

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting

Wednesday, June 14, 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 6:25 p.m.

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 Councilmember Zito and second by Councilmember Edson to approve.
Approved 5/0. Motion carried unanimously.

ACKNOWLEDGEMENT: *Ceremonial*

Veterans Memorial Courtyard – Award from APWA (American Public Works Association)

PRESENTATIONS: Ceremonial items that do not contain in-depth discussion and no action/direction.
Stevens Project Update
Mo Sammak, Public Works/Engineering Dir., presented a PowerPoint (on file).

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.

Pat Tirona and Renee Hanson, Solana Beach Library, said that their remodeling should be finished in August, and spoke about their summer reading program.

Dave Roland, Tony Atkin's office, reviewed a few items of the State Budget Fiscal Year 2017-18 and some Senate Bills regarding human traffickers, single payer health care, and affordable housing.

Heather Klickman spoke about an update on the North County Transit District development.

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.7.)

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 April 26, 2017.

See Approved Minutes http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC
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 Councilmember Zito and second by Deputy Mayor Marshall to approve.
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 May 6, 2017 through May 26, 2017.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve.
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.

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

A.4. Work Plan Fiscal Year 2017-2018. (File 0410-08)

Recommendation: That the City Council

1. Consider and adopt the final Fiscal Year 2017-2018 Work Plan.

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

A.6. Pedestrian Pathway Improvements, Notice of Completion. (File 0820-20)

Recommendation: That the City Council

1. Adopt **Resolution 2017-090**:
 - a. Authorizing the City Council to accept as complete the Pedestrian Pathway Improvements, Bid 2016-03, constructed by PAL General Engineering.
 - b. Authorizing the City Clerk to file a Notice of Completion.

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

A.7. General Fund for the Fiscal Year 2016-17 Appropriation of Funds for Transfer to the City CIP Fund and Related Revenue Adjustments. (File 0340-45)

Recommendation: That the City Council

1. Adopt **Resolution 2017-094** revising appropriations in the Fiscal Year 2016-17 Budget.

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

A.5. Investment Policy. (File 0350-30)

Recommendation: That the City Council

1. Adopt **Resolution 2017-093** approving the City's Investment Policy for FY 2017-18.

This item was pulled by the public.

Greg Wade, City Manager, introduced the item.

Peter Zahn said that he voted for the policy when he was on the Council, that more agencies were concerned about divesting public funds from fossil fuel companies, and he presented a PowerPoint (on file) showing the list of agencies that had adopted divestment policies.

Council and Mr. Zahn discussed that it could be considered at the quarterly update, to consider maintaining one share of fossil fuel investments, that shareholders were making some companies take a more environmental stance, and to have Chandler provide a list of fossil fuel investments for review.

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

C.2. TRAKiT Land Management and Permit Streamlining Software and MyCommunity Mobile App Implementation and Purchase of Annual Subscription. (File 0190-60)

Recommendation: That the City Council

1. Adopt **Resolution 2017-086** authorizing the City Manager to enter into an agreement with Superior, LLC to implement and purchase a subscription to TRAKiT land management and permit streamlining software and MyCommunity mobile app.

Greg Wade, City Manager, introduced the item.

Bill Chopyk, Community Development Dir., reviewed the current permit management process, other vendors considered, implementation process, compatibility with the City's finance software, and MyCommunity mobile application.

Justin Parnell, TRAKiT representative, presented a PowerPoint (on file) and discussed TRAKiT's web-based integrated systems/modules, citizens and contractors access portal, and MyCommunity App features.

Council and Staff discussed GIS implementation and current vendor, the need for a GIS server, software upgrades and staffing needs. Discussion continued regarding the integration with the California Licensing Board, options for parties incurring credit card fees, credit card information storage, the system's PCI compliance, the mobile app customization, that it would reduce staff time, that Esgil was already familiar with the TRAKiT system, the data owned by the City was transferable to a different software system, and that the system had e-check capability.

Motion: Moved by Councilmember Zito and second by Councilmember Edson to approve. **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. Budget Adoption for Fiscal Years 2017-2018 and 2018-2019. (File 0330-30)

Recommendation: That the City Council

1. Adopt **Resolution 2017-095** approving a budget for Fiscal Year 2017-2018 and 2018-2019.

Greg Wade, City Manager, introduced the item.

Marie Berkuti, Finance Mgr, presented a PowerPoint (on file).

Mayor Nichols opened the public hearing.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Marshall to close the public hearing. **Approved 5/0.** Motion carried unanimously.

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

B.2. Public Hearing: 223 Ocean St., Applicants: McBriar, Case: 17-16-24. (File 0600-40)

Recommendation: That the City Council

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 administratively issue a Structure Development Permit (SDP). 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 2017-091** conditionally approving a DRP and an SDP to construct a 1,605 square-foot, garage-level and main-level addition and construct a new 909 square-foot upper-level addition to an existing split-level, single-family residence with an attached, two-car garage and perform associated site improvements at 223 Ocean Street, Solana Beach.

Greg Wade, City Manager, introduced the item.

Katie Benson, Associate Planner, presented a PowerPoint (on file).

Applicant:

Matt and Erin McBriar said they aimed to keep the house as close to the footprint as possible and they had worked with their neighbors and all had agreed with their plans.

Council, Applicant, Architect, discussed that the property was designed for future solar on the roof, that the mechanical unit would be placed on the roof and Solana Beach required screening to block the view of the unit, handrails or guardrails, and fence height.

Council disclosures.

Motion: Moved by Councilmember Zito and second by Deputy Mayor Marshall to close the public hearing. **Approved 5/0.** Motion carried unanimously.

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

Mayor Nichols recessed the meeting for a break at 8:10 p.m. and reconvened at 8:15 p.m.

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

Submit speaker slips to the City Clerk.

C.1. Marine Safety Center Feasibility Needs Assessment Study Final Report. (File 0730-30)

Recommendation: That the City Council

1. Receive the Fletcher Cove Marine Safety Center Feasibility/Needs Assessment Study prepared by Stephen Dalton Architects and provide direction to Staff as may be needed.

Greg Wade, City Manager, introduced the item.

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

Stephen Dalton, Consultant, continued the PowerPoint (on file).

Council, Staff, and Consultant, discussed that the costs in the report were based on expenses from the project at Moonlight Beach, that the report was a high level needs assessment, and the square footage and estimated costs in the assessment were designed to show the magnitude of the project.

Kristin Brinner stated that she supported the City's mission to provide a safe environment for the beach going public, that demolishing the existing facility and constructing a new one would likely be the most cost effective and appropriate option, there were questions and concerns regarding the beach access stairway and the seawall along the coastal bluff, that she encouraged minimizing damage to the bluff and further evaluating options to ensure the least environmentally damaging option was selected, that there should be a deeper conversation concerning the justification for preemptive construction of a seawall.

David Voorhies stated he supported a replacement building, and spoke about design alternatives including deferring a full schematic design and entitlements permits phase and doing a specific concept study phase instead, a setback of the main building footprint further from the slope, that the existing beach bluff at the building site be manmade, long-term stabilization with some re-sloping strategies as an alternative to all structures, a reduction of building footprint would be helpful, and to explore more options at the conceptual and programing level.

Jason Shook, Marine Safety Lieutenant, stated that the Needs Study was based on the department's needs, that the marine safety staff was very involved in the study, and that all needs were met in the planning of the structure.

Council discussed demolishing the current building and constructing a new one, that they would like to see some of the style and feel of the existing structure maintained in the new design, that they wanted the new building to be functional for the lifeguards, they would like to reduce the square footage of the building and tuck it into the hillside for improved visibility, to explore options for the stairs so they do not dig into the hillside, that they would prefer to do the project without constructing a seawall, they would like to consider phasing options if needed, and energy efficiency for future use.

Discussion continued regarding that the project was not a funded item and that one source of funding could be TOT (Transient Occupancy Tax) funding as a visitors serving component.

Greg Wade, City Manager, stated that Staff would take the input and come back with a proposed budget item showing funding options, sources and amounts.

C.3. This item was left blank.

C.4. Introduce (1st Reading) Ordinance 477 – Consideration of Subjecting the City of Solana Beach to the California Uniform Public Construction Cost Accounting Act (UPCCAA). (File 0370-28)

Recommendation: That the City Council

1. Consider the alternative bidding procedure in accordance with provisions of the California Uniform Public Construction Cost Accounting Act (UPCCAA). If so desired by the City Council to participate in UPCCAA, Staff recommends
 - a. Introduction of **Ordinance 477** adding Chapter 3.10 to the Municipal Code of the City of Solana Beach to provide information bidding procedures under the Uniform Public Construction Costs Account Act (Section 22000 Et Seq. of the Public Contract Code).
 - b. Adoption of **Resolution 2017-092** that details the formation of the Solana Beach Uniform Public Construction Cost Accounting Policies and Procedures.

Greg Wade, City Manager, introduced the item.

Council and Staff discussed a prequalified list of contractors that would be required for transparency, that audit would be regular as well as annual reports, and that internal protocol could be created to create fair and diverse use of the contractors.

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

C.5. Adopt (2nd Reading) Ordinance 478 to Prohibit the Establishment and Operation of all Commercial Marijuana Activities, Including Marijuana Cultivation, Processing, Delivery, and Dispensary Activities, in the City of Solana Beach. (File 0230-10)

Recommendation: That the City Council

1. Adopt (2nd reading) **Ordinance 478** prohibiting the delivery, cultivation and dispensing of all marijuana.

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

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

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.

ADJOURN:

Mayor Nichols adjourned the meeting at 9:21 p.m.

Angela Ivey, City Clerk

Approved: September 27, 2017