



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, June 24, 2020 *4:00 p.m.

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

This meeting will be conducted in accordance with Governor Newsom's Executive Order N-29-20 related to the COVID-19 virus.

PUBLIC MEETING VIEWING

❖ **Live Broadcast on Local Government Channel, Live web-streaming, and Archived videos online.**

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live on Cox Communications-Channel 19, Spectrum(Time Warner)-Channel 24, and AT&T U-verse Channel 99. 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.

❖ **Zoom Virtual Webinar (registration required).** Register early and Join the meeting at least 15 minutes prior to the start time. To register to view/listen to the meeting, go to this public participant link https://us02web.zoom.us/webinar/register/WN_kuwBnE_nSjy7YE23TLrPyQ for this meeting, follow the prompts to enter your name and email address. * To receive a confirmation email allowing you to enter the meeting and the link to join, you will need to enter a valid email address. Choose Gallery View to see the presentations, when applicable.

MEETING LOCATION WILL NOT BE OPEN TO THE PUBLIC.

Due to the Executive Order to stay home, in person participation at City Council meetings will not be allowed at this time. In accordance with the Executive Order to stay home, 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 Public Participation.

AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is posted online

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.

PUBLIC PARTICIPATION

❖ Written correspondence regarding an agenda item at an open session meeting should be submitted to the City Clerk's Office at EMAILGRP-CityClerksOfc@cosb.org with the Subject line including the meeting date **June 24, 2020**. Please include the Agenda Item# and topic in your email. * Correspondence received after the official posting of the agenda, but before 12:00 p.m. on meeting day, will be distributed to Council and made available to the public online along with the agenda posting. Written submittals will be added to the record and not read out loud. * All submittals received before the start of the meeting will be made part of the record. The designated location for viewing public documents is the City's website www.cityofsolanabeach.org

❖ Zoom Webinar Public Comment Participation:

If you wish to provide a live verbal comment during the meeting, register for the Zoom Virtual (City Council Meeting) Webinar (registration required), register for the Zoom webinar as noted at the top, under Public Meeting/Zoom Webinar, and join the meeting using the "Join Webinar" link provided in your confirmation email.

1) EMAIL a Speaker Request by 12:00 p.m. (noon) on meeting day to EMAILGRP-CityClerksOfc@cosb.org

- Subject line should include Request to Speak
- Content should include the Item/Topic you would like to speak on.

AND

2) REGISTER as a speaker on meeting day by 12:00 p.m. (noon) by going to:

https://us02web.zoom.us/webinar/register/WN_kuwBnE_nSjy7YE23TLrPyQ

and follow the required prompts to receive a confirmation email with your log in link.

- Join the meeting 30 minutes before the meeting begins by clicking on the link provided in your confirmation email.
- Speaking participants may use the computer's microphone and speakers to listen and communicate or they may also call into the meeting by dialing into the meeting with a telephone (this information will be provided in your email confirmation). If you call in as well for better audio, mute your computer's speakers to eliminate feedback.

- Participants will be called upon from those who have submitted the Speaker Request, registered, and logged on as described above. You will be called on by name and unmuted by the meeting organizer and may provide comments for the allotted time. Allotted speaker times are listed under each [Agenda](#) section.
- Participants can use a computer microphone and speakers to listen and communicate or dial into the meeting with a telephone (if you log in and call in, mute one of the devices to eliminate feedback).
- Do not self-mute since you will muted when you enter the meeting and organizers will unmute you to provide comments. All oral comments received prior to the close of the meeting will be made part of the meeting record.

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 EMAILGRP-CityClerksOfc@cosb.org at least 72 hours prior to the meeting.

As a courtesy to all meeting attendees, please set cellular phones and pagers to silent mode and engage in conversations offline/muted.

CITY COUNCILMEMBERS	
Jewel Edson, Mayor	
Judy Hegenauer, Deputy Mayor	Kristi Becker, Councilmember
Kelly Harless, Councilmember	David A. Zito, 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:

APPROVAL OF AGENDA:

PRESENTATIONS:

- 2020 Graduation Recognition

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 having submitted written comments 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.

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 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.11.)

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 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).

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. Ratifying Engagement Letter with Pillsbury Winthrop Shaw Pittman LLP and Approving a Professional Services Agreement with Kane Ballmer & Berkman. (File 0400-05)

Recommendation: That the City Council

1. Adopt **Resolution 2020-102** Ratifying Approval of the Engagement Letter with Pillsbury Winthrop Shaw Pittman LLP.
2. Adopt **Resolution 2020-103** Approving a Professional Services Agreement with Kane Ballmer & Berkman.

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

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 May 23, 2020 – June 5, 2020.

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

COUNCIL ACTION: Approved 5/0

A.3. General Fund Adopted Budget for Fiscal Year 2019-2020 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2019-2020 General Fund Adopted Budget.

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

COUNCIL ACTION: Approved 5/0

A.4. Annual Investment Policy. (File 0350-30)

Recommendation: That the City Council

1. Adopt **Resolution 2020-071** approving the City's Investment Policy for 2020/21.

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

COUNCIL ACTION: Approved 5/0

A.5. Quarterly Investment Report. (File 0350-44)

Recommendation: That the City Council

1. Accepts and files the attached Cash and Investment Report for the quarter ended March 31, 2020.

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

COUNCIL ACTION: Approved 5/0

A.6. Appropriations Limit for Fiscal Year 2020/21. (File 0330-60)

Recommendation: That the City Council

1. Adopt **Resolution 2020-073** establishing the FY 2020/21 Appropriations Limit in accordance with Article XIII B of the California Constitution and Government Code Section 7910 and choosing the County of San Diego's change in population growth to calculate the Appropriations Limit.

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

COUNCIL ACTION: Approved 5/0

A.7. San Elijo JPA (SEJPA) Recycled Water Pipeline Transfer and Cost Reimbursement. (File 1040-44)

Recommendation: That the City Council

1. Adopt **Resolution 2020-044**:
 - a. Authorizing the City Manager to execute the Pipeline Transfer and Cost Reimbursement Agreement by and between the San Elijo Joint Powers Authority and the City of Solana Beach for the recycled water pipeline along Via de la Valle that was constructed by the City of Del Mar on behalf of the City of Solana Beach.

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

COUNCIL ACTION: Approved 5/0

A.8. Sewer and Storm Drain Rehabilitation Project Award (File 0850-00)

Recommendation: That the City Council

1. Awarding the construction contract to Southwest Pipeline & Trenchless Corporation, in the amount of \$788,136, for the Sewer & Storm Drain Rehabilitation Project, Bid 2020-01.
2. Approving an amount of \$79,000 for construction contingency.
3. Authorizing the City Manager to execute the construction contract on behalf of the City.
4. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

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

COUNCIL ACTION: Approved 5/0

A.10. As-Needed Traffic Engineering Services and a Traffic Signal Condition Assessment. (File 0860-05)

Recommendation: That the City Council

1. Adopt **Resolution 2020-086**:
 - a. Authorizing the City Manager to approve a Professional Service Agreement with STC Traffic, Inc. for As-Needed Traffic Engineering Services for Fiscal Year 2020/21, in the amount of \$10,000, and for a Traffic Signal Condition Assessment Report, in the amount of \$50,000, for a not-to-exceed total amount of \$60,000.
 - b. Authorizing the City Manager to approve a Professional Service Agreement with Chen Ryan Associates for As-Needed Traffic Engineering Services for Fiscal Year 2020/21 for a not-to-exceed amount of \$10,000.
 - a. Authorizing the City Manager, at their discretion, to extend the Professional Service Agreement with either or both STC Traffic, Inc. and Chen Ryan Associates for As-Needed Traffic Engineering Services for up to four additional years, at the City's option, at an amount not-to-exceed \$10,000 per year per consultant based on satisfactory past performance.

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

COUNCIL ACTION: Approved 5/0

A.11. DRO Management Consultants Contract. (File 00600-05)

Recommendation: That the City Council

1. Adopt **Resolution 2020-104**:
 - a. Approving the PSA with DRO Management Consultants.
 - b. Approving a one-year extension at the City Manager's discretion.

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

COUNCIL ACTION: Approved 5/0

A.9. Calling the General Municipal Election for November 3, 2020 for Elected Mayor, District 1 Councilmember, District 3 Councilmember and a Qualified Ballot Measure. (File 0430-20)

Recommendation: That the City Council

1. Adopt **Resolution 2020-090** Calling and Giving Notice of the Holding of a General Municipal Election to be held on Tuesday, November 3, 2020, for the Election of Certain Officers as required by the Provision of the Laws of the State of California Relating to General Law Cities and determining tie vote provisions.
2. Adopt **Resolution 2020-091** requesting the Board of Supervisors of the County of San Diego to Consolidate a General Municipal Election to be held on Tuesday, November 3, 2020, with the Statewide General Election to be held on that date.
3. Adopt **Resolution 2020-092** adopting regulations for Candidates for Elective Office pertaining to Candidate's Statements.
4. Adopt **Resolution 2020-093** authorizing ballot measure Written Arguments and direct the City Attorney to prepare an Impartial Analysis.
5. Adopt **Resolution 2020-094** authorizing filing of ballot measure Rebuttal Arguments.

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

COUNCIL ACTION: Approved 4/1 (Noes: Harless) electing candidate statements to allow up to 400 words.

B. PUBLIC HEARINGS: (B.1. – B.5.)

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

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 written comments for the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda.

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 have three minutes each.

B.1. Public Hearing: Solana Beach Coastal Rail Trail (CRT) Maintenance District Annual Assessments. (File 0495-20)

The 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. Adopt **Resolution 2020-082**, approving the Engineer's Report regarding the Coastal Rail Trail Maintenance District; and
3. Adopt **Resolution 2020-083** ordering the levy and collection of the annual assessments regarding the Coastal Rail Trail Maintenance District for Fiscal Year 2020/21.

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

COUNCIL ACTION: Approved 5/0

B.2. Public Hearing: Solana Beach Lighting District Annual Assessments.(File 0495-20)

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. Adopt **Resolution 2020-084** confirming the diagram and assessment and approving the City of Solana Beach Lighting Maintenance District Engineer's Report; and
3. Adopt **Resolution 2020-085** ordering the levy and collection of annual assessments for FY 2020/21 and ordering the transmission of charges to the County Auditor for collection.

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

COUNCIL ACTION: Approved 5/0

B.5. Public Hearing: Amending the Solana Energy Alliance (SEA) Rate Schedule.
(File 1010-45)

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. Adopt **Resolution 2020-099** amending the rate schedule for Solana Energy Alliance.

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

COUNCIL ACTION: Approved 5/0

B.3. Public Hearing: 521 S. Rios Ave, Applicant: Margulis, Case 17-17-40. (File 0600-40)

The proposed project meets the minimum objective 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 administratively issue an 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 2020-081** conditionally approving a DRP and an SDP for a new multilevel single-family residence with detached garage with an ADU above the garage and to perform associated site improvements at 521 S. Rios Avenue, Solana Beach.

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

COUNCIL ACTION: Approved 5/0 and to lower the left of the building 12", lower the right side by 30", and prohibit roof decks.

B.4. Public Hearing: 0 Ford Ave., Applicant: Landholdings, LLC, Case DRP19-008, SDP19-008. (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 VAR. 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 2020-080** conditionally approving a DRP and an SDP for a new single-family residence including a partially subterranean lower level and an attached garage and perform associated site improvements at 0 Ford Avenue, Solana Beach.

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

COUNCIL ACTION: Approved 3/2 (Noes: Edson, Harless) and relocating the pool equipment adjacent to the storage shed at the corner of the pool which would be at least 45 ft. from the southerly property line.

C. STAFF REPORTS: (C.1.)

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

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C.1. Budget Adjustments for Fiscal Year 2020/21 (File 0330-30)

Recommendation: That the City Council

1. Review the proposed amendments to the FY 2020/21 Adopted General Fund Budget and provide Staff with direction to amend the budget for adoption on July 8, 2020.

[Item C.1. Report](#)

Presentation and discussion.

WORK PLAN COMMENTS:

Adopted June 12, 2019

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

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

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

ADJOURN:

Next Regularly Scheduled Meeting is July 8, 2020

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

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 June 24, 2020 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 June 17, 2020 at 7:30 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 4:00 p.m., June 24, 2020, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk * City of Solana Beach, CA

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**