



# CITY OF SOLANA BEACH

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

## MINUTES

Joint REGULAR Meeting

Wednesday, March 24, 2021 \* 6:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California  
This meeting was conducted in accordance with Governor Newsom's Executive Order N-29-20 related to the COVID-19 virus.  
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**

**Kristi Becker**  
Deputy Mayor

**Kelly Harless**  
Councilmember

**David A. Zito**  
Councilmember  
District 1

**Jewel Edson**  
Councilmember  
District 3

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.

### CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6:22 p.m.

Present: Lesa Heebner, Kristi Becker, Kelly Harless, David A. Zito, Jewel Edson

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.

Ryan Smith, Finance Dir.

Joseph Lim, Community Development Dir.

**CLOSED SESSION REPORT:** No reported action.

### FLAG SALUTE:

### APPROVAL OF AGENDA:

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

### 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 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.8.)**

**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. Minutes of the City Council.**

Recommendation: That the City Council

1. Approve the Minutes of the February 24, 2021 City Council meetings.

Approved Minutes [http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B\\_BASIC](http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC)

**Motion:** Moved by Councilmember Edson and second by Mayor Heebner to approve. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. 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 February 20, 2021– March 05, 2021.

**Motion:** Moved by Councilmember Edson and second by Mayor Heebner to approve Staff recommendation. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. 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 Edson and second by Mayor Heebner to approve Staff recommendation. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson.

Noes: None. Motion carried unanimously.

**A.4. Housing Element Annual Progress Report** (File 0610-10)

Recommendation: That the City Council

1. Adopt **Resolution 2021-032** approving the 2020 Housing Element Annual Progress Report and the 2019/20 Housing Successor Annual Report as submitted and direct City Staff to file the report with the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

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

**A.5. Destruction of Obsolete Records.** (File 0170-50)

Recommendation: That the City Council

1. Adopt **Resolution 2021-036** authorizing the destruction of officially obsolete records.

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

**A.6. National Wildlife Federation's Mayors' Monarch Pledge.** (File 0480-75)

Recommendation: That the City Council

1. Adopt **Resolution 2021-034** authorizing the Mayor to Sign the National Wildlife Federation's Mayors' Monarch Pledge.

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

**A.7. Temporary Art Compensation Increase** (File 0910-41)

Recommendation: That the City Council

1. Adopt **Resolution 2021-035** authorizing a modification to the Temporary Public Arts Program artist compensation from \$500 to \$1,500 for a one-year loan.

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

**A.8. Solana Energy Alliance (SEA) Long-Term Renewable Power Purchase.** (File 1010-45)

Recommendation: That the City Council

1. Approve **Resolution 2021-039** authorizing the City Manager to execute a long-term power purchase agreement, in a form approved by the City Attorney, with Shell Energy to satisfy SEA's long-term procurement obligation under SB 350.

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

## **B. PUBLIC HEARINGS:** (B.1. – B.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).

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: 537 North Granados Ave., Applicant: Gladnick, Case DRP20-005/SDP20-009.** (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 2021-033** conditionally approving a development review permit (DRP) and structural development permit (SDP) to demolish a single family residence, construct a replacement two-story, single-family residence with an attached two-car garage and single carport, and perform associated site improvements at 537 North Granados Avenue, Solana Beach.

Greg Wade, City Manager, introduced the item.

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

Mayor Heebner opened the public hearing.

Council disclosures.

Jennifer Bolyn, Architect, presented a PowerPoint (on file) and reviewed the concept, materials, views, difficulty of the site, the many revisions made over 6-8 months with

neighbors' input, and landscaping.

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

Council discussed the challenges of the slope and adding a reference to the conditions not superseding the conditions of the City's water efficient landscape regulations.

**Motion:** Moved by Councilmember Zito and second by Councilmember Edson to approve Staff recommendation, and the updated landscape plan, and added language that conditions do not supersede the conditions of the City's water efficient landscape regulations. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes: None. Motion carried unanimously.

## **B.2. 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 2021-038** amending the rate schedule for Solana Energy Alliance.

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

Barb Boswell, CEO, continued the PowerPoint.

Mayor Heebner opened the public hearing.

Council disclosures.

Council discussed that the SEA's negative balance was only due to administrative support by existing City Staff over 1 ½ years, that the analysis of regulatory counsel estimated a 48% fee increase by SDG&E since 2012, the SDG&E fees charged to SEA members are due to SDG&E recovery of liquidating contracts previously entered into which are not being provided to the former customers who are now with the SEA, the fees are charged to SEA customers so that the remaining SDG&E customers would not be negatively impacted by energy not being used but contracted for at the formation of the SEA, that SDG&E includes contractual related charges or losses for long-term renewable energy, short-term resource adequacy and conventional energy, that the Power Charge Indifference Adjustment (PCIA) is not audited, SDG&E is not required to provide the value or other information on their contracts, the SEA rate since June of 2020 has been lower than the originally adopted rate in June 2018, and that some potential legislation would allow a Community Choice Aggregation (CCA) customer to benefit from the value of the energy that they are paying for in fees, and that a PCIA fact sheet is posted on the SEA website.

**Motion:** Moved by Councilmember Zito and second by Councilmember Edson to close the public hearing. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. Noes:

None. Motion carried unanimously.

**Motion:** Moved by Councilmember Zito and second by Councilmember Edson to approve Staff recommendation. **Approved 5/0.** Ayes: Heebner, Becker, Harless, Zito, Edson. 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.

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#### **C.1. 6<sup>th</sup> Cycle Housing Element Update Status.** (File 0610-10)

Recommendation: That the City Council

1. Provide comments and direction on the proposed Draft 6<sup>th</sup> Cycle Housing Element Update changes.

Greg Wade, City Manager, introduced the item.

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

Barbara Gordon spoke about being a group leader for Changers, a Hispanic youth group in Solana Beach, concern for some populations disproportionately affected by tobacco and secondhand smoke exposure, that nearly all larger multi-unit housing complexes were 100% smoke-free, and requested that Council add language in the Housing Element that would recommend that privately owned multi-unit projects be 100% smoke-free for the benefit of all residents.

Peggy Walker, San Diego County Tobacco Control, spoke about the efforts for environmental justice and social equity, accommodating very low to low/moderate income and affordability level housing often affecting minority families living in multi-unit housing, adding language that recommends that privately owned development projects consider a smoke-free, vape-free policy for the benefit of residents' health and wellbeing. She said that the benefits would include fire safety for economic and insurance benefits, environmental benefits with the elimination of second and third-hand smoke hazards, and that it would demonstrate the City's commitment to fair housing goals with equity sensitive language.

Council and Staff discussed adding this recommendation outside of the Housing Element document, Council could consider directing Staff to explore a program to recommend that private developments adopt smoke-free units, that city funded and city sponsored events were already a consideration, and whether this language would matter to HCD (Housing and Community Development) or whether it would see it as a constraint that was not evaluated when the draft was released to the public, adding it to the Work Plan, and the April 15<sup>th</sup> deadline to adopt the element or act on a 120-day state extension.

Nick Chen, Kimley-Horn, consultant, said that the element includes identified housing dating back for eight years.

Council and Staff discussed developing guidelines to build Accessory Dwelling Units (ADUs) in the fire zone and hillside overlay zone, the loss of naturally affordable units seen from some gentrification, more ways to increase the number of ADUs, and a potential Council policy or resolution for a program for private owners to develop a non-smoking community within their control.

No action required.

**C.2. La Colonia Park/Fletcher Cove Park Playground Design.** (File 0720-30, 0730-40)

Recommendation: That the City Council

1. Adopt **Resolution 2021-030** authorizing the City Manager to execute a Professional Services Agreement, in an amount not to exceed \$111,250, with Van Dyke Landscape Architects for design of a new playground at La Colonia Park and design of new playground equipment at Fletcher Cove Park.

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

Council and Staff discussed posting the project schedules online and posting a 'coming soon' sign at the tot lots.

Mitch Phillip, Van Dyke, said that they were looking forward to working with the community and Staff on the project.

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

**WORK PLAN COMMENTS:**

*Adopted June 12, 2019*

**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 "City" at the next regular meeting of the legislative body.

**COUNCIL COMMITTEE REPORTS:** [Council Committees](#)

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

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

**CITIZEN COMMISSION(S)**

**ADJOURN:**

Mayor Heebner adjourned the meeting at 8:33 p.m.

Angela Ivey, City Clerk

Council Approved: May 12, 2021