661-781 South Nardo Ave. and 821 Stevens Ave., Applicant: H.G. Fenton, Case: DRP MOD 20-002.** (File 0600-40)

**This item was removed from this Agenda prior to the meeting and will be heard at a future meeting.**

**C. STAFF REPORTS: (C.1. – C.3.)**

**Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.**

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

### **C.1. Fiscal Year 2020-21 Annual Comprehensive Financial Report (ACFR).**

(File 0310-11)

Recommendation: That the City Council

1. Accept and file the City of Solana Beach Annual Comprehensive Financial Report (ACFR) for the Fiscal Year July 1, 2020 – June 30, 2021.
2. Accept and file the Communication of Internal Control Related Matters identified in an Audit letter.
3. Accept and file the Auditor's Communication with Those Charged with Governance letter.

#### [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 4/0/1 (Absent: Zito)**

### **C.2. Citywide Traffic Calming Measures.** (File 0860-45)

Recommendation: That the City Council

1. Validate the North Highway 101 Engineering and Traffic Speed Survey performed by STC Traffic.
2. Adopt **Resolution 2022-012** determining that upon the basis of the Engineering and Traffic Speed Survey, that North Highway 101, between Cliff Street and the northern city limit, the speed limit shall be 35 miles per hour, which is the most appropriate speed to facilitate the orderly movement of traffic and is reasonable and safe.
3. Consider and provide direction to Staff on implementing the three proposed traffic calming measures at San Mario, South Sierra, and Santa Helena.

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

#### [Item C.2. Supplemental Docs \(updated 2-09-22 at 1:20pm\)](#)

*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 4/0/1 (Absent: Zito)**

In addition, direction provided to paint a 2 ft. buffer, instead of a proposed choker, narrowing the lanes on the downhill side to 10 ft. using more cross hatching and looking at thermo plastic striping .

### **C.3. SANDAG 2021 Annual Report.** (File 0150-55)

Recommendation: That the City Council

1. Receive the report of SANDAG's 2021 Annual Report.

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

#### [Item C.3. Updated Report #1 \(added 2-9 at 1:20pm\)](#)

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**Discussion and consensus to send correspondence.**



**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)**

- 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- Harless, Alternate-Edson
- d. Escondido Creek Watershed Authority: Becker /Staff (no alternate).
- e. League of Ca. Cities' San Diego County Executive Committee: Primary-Becker, Alternate-Harless. Subcommittees determined by its members.
- f. League of Ca. Cities' Local Legislative Committee: Primary-Harless, Alternate-Becker
- g. League of Ca. Cities' Coastal Cities Issues Group (CCIG): Primary-Becker, Alternate-Harless
- h. North County Dispatch JPA: Primary-Harless, Alternate-Becker
- i. North County Transit District: Primary-Edson, Alternate-Harless
- j. Regional Solid Waste Association (RSWA): Primary-Harless, Alternate-Zito
- 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-Harless, 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 – Harless, Edson
- c. Highway 101 / Cedros Ave. Development Committee – Edson, Heebner
- d. Parks and Recreation Committee – Zito, Harless
- e. Public Arts Committee – Edson, Heebner
- f. School Relations Committee – Becker, Harless
- g. Solana Beach-Del Mar Relations Committee – Heebner, Edson

**CITIZEN COMMISSION(S)**

- a. Climate Action Commission: Primary-Zito, Alternate-Becker

**ADJOURN:**

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***Next Regularly Scheduled Meeting is February 23, 2022***

*Always refer the City's website Event Calendar for Special Meetings or an updated schedule.*

*Or Contact City Hall 858-720-2400*

[www.cityofsolanabeach.org](http://www.cityofsolanabeach.org)

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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 February 09, 2022 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 February 03, 2022 at 4:00 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., February 09, 2022, 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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### **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**