



CITY OF SOLANA BEACH

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

MINUTES

Joint SPECIAL Meeting

Wednesday, November 18, 2020 * 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 Governor Newsom's Executive Order N-29-20 related to the COVID-19 virus.

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

CALL TO ORDER AND ROLL CALL:

Mayor Edson called the meeting to order at 6:15 p.m.

Present: Jewel Edson, Judy Hegenauer, Kristi Becker, Kelly Harless, David A. Zito

Absent: None

Also: Greg Wade, City Manager

Present: Johanna Canlas, City Attorney

Angela Ivey, City Clerk

Dan King, Assistant City Manager

Mo Sammak, City Engineer/Public Works Dir.

Rodney Greek, Interim Finance Dir.

Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

PROCLAMATIONS/CERTIFICATES: *Ceremonial*

Honoring Postal Workers

Mayor Edson presented a proclamation to Richard Zamora, Solana Beach Post Office, honoring Solana Beach postal workers.

APPROVAL OF AGENDA:

Motion: Moved by Councilmember Becker and second by Councilmember Harless to approve the Agenda. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

ORAL COMMUNICATIONS: None

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.8.)

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the October 14, 2020 City Council meeting.

Approved Minutes

http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC

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

Approved 5/0. Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

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

Recommendation: That the City Council

1. Ratify the list of demands for October 10, 2020 – October 23, 2020.

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

Approved 5/0. Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

A.3. General Fund Budget Adjustments for Fiscal Year 2020/21. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2020-2021 General Fund Adopted Budget.

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

Approved 5/0. Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

A.4. Tosdal Law Firm Services Agreement to a New Professional Services Agreement (PSA) with Tosdal APC. (File 0400-05)

Recommendation: That the City Council

1. Adopt **Resolution 2020-149** authorizing the City Manager to move SEA (Solana Energy Alliance) representation under Tosdal Law Firm PSA to a new PSA with Tosdal APC.

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

Approved 5/0. Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

A.5. Fiscal Year (FY) 2019-20 Community Grant Recipient Financial

Expenditure Report. (File 0330-25)

Recommendation: That the City Council

1. Accept this report and grant extensions for the two awardees who were unable to expend all grant funds (La Colonia Community Foundation and Solana Beach Civic & Historical Society).

Motion: Moved by Councilmember Zito and second by Mayor Edson to approve.
Approved 5/0. Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.
Motion carried unanimously.

A.6. Deposit Account Control Agreement with River City Bank and San Diego Gas & Electric to Comply with California Public Utilities Commission D.18-05-022 Related to Community Choice Aggregation Financial Security Requirement. (File 1040-45)

Recommendation: That the City Council

1. Adopt **Resolution 2020-147:**
 - a. Authorizing the opening of a new account with River City Bank for deposit of the \$147,000 Financial Security Requirement.
 - b. Authorizing the City Manager to execute an Escrow and Deposit Account Control Agreement with River City Bank and San Diego Gas & Electric, subject to City Attorney approval.

Motion: Moved by Councilmember Zito and second by Mayor Edson to approve.
Approved 5/0. Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.
Motion carried unanimously.

A.7. Project Application Submittal to the California Department of Parks and Recreation for the Per Capita Grant Program. (File 0740-00)

Recommendation: That the City Council

1. Adopt **Resolution 2020-095** authorizing the City Manager to submit a project application to the California Department of Parks and Recreation for the Per Capita Grant Program, in order to receive the \$186,471 the City is eligible to receive.

Motion: Moved by Councilmember Zito and second by Mayor Edson to approve.
Approved 5/0. Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.
Motion carried unanimously.

A.8. This item was removed from the agenda. Leave item blank.

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: Development Review Permit for a New Single-Story Single-Family Residence and Attached One-Car Garage at 778 W. Solana Circle (Case # DRP20-007 Applicant: Philip Wilkinson). (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 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 2020-135** conditionally approving a DRP to allow for the construction of a new 1,992 square-foot one-story, single-family residence and garage at 778 West Solana Circle.

Mayor Edson recused herself from the item due to a conflict of financial interest in real estate within close proximity to the subject property.

Greg Wade, City Manager, introduced the item.

Tiffany Wade, Associate Planner, presented a PowerPoint (on file).

Council disclosures.

Council and Staff discussed the HOA in that area had a robust review process and required story poles even though it was below 16 ft., the HOA had approved the project, all houses built after 2020 require solar panels ready for single family homes.

Craig Frieauf, architect, said that they went through an extensive review with all of the neighbors and conducted some major redesigns.

Mr. Wilkinson, Applicant, said they went through extensive HOA review, answered concerns of two adjacent neighbors, and got approval in first round with the HOA.

Council and Applicant discussed the roof deck, fencing, discussions with the neighbors on views, energy saving measures, met all California energy requirements, and they are installing solar power panels and an electric car outlet.

Deputy Mayor Hegenauer opened the public hearing.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to close the public hearing. **Approved 4/0/1.** Ayes: Hegenauer, Becker, Harless, and Zito. Noes: None. Absent (Recused): Edson. Motion carried.

Motion: Moved by Councilmember Harless and second by Councilmember Becker to approve Staff recommendation. **Approved 4/0/1.** Ayes: Hegenauer, Becker, Harless, and Zito. Noes: None. Absent (Recused): Edson. Motion carried.

B.2. Community Development Block Grant Funds (Fiscal Year 2021/22) Americans with Disabilities Act (ADA) Pedestrian Ramp Improvements.
(File 0390-32)

Recommendation: 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 2020-144:**
 - a. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.
 - b. Approving the list of public street ADA ramp locations.
 - c. Requesting FY 2021/22 Community Development Block Grant Funds for ADA pedestrian ramp improvements at various public street intersections listed in Attachment 1, Exhibit A.
 - d. Finding that all of FY 2021/22 CDBG funds, presently estimated at a total of \$63,425, are designated to be used for ADA pedestrian ramp improvements.
 - e. Authorizing the City Manager to execute the County contract for management and implementation of the CDBG program.

Mayor Edson opened the public hearing.

Council disclosures.

Greg Wade, City Manager, presented a PowerPoint (on file).

Motion: Moved by Mayor Edson and second by Councilmember Zito to close the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

Motion: Moved by Councilmember Zito and second by Councilmember Harless to approve Staff recommendation. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

B.3. Public Hearing: Updating the City's User Fees and Charges Schedule. (File 0390-23)

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 2020-141** updating the Schedule of Fees and Charges effective January 1, 2021 which:
 - a. Includes a change to part a. of the Rounding of Fees to include “(unless it is as part of a multiplier charge. i.e. x.xx per each additional x)”, and
 - b. Approves prior Council direction to waive Business Certificate Renewal fees for Calendar Year 2020 and charging the fiscal year 2018 rate of \$17 for Calendar year 2020 Short Term Vacation Rental Permit renewals.
3. Provide specific direction on the rate at which Business Certificate Renewals and Short-Term Vacation Rental Permit Renewals are charged.

Mayor Edson opened the public hearing.

Greg Wade, City Manager, introduced the item.

Rodney Greek, Interim Finance Dir., presented a PowerPoint (on file).

Council disclosures.

Council and Staff discussed that construction and building service industries as well as grocery and food stores have been doing well per the sales tax data received, if business certificate renewals could be charged to industries that were doing well and waived for those industries suffering, and that not many businesses took advantage of the state sales tax deferral since they would have to pay them eventually.

Motion: Moved by Councilmember Harless and second by Councilmember Becker to close the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

Council and Staff discussed how the finance system did not specify businesses by industry, the administrative challenge to handle business certificate renewals on a request case-by-case basis depending on the number of requests, reinstating the current STVR (Short Term Vacation Rental) fees for 2020-21, deferring the CPI increase for some businesses or all businesses,

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve waiving the 2021 business certificate renewal fee for all businesses, waive the City’s user fee annual CPI 3% increase this year and reconsider next year, and charge the current STVR fees.

Approved 5/0. Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

C. STAFF REPORTS: (C.1. – C.2.)

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. Santa Fe Christian Lighting Temporary Use Permit (TUP) Application and COVID TUP Policy Extension. (File 0600-00)

Recommendation: That the City Council

1. Conditionally approve the Santa Fe Christian Temporary Use Permit application.
2. Adopt **Resolution 2020-148** authorizing extension of the Temporary Use Permit Policy through April 30, 2021, or until the emergency order and social distancing requirements are lifted, whichever is earliest.

Greg Wade, City Manager, introduced the item.

Joe Lim, Community Development Dir., presented a PowerPoint (on file).

Council and Staff discussed the TUP would go through to Daylight Savings (March 14, 2021) but would expire May 31st or until the emergency order was removed, that the height of the light standards was 30 ft., and that light impacts could be adjusted.

Rod Gilbert, Santa Fe Christian School, thanks for assistance in understanding the guidelines for a temporary need for the sports program being squeezed into tighter schedules.

Motion: Moved by Councilmember Zito and second by Councilmember Harless to approve Staff recommendation. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

C.2. City Hall and Fire Station Repair Project – Update and Change Order No. 2.

Recommendation: That the City Council

1. Adopt **Resolution 2020-142:**
 - a. Authorizing the City Manager to execute Change Order No. 2 to the construction contract with War Rhino, Inc., in the amount of \$70,000, for the Solana Beach City Hall and Fire Station Water Damage Remediation and Restoration Project, Bid No. 2020-02.
 - b. Approving an appropriation of \$53,000 from the General Fund/Undesignated Reserves to the Capital Improvement Program for the City Hall and Fire Station deferred maintenance project.
 - c. Authorizing the City Manager to execute change orders up to the amount of the revised contingency of \$95,000.
 - d. Authorizing the City Treasurer to amend the FY 2020/21 Adopted Budget accordingly.

Greg Wade, City Manager, presented a PowerPoint (on file).

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve Staff recommendation. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

COMPENSATION & REIMBURSEMENT DISCLOSURE: None

COUNCIL COMMITTEE REPORTS: [Council Committees](#)

REGIONAL COMMITTEES: (outside agencies, appointed by this Council)

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

ADJOURN:

Mayor Edson adjourned the meeting at 7:45 p.m.

Angela Ivey, City Clerk

Approved: December 9, 2020