



# 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, August 25, 2021 \* 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.

**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.

#### 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:

Mayor Heebner called the meeting to order at 6:00 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:** None

**FLAG SALUTE:**

## **PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

Solana Beach Little League

Mayor Heebner read a proclamation regarding the Solana Beach Little League and their making it to the semi-finals.

Jai Shab thanked the Council and spoke about the team and games.

### **APPROVAL OF AGENDA:**

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

### **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).

Kristine Schindler presented a PowerPoint (on file) and spoke about City of Kindness efforts including the Kindness Rocks being randomly placed around the City as well as given out by Sprouts employees, a Girl Scout Troop that became involved with the kindness initiative.

Catherine Barnes, Dawn Berry and Girl Scout cadets spoke about advancing the City of Kindness movement by painting and distributing 50 painted Kindness Rocks.

Peter Zahn spoke about the interest in net energy metering on the City's future agenda.

Greg Wade, City Manager, stated that the item has already been agendized for the September 8<sup>th</sup> Council meeting.

Matthew Vasilikis stated that he looked forward to the net energy metering item on September 8<sup>th</sup>.

Shelah Ott stated that she looked forward to the net energy metering item on September 8<sup>th</sup>.

Kelly Lyndon stated that she looked forward to the net energy metering item on September 8<sup>th</sup>.

Karina Gonzalez stated that she looked forward to the net energy metering item on September 8<sup>th</sup>.

### **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.4.)

**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 following City Council meetings June 9, 2021 and July 14, 2021.

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 Zito and second by Deputy Mayor Becker 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 June 19, 2021 – August 6, 2021.

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

#### **A.3. General Fund Budget Adjustments for Fiscal Year 2021/22.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2021-2022 General Fund Adopted Budget.

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

#### **A.4. Destruction of Obsolete Records.** (File 170-50)

Recommendation: That the City Council

1. Adopt **Resolution 2021-099** authorizing the destruction of officially obsolete records.

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

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

**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. 640 N. Granados Ave., Applicant: Barnes, Case DRP-20-003/SDP20-007.** (File 0600-40)

Recommendation: 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 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 2021-100** conditionally approving a DRP and SDP to remodel and add to an existing single-family residence with a two-car garage and perform associated site improvements at 640 N. Granados Avenue, Solana Beach.

Greg Wade, City Manager, introduced the item.

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

Mayor Heebner opened the public hearing.

Council disclosures.

Andrew Crocker, Applicant's Architect, stated that he was available for questions.

Council, Staff, and Applicant discussed using the lower garage area as a residential unit for City affordable housing, any private agreement between neighbors, and placement

of items on the existing roof deck.

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

### **C. STAFF REPORTS: (C.1. – C.5.)**

**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. Proposed Building Electrification and Electric Vehicle Charging Infrastructure Amendments to the 2019 Edition of the California Building Standards Code that Would Exceed the Minimum Energy Efficiency Standards Established by the State (Reach Codes).** (File 0600-05)

Recommendation: That the City Council

1. Discuss and provide direction to Staff regarding the development of Building Electrification and Electric Vehicle Charging Infrastructure Reach Codes.

Rimiga Viskanta, Sr. Management Analyst, presented a PowerPoint (on file).

Lawrence Garber and Amy Rider continued the PowerPoint (on file).

Council, Staff, and Consultants discussed that the savings for new construction would be the cost of thousands of dollars to lay the gas line, that a remodel may need a full electrical service panel upgrade of around \$2,500-\$5,000, that each conversion from gas to electric has been running about \$150 per circuit, identifying the threshold that would qualify as a substantial remodel, what the costs would be to remodel, that the use of solar equipment would significantly reduce costs, the space for a water heater would increase their footprint for the necessary airflow and that a dryer would have no change in the space needed, the recent power outages or conservation alerts, that the grid could be prepared to be more resilient for expansion of services, using excess capacity in the winter to use for cooling in the summertime, energy efficiency advantages built into the technology.

Jonathan Goodmacher, Chair of the Climate Action Commission, presented a PowerPoint (on file) and spoke about moving forward on a detailed draft code for consideration.

Mary Yang (time donated by Shawna McGarry) presented a PowerPoint (on file) reviewing other California cities with an electric reach code, Encinitas' City Council voted not to allow for three exceptions including residential cooking appliances, pool and spa heaters, and outdoor fireplaces, and that powering renewable energy would reduce greenhouse gas emissions and improve public safety and health.

Peter Zahn (time donated by Michael McClune) presented a PowerPoint (on file) and spoke about the decarbonization strategy sub-committee's comments to include a 5-kilowatt minimum instead of a 3-kilowatt minimum, a non-residential remodel triggered at 10,000 sq. ft., to include detached ADU's and indoor fireplaces for all-electric requirements, to exempt restaurants for the use of gas cooking, require all outdoor fireplaces, barbecues, and firepits to be portable propane, new construction of commercial and multifamily projects to 1,000 sq. ft. valued at \$200,000, the request for urgent movement on creating a draft ordinance, and that building electrification affects fewer people than some other actions taken by Council.

Matthew Vasilakis, Climate Action Campaign, spoke about support for this effort, removing any unnecessary fossil fuel exemption that in the draft proposal, and that methane gas is a highly potent greenhouse gas harming the atmosphere as well as a dangerous indoor air pollutant harming public health.

Suzanne Hugh, CleanEarth4Kid.org, spoke about the Council's leadership on smoking plastics and climate, requested that exemptions be removed, prohibit natural gas including natural gas stoves in new construction, which is a toxic air pollutant, gas stoves emit toxic air pollution, that some chefs say that electric stoves are superior to gas stoves, San Diego county has an F in ozone and rates the 7<sup>th</sup> worst ozone in U.S. and a D in particulate matter by American Lung Association.

Harold Standerfer, North County My Generation Group of San Diego Sierra Club, spoke about the climate emergency, the addiction to the extraction, transportation, refinement, and combustion of fossil fuels, and to direct staff to develop an ordinance requiring all new construction in Solana Beach to be all electric and expand infrastructure to support electric vehicles.

Kelly Lyndon, Member of San Diego Electrification Coalition, spoke about support of immediate attention to the draft reach code, importing the Climate Action Commission's recommendations, methane being a dangerous and unhealthy gas, the reach code laying the groundwork for this transition, avoiding natural gas in additional construction, the upfront cost savings to switch over to electric, and asked that it be implemented quickly.

Shelah Ott, member of the San Diego Building Electrification Coalition, spoke about the prioritization of reducing greenhouse gas emissions, the climate emergency declaration, taking bold action to reduce emissions in the building sector which contributed to health problems like asthma and other respiratory illnesses, the significant effects on children and infants, the health problems that can occur with the use of gas stoves, and urged Council to move forward with an all-electric building ordinance without any exceptions.

Eva Geiestanger said that she was a 17-year-old resident of Solana Beach and a Senior at

Canyon Crest Academy high school and a youth volunteer for SanDiego350.org and the Plastic Pollution Coalition and spoke about support for the ordinance, requiring buildings to use electric appliances, EV chargers, and other electric powered systems. She said that gas was a dangerous fossil fuel that was responsible for a large portion of greenhouse gas emissions, joining the almost 50 California cities that had passed building electrification codes, making buildings more economically efficient and environmentally friendly, and she hoped that Council understood the urgency.

Sydney Pitcher spoke about Solana Beach's positive actions taken in the past to reduce plastic and Styrofoam use, the benefits to people if everyone was more receptive to switch over, and assisting people in changing from gas to electric by helping them obtain electric stoves, ovens, water heaters, and furnaces through a rebate program, having less than 10 years to avert the worst irreversible effects of the climate chaos, the importance of taking the opportunity to reduce climate wrecking emissions and take action while there was time, pollution and environmental injustice disproportionately affects communities of color, and the children are the future and should be kept safe.

Karl Aldinger, Conservation Organizer for Sierra Club San Diego, said that he was speaking on behalf of over 15,000 regional members who support the staff recommendations for building electrification and electric vehicle charging reach code, acting on this would align Solana Beach with 49 other cities and municipalities in California who had passed electrification reach codes, the preference to not have exemptions for gas stoves or detached accessory dwelling units, that gas stovetops represented an indoor health hazard often exceeding the legal levels of toxic toxins allowed by California's outdoor air quality standards, that allowing gas stove tops could result in costly new gas line infrastructure that will later need to be unwelcomed, that detached ADUs were generally required to have rooftop solar under title 24, that builders understand the simplicity of an all-electric ADU, and that Council support the strongest possible reach codes to help guide Solana Beach towards cleaner air.

Laura Walsh, Policy Coordinator for the Surfrider Foundation San Diego County Chapter, spoke about Surfrider being a part of the Building Electrification Coalition, support of the all-electric reach codes, building natural gas systems into new infrastructure was contrary to all carbon reduction goals, and support for this initiative.

Anne Feeney, member of San Diego Building Electrification Coalition, spoke about eliminating the use of methane gas for space and water heating and new buildings was highly commendable and significant in reducing greenhouse gas emissions from new construction, consider eliminating the possibility of using methane gas for cooking in new construction for health reasons alone, whether there could be more frequent wildfires, droughts, heat waves, if Solana Beach did not act now, recognizing this climate emergency, and asked the City to eliminate indoor and outdoor gas cooking.

John Bottorff, CleanEarth4Kids.org, said that he was an environmentalist and former architect and asked that the City require an all-electric ordinance for new construction and substantial remodeling, to not allow any new gas lines in the City, that methane was a health hazard and should not be near children, that the American Lung Association gave the San Diego an F for ozone and a D for particulate matter, that modern electric induction stoves were much more energy efficient than gas or traditional electric stoves, induction stoves cook faster with consistent heat, have better temperature controls and are safer, that a

cooler kitchen meant less cost for air conditioning, replacing gas with electric builders was a minimal design and developers were aware of it, and asked the City to follow the example of other California cities like Oakland, Berkeley, San Luis Obispo, and Carlsbad, and move forward with all-electric requirements for new construction and substantial remodeling.

Council, Staff, and Consultants, discussed cost effectiveness of requiring all-electric for remodels, the definition of a major remodel is defined by the jurisdiction, events that trigger upgrades that would require conversion to all-electric, the cost effectiveness study is for major remodels as little as a 50% threshold, consensus on 5 KW requirement, exclude requirement for gas cooking conversions, fireplaces, focus on water heating, space heating, and clothes dryers, to require 20% of parking spaces be equipped with charging stations on commercial projects with 10 or more parking spaces, requiring the electric conduit for EV charging in multi-family residential, requiring 25% of the parking spaces be electric charging ready for multi-residential and hotel projects, defining the significant remodel for electrification requirements, and having Staff return with some of these items and more information to further discuss changes to the code.

Mayor Heebner recessed the meeting at 9:14 p.m. for a break and reconvened at 9:20 p.m.

## **C.2. Solana 101 Final Map, Conditions, Covenants & Restrictions (CC&Rs) and Final Landscape Plan.** (File 0600-40)

Recommendation: That the City Council

1. Adopt **Resolution 2021-101**:
  - a. Approving the Covenants, Conditions and Restrictions for the Solana 101 Project.
  - b. Approving the final landscape plan for Solana 101 Project.
  - c. Approving the Solana 101 Project final subdivision map.
  - d. Authorizing the City Engineer, City Attorney, City Treasurer and City Clerk to sign the final map.
  - e. Authorize the recordation of the final subdivision map.

Greg Wade, City Manager, introduced the item and stated that the landscape plan component would be deferred to a future meeting.

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

Council and Staff discussed the reference on page 28 of the “planned business development” or whether it should refer to a common interest development, and that the description would not matter because this CCR document is a private document among owners and those who have interest in the property and is not related to the Council’s adopted resolution approving the project with its own conditions.



Ryan Herrall, Zephyr Partners, said that the approving committee was the architectural review committee to ensure that the item met all common interests of the HOA.

Council, Staff, and Applicant, discussed 2.22.1 and 2.2 regarding a list of items that are prohibited and instead adding “any uses inconsistent with zoning,” that on page 12 regarding valet parking references “for restaurants” and proposed that it read instead “all valet parking service shall confirm with the valet management plan submitted to and approved by the City in accordance with the project’s entitlements.”

Council, Staff, and Applicant discussed the last sentence of section 17.7.3 regarding deemed approved as to certain amendments if there was no response from the City within 90 days, that it should not be deemed as approved if no response by the City, the obligation of the City, the ownership of the property would have no recourse if the amendment was pending forever, that the timing may depend on Council’s approval, and that the applicant would modify it to read that “the City shall deliver written notice of its approval or disapproval or an agenda item for City Council within 90 days.”

**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.

### **C.3. Update on City of Kindness Initiative and Discussion of Subcommittee Priorities.** (File 0160-80)

Recommendation: That the City Council

1. Discuss and provide direction on the two initial City of Kindness priority projects.

Greg Wade, City Manager, introduced the item.

Dan King, Assistant City Manager, presented a PowerPoint (on file).

Kristine Schindler said that she was happy that City Hall was considered as a potential location for the mural, liked the statement “every act counts” and would like to see it included in the branding, and that she supported the efforts.

Jonathon Collopy said that he was supportive of a Council subcommittee, to spread words and images on City Hall demonstrating its belief of what it values and should enact in the community, the mural and banners to decorate the main thoroughfare, consider adding the kindness logo to various capacities of City government including email, signature, apparel, and vehicles.

Council discussed the banners, Harbaugh’s offer to fund banners with their logo added, a kindness mural on City Hall, considering the context of the mural and choosing a simple design, and to switch the order of the Solana Beach logo and the Kindness logo.

**C.4. City Website Redesign Update.** (File 0190-60)

Recommendation: That the City Council

1. Receive the update and provide feedback.

Rimnga Viskanta, Sr. Management Analyst, presented a PowerPoint (on file).

Ron Zayas, 360-Biz, presented a mockup of some design layouts for the main home page.

10:35 p.m. Council reached consensus to continue the meeting to next item.

**C.5. Adopt (2<sup>nd</sup> Reading) Ordinance 517 – Amending Chapter 6.20 of the Solana Beach Municipal Code to Comply with State Mandated Organic Waste Disposal Requirements.** (File 1030-50)

Recommendation: That the City Council

1. Adopt **Ordinance 517** amending Chapter 6.20 of the Solana Beach Municipal Code to address state organics recycling mandates.

Johanna Canlas, City Attorney, read the title.

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

**CITIZEN COMMISSION(S)**

**ADJOURN:**

Mayor Heebner adjourned the meeting at 10:39 p.m.

Angela Ivey, City Clerk

Approved: October 13, 2021