



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, August 24, 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 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 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 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 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:
Zoom Link: <https://cosb-org.zoom.us/j/88011102706>
Webinar ID: 880 1110 2706

If you cannot log on or need to use a phone for audio quality, use one of these call-in numbers:

888 475 4499 (Toll Free) or 833 548 0276 (Toll Free), +1 669 444 9171 or +1 669 900 9128 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 646 931 3860 or +1 301 715 8592

- 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 at least 72 hours prior to the meeting.

CITY COUNCILMEMBERS			
Lesa Heebner, Mayor			
Kelly Harless Deputy Mayor	David A. Zito Councilmember District 1	Jewel Edson Councilmember District 3	Kristi Becker 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:

COUNCIL ACTION: Approved 5/0

ORAL COMMUNICATIONS: None

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 agendized for official City business with no action or substantive discussion.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.13.)

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 following City Council meetings held May 4, 2022, May 11, 2022, May 23, 2022, June 7, 2022, and June 8, 2022.

Approved Minutes <https://www.cityofsolanabeach.org/en/government/public-meetings/agendas-minutes-videos>

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 July 1, 2022 – August 05, 2022.

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

COUNCIL ACTION: Approved 5/0

A.3. General Fund Budget Adjustments for Fiscal Year 2022/2023. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2022/2023 General Fund Adopted Budget.

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

COUNCIL ACTION: Approved 5/0

A.4. League of California Cities' 2022 Annual Business Meeting Voting Delegates Designees. (File 0140-10)

Recommendation: That the City Council

1. Appoint Councilmember Becker, primary voting delegate, Deputy Mayor Harless, 1st alternate, and City Manager Gregory Wade, 2nd alternate, as the voting delegates for the 2022 Annual Business Meeting of the League of California Cities Annual Conference.
2. Authorize the City Clerk to attest to the appointments and submit the Official Voting Form to the League of California Cities.

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

COUNCIL ACTION: Approved 5/0

A.5. Planning, Communications, and Engagement Services. (File 0600-90)

Recommendation: That the City Council

1. Adopt **Resolution 2022-106** authorizing the City Manager to execute an amendment to the Professional Services Agreement with The Lew Edwards Group, extending the contract through November 2022.
2. Authorize an appropriation of \$36,000 from the Legal Professional Services account.
3. Authorize the City Treasurer to amend the FY 2022/23 Adopted Budget accordingly.

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

COUNCIL ACTION: Approved 5/0

A.6. City's Housing and Safety Element Update. (File 0610-10)

Recommendation: That the City Council

1. Adopt **Resolution 2022-98** authorizing the City Manager to execute Amendment #3 to the Professional Services Agreement with Kimley-Horn and Associates Inc. extending the contract through September 30, 2023.

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

COUNCIL ACTION: Approved 5/0

A.7. This Item has been left blank.

A.8. Special Counsel Services for Municipal Election. (File 0400-08)

Recommendation: That the City Council

1. Adopt **Resolution 2022-103** approving and ratifying the City Manager's execution of a Professional Services Agreement for Special Counsel Services for Municipal Elections between the City of Solana Beach and Best Best & Krieger LLP.

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

COUNCIL ACTION: Approved 5/0

A.9. Fire Apparatus Maintenance and As-Needed Repair Agreement. (File 0370-26)

Recommendation: That the City Council

1. Adopt **Resolution 2022-107**:

- a. Authorizing the City Manager to execute an amendment to the FY 2021/22 Agreement with North County Emergency Vehicle Services (NCEVS) to increase the not to exceed amount by \$15,000 to provide for total on-call, as-needed maintenance and repair services not to exceed \$75,000 for Fiscal Year 2021/22.
- b. Awarding a new on-call, as-needed maintenance and repair services agreement to NCEVS not to exceed \$60,000 per fiscal year for FY 2022/23, with four additional one-year extensions exercisable at the City's option.
- c. Authorizing the City Manager to execute such an agreement and extend the agreement for up to four additional one-year terms, at the City's option and to be exercised in the City Manager's discretion.

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

COUNCIL ACTION: Approved 5/0

A.10. Grand Jury Response. (File 0480-75)

Recommendation: That the City Council

1. Adopt **Resolution 2022-104**, approving the response to the Grand Jury report and authorize the Mayor and the City Manager to sign the response.

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

COUNCIL ACTION: Approved 5/0

A.11. SANDAG Beach Sand Mitigation Fund Request. (File 0740-20)

Recommendation: That the City Council

1. Adopt **Resolution 2022-108** authorizing submittal of the Resolution to SANDAG to request a full allocation of the Beach Sand Mitigation Funds held in trust for the City and authorize the City Manager to act on behalf of the City of Solana Beach, in consultation with the City Attorney, to negotiate and execute all agreements and amendments necessary to obtain the requested funds from SANDAG as soon as possible and prior to the end of the 2022 calendar year.

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

COUNCIL ACTION: Approved 5/0

A.12. Continued Emergency Teleconferencing. (File 0240-28)

Recommendation: That the City Council

1. Adopt **Resolution 2022-110** authorizing remote teleconference meetings of the legislative bodies of the City for the period of August 25, 2022 through September 24, 2022 pursuant to the provisions of the Brown Act.

[Item A.12. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.13. Clean Energy Alliance (CEA) Joint Powers Agreement Amendment.

(File 1010-40)

Recommendation: That the City Council

1. Adopt **Resolution 2022-109** approving and ratifying the City Manager's execution of the Amendment.

[Item A.13. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

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: 418 Glencrest Dr., Applicant: Jeanna & John Peterson, Case: DRP21-014. (File 0600-40)

The proposed project could be found to be consistent with the General Plan and the SBMC 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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2022-097** conditionally approving a DRP for a first-story addition and to conduct grading in excess of 100 cubic yards on a lot with an existing single-family residence with an attached garage at 418 Glencrest Drive, Solana Beach.

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

COUNCIL ACTION: Approved 5/0

B.2. Public Hearing: 506 Pacific Ave., Applicant: Jim and Kathleen Boyd, Case: DRP20-014/SDP20-020. (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. Therefore, should the City Council be able to make the findings to approve the SDP, 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. 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 2022-049** conditionally approving a DRP, SDP, and SDP Waiver to demolish a single-family residence, construct a replacement 3,021 square-foot, two-story single-family residence built above a 1,179 square-foot basement with an attached 377 square-foot two-car garage, and perform associated site improvements at 506 Pacific Avenue, Solana Beach.

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

COUNCIL ACTION: Approved 3/2 (Noes: Harless, Zito) with modifications.

B.3. Public Hearing: 237 N. Acacia Ave., Applicant: Shirly Hart Chwalowski, Case: DRP21-022/SDP21-022. (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. 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 2022-099** conditionally approving a DRP and SDP to demolish a single-family residence, construct a replacement multi-level single-family residence with a subterranean basement, an attached main floor garage, an attached ADU, and perform associated site improvements at 237 N. Acacia Avenue, Solana Beach.

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

COUNCIL ACTION: Approved 4/1 (Recused – Harless) with additional condition.

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. Public Arts Commission Appointment. (File 0120-06)

Recommendation: That the City Council

1. Appoint one (1) member to the Public Arts Commission nominated/appointed by Council-at-large for a term ending January 2023.

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

COUNCIL ACTION: Approved 5/0 to appoint Vicki Cypherd.

WORK PLAN COMMENTS:

Adopted June 22, 2022

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, 1st Alternate-Zito, 2nd 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. 22nd 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:

Next Regularly Scheduled Meeting is September 14, 2022

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

Or Contact City Hall at 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 August 24, 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 August 17, 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., August 24, 2022, 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**