

CITY OF SOLANA BEACH

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



MINUTES

Joint SPECIAL Meeting

Wednesday * November 4, 2015 * 6:00 P. M.

Replacing Regular November 11th (Veteran's Day) Meeting

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

Peter Zahn, Councilmember

Mike Nichols, Councilmember

Ginger Marshall, Councilmember

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 6:00 p.m.

Present: Mayor Lesa Heebner, Deputy Mayor David A. Zito,
Councilmembers Peter Zahn, Mike Nichols, Ginger Marshall

Absent: None

Also Present: Gregory Wade, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk
Bill Chopyk, Community Development Dir.
Mo Sammak, City Engineer/Public Works Dir.
Marie Berkuti, Finance Manager
Dan 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 Zito and second by Zahn. 5/0 **Motion carried unanimously.**

PROCLAMATIONS/CERTIFICATES:

1. Men's Health - presented

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.

Manny Aguilar spoke about the 1st annual La Colonia de Eden Gardens Dia de los Muertes event that had taken place the prior weekend and stated that it was a large turnout and a huge success and thanked Council and the City for its support.

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.3.)

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 October 3, 2015 through October 16, 2015.

Motion: Moved by Zito and second by Zahn. 5/0 **Motion carried unanimously.**

A.2. General Fund Adopted Budget for Fiscal Year 2015-2016 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2015-2016 General Fund Adopted Budget.

Motion: Moved by Zito and second by Zahn. 5/0 **Motion carried unanimously.**

A.3. Santa Fe Christian Schools, 838 Academy Drive Master Plan EIR Contract Services. (File 0600-40)

Recommendation: That the City Council

1. Adopt **Resolution 2015-124** authorizing the City Manager to execute a professional services agreement between the City and RECON in the amount

of \$92,584 plus a 15% administrative fee to prepare a Supplemental EIR for the SFCS Master Plan update.

Motion: Moved by Zito and second by Zahn. 5/0 **Motion carried unanimously.**

C. STAFF REPORTS: (C.1. - C.6.)

Submit speaker slips to the City Clerk.

C.1. Climate Action Commission. (File 0120-65)

Recommendation: That the City Council

1. Adopt **Resolution 2015-127** to create the Climate Action Commission.

Dan King, Assistant to the City Manager, presented a PowerPoint (on file).

Council discussed a few updates to the application.

Motion: Moved by Zahn and second by Nichols. Approved 5/0 **Motion carried unanimously.**

C.4. Year-End Budget Adjustments for Fiscal Year 2014-2015. (File 0330-30)

Recommendation: That the City Council

1. Accept and file the General Fund Update for Fiscal Year 2014-2015.
2. Provide direction to Staff regarding whether to assign an amount of General Fund reserves for funding the PARS Irrevocable Trust as part of the fund balance allocation for the General Fund for Fiscal Year 2014-2015.
3. Approve **Resolution 2015-120** revising appropriations in the Fiscal Year 2014-2015 Budget.

Greg Wade, City Manager, introduced the item.

Marie Berkuti, Finance Manager, presented a PowerPoint (on file), said that the Building – Professional Services line item did not belong on slide 5, confirmed that the report did not include the PERS side, and it was only the general fund financial report.

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

C.2. Public Agencies Post-Employment Benefits Trust Program (PARS)

(File 0520-50)

Recommendation: That the City Council

1. Receive Staff's report and a PARS presentation on establishing a Public Agencies Post-Employment Benefits Trust Program to Pre-Fund Pension and Other Post-Employment Benefits (OPEB) Obligations.
2. Provide direction on funding and investment strategies for the Trust.

3. Direct Staff to return with an authorizing Resolution to establish the Trust along with a proposed Funding Plan and Asset Allocation Strategy.

Greg Wade, City Manager, introduced the item and stated that this next step was how to invest the trust fund.

Marie Berkuti, Finance Manager, presented a PowerPoint (on file) and stated that the City's unfunded Pension liability was \$8.8million and OPEB (retiree health) liability was \$1.3million, totaling \$10.1million, that the City was doing well in comparison to most other cities, that new reporting would be required for the City's PERS unfunded liability, which as a nationwide requirement for agencies to be reported on the next fiscal year.

Greg Wade, City Manager, stated that under the new GASB regulations PERS had provided the City with a report for each retirement fund and, based on their generalized rate of return of 7.5%, the City was at 82% of its retirement obligations now and in the future, which was very good. He said that what was being proposed now was to efforts to continue to pay down that liability.

Marie Berkuti, Finance Manager, continued the PowerPoint (on file) reviewing next steps, which trust to fund or both, and how much to fund them, that investing would return more to the City than is earned through LAIF or the general fund, that it would help manage the budget for a varied unfunded liability return affecting the city's annual cost, and to continue further discussion at next meeting.

C.3. Junior Commissioner/Outstanding Youth Recognition Program. (File 0120-08)
Recommendation: That the City Council

1. Discuss the establishment and requirements for a Junior Commissioner/Outstanding Youth Recognition Program and direct Staff as needed.

Greg Wade, City Manager, introduced the item.

Dan King, Assistant to the City Manager, presented a PowerPoint (on file).

Councilmember Nichols stated that the intent was to encourage and to expand to other youth that contributed to community, public services, and served as an example to others, and suggested to recognize them on annual basis at the City Council meetings.

Council discussed the need to create consistent criteria, clear guidelines, jury selection process, and to limit it to Solana Beach youth.

C.5. Quarter Year Budget Adjustments for Fiscal Year 2015-2016. (File 0300-40)
Recommendation: That the City Council

1. Adopt **Resolution 2015-125** revising appropriations in the Fiscal Year 2015-2016 Budget.

Greg Wade, City Manager, introduced the item.

Marie Berkuti, Finance Manager, presented PowerPoint (on file).

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

C.6. Development Review Permit Interpretation. (File 0600-95)

Recommendation: That the City Council

1. Provide direction on staff's interpretation that a DRP is required based on SBMC Section 17.68.040(B)(1)(f), irrespective of the "additional exemptions" in the HOZ or the one-time exemption provided under SBMC 17.68.040(B)(1)(n).

Greg Wade, City Manager, introduced the item.

Bill Chopyk, Community Development Dir., presented a PowerPoint (on file).

Public Speakers

Ray Fisher (time donated by Sally Fisher) said that he proposed one downstairs bedroom addition to their property and thought that the code would exempt them from the Development Review Permit process but they received a letter from City of Solana Beach that stated that those exemptions did not apply to them since the new ordinance applied. He asked if that interpretation was correct, and handed out referenced photo of their property (on file), and said that their project did not touch the hillside overlay zone, therefore, a one-time exemption was applicable.

Greg Wade, City Manager, said that this topic was a general topic that Staff was seeking clarification on, that the general intent of Ordinance 455 was to decrease the number of DRPs for modest additions, that the section on its own this section seems to require a DRP for any size, however subsection n. was meant to apply citywide, including those in the overlay zone, for a one time exemption that had not been granted that one time, and then if they returned for another addition and had already used their one-time exemption, they would not be able to take advantage of that exemption a 2nd time.

Council discussed that it was some of them were not on the Council when the ordinance was adopted and that some of them recall that the intent was the one-time exemption so make it easier for smaller development.

Johanna Canlas, City Attorney, said that subsection n., which allows for a one time exemption was intended to apply, regardless of whether or not the property was in the overlay zone, and in the event they have a 2nd remodel or addition, that is when subsection f. would apply.

Council confirmed yes and that it would be the same with the cubic yards and with grading.

Johanna Canlas, City Attorney, stated that Staff now had clarification and no vote was needed.

WORKPLAN COMMENTS:

Adopted June 10, 2015

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

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

- a. Business Liaison Committee – Zito, Zahn.
- b. Highway 101 / Cedros Ave. Development Committee – Heebner, Nichols.
- c. I-5 Construction Committee – Heebner, Zito.
- d. Parks and Recreation Committee – Heebner, Nichols.
- e. Public Arts Committee – Nichols, Zito.
- f. School Relations Committee – Marshall, Zahn.

ADJOURN:

Mayor Heebner adjourned the meeting at 7:46 p.m.

Angela Ivey, City Clerk

Approved: May 25, 2016