

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting
Wednesday, April 12, 2023 * 6:00 p.m.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California

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

David A. Zito
Deputy Mayor / Councilmember District 1

Jewel Edson
Councilmember District 3

Kristi Becker
Councilmember District 2

Jill MacDonald
Councilmember District 4

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6:18 p.m.

Present: Lesa Heebner, David A. Zito, Jewel Edson, Kristi Becker, Jill MacDonald

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.
Rod Greek, Interim Finance Dir.
Joseph Lim, Community Development Dir.

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Councilmember Edson and second by Deputy Mayor Zito to approve.
Approved 5/0. Ayes: Heebner, Zito, Edson, Becker, MacDonald. 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. 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 submitting a speaker slip (located on the back table) to the City Clerk. 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 presentation is THREE MINUTES. No donations of time are permitted (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

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.7.)

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 to the City Clerk a speaker slip (located on the back table) before the Consent Calendar is addressed. 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 heard immediately after approval of the Consent Calendar to hear the public speaker.

All speakers should refer to the public comment section at the beginning of the agenda for details. Please be aware of the timer light on the Council Dais.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council meetings held on March 08, 2023.

Motion: Moved by Deputy Mayor Zito and second by Councilmember Edson to approve. **Approved 5/0.** Ayes: Heebner, Zito, Edson, Becker, MacDonald. 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 March 04, 2023 – March 24, 2023.

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

A.3. General Fund Adopted Budget for Fiscal Year 2022/2023 Changes. (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.

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

A.4. Animal Control Services Contract. (File 0200-10)

Recommendation: That the City Council

1. Adoption of **Resolution 2023-045** authorizing the City Manager to execute an Agreement with San Diego Humane Society for the delivery of Animal Control Services for the City of Solana Beach.

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

A.5. Community Development Block Grant (CDBG) Cooperative Agreement Extension.
(File 0390-32)

Recommendation: That the City Council

1. Adopt **Resolution 2023-040** authorizing the automatic renewal of the Community Development Block Grant Cooperation Agreement for the qualification periods of July 1, 2024 to June 30, 2025; July 1, 2025 to June 30, 2026; and July 1, 2026 to June 30, 2027.

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

A.6. Principal Management Analyst Position. (File 0510-10)

Recommendation: That the City Council

1. Adopt **Resolution 2023-044** approving the creation of the Principal Management Analyst position at pay grade M-4 of the Management Salary Schedule 1.
2. Approve a FY 2022/2023 appropriation of \$20,000 to the General Fund and \$2,000 to non-General Fund funds allocated between salary and benefits as determined by the Finance Department.
3. Authorize the City Treasurer to amend the FY 2022/2023 Adopted Budget accordingly.

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

A.7. Building Permit Review and Inspection Services. (File 0800-20)

Recommendation: That the City Council

1. Adopt **Resolution 2023-046** authorizing the City Manager to increase the Estimated Building Permit Revenue by \$220,000 from \$305,000 to \$525,000 and increase Professional Services Budget in the Community Development Department Building Services by \$200,000 from \$391,250 to \$591,250.

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

B. PUBLIC HEARINGS: (B.1.)

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 a speaker slip (located on the back table) to the City Clerk. 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 should refer to the public comment section at the beginning of the agenda for time allotment.* Please be aware of the timer light on the Council Dais.

B.1. Public Hearing: 241 Pacific Ave., Applicant: Richard Schrager, Case: DRP 22-014. (File 0600-40)

The proposed project meets the minimum objective requirements under the LUP, SBMC, is 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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2023-033** conditionally approving an interior remodel to an existing multi-level, single family residence as well as the relocation of two exterior staircases and the construction of a covered porch area at 241 Pacific Avenue.

Greg Wade, City Manager, introduced the item.

Corey Andrews, Principal Planner, presented a PowerPoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Tim Martin, Applicant's Architect, presented a PowerPoint (on file) and reviewed changes.

Jim Jaffee, co-lead of the Beach Preservation Committee of the San Diego Chapter of the Surf Rider Foundation referenced his submitted blue folder item and said that the safety factor at the original project approval was approximately 10 ft. east of the property line, that the geological setback line was calculated from that line plus the anticipated erosion over 75 years, therefore if this was true, then all of this proposed development was on the other side of the GSL, that no development should occur seaward of the GSL, and that it would be ideal to review this to ensure this was not the case.

John Franklin, Geosoils Inc., stated that one diagram referenced was based on criteria for GSL in 2010 and was prepared without the benefit of any site-specific shear testing to evaluate the soil strengths, and the other one was based on criteria established in 2018 demonstrating the lower line in the actual GSL, that it defaulted to the 40 ft. setback, and that the Applicant decided to go with the more conservative setback.

Council and the Applicant discussed that there was artificial turf without irrigation, that they were replacing all doors and windows, the stucco would be lightly patched and painted, and to be sure that no additional work is found and completed so not to trigger the 50% threshold.

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

Council discussed that this geotechnical information in this case appears to be following the Land Use Plan (LUP).

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

Mayor Heebner recessed the meeting at 6:51 p.m. for a break and reconvened at 6:56 p.m.

C. STAFF REPORTS: (C.1. – C.2.)

Submit speaker slips to the City Clerk.

All speakers should refer to the public comment section at the beginning of the agenda for time allotments. Please be aware of the timer light on the Council Dais.

C.1. Quarterly Investment Report. (File 0350-44)

Recommendation: That the City Council

1. Accept and file the Cash and Investment Report for the quarter ended December 31, 2022.

Greg Wade, City Manager, introduced the item.

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

Ginny Lynkiewicz, Chandler Asset Management, presented a PowerPoint (on file).

Jennifer Meza, PARS, presented a PowerPoint (on file).

Chris Tsuda, Highmark Capital, presented a PowerPoint (on file).

Rodney Greek, Interim Finance Dir., stated that they aim to continue to offset the OPEB (Other Post-Employment Benefits) liabilities with the earned interest.

C.2. Street Maintenance and Repairs Project – Fiscal Year 2022/23. (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2023-041**:

- a. Approving the list of streets scheduled for maintenance and repairs as part of the 2022/23 Street Maintenance and Repairs Project.
- b. Authorizing the City Engineer to advertise for construction bids for the 2022/23 Street Maintenance and Repairs Project.

Greg Wade, City Manager, introduced the item.

Mo Sammak, Engineering/Public Works Director, presented a PowerPoint (on file).

Council and Staff discussed that the City's street improvements would not be delayed by the SGD&E gas line project and the underground projects, that it was a builder's responsibility to maintain the roads and fix any damage to the streets during their projects, that slurry seal provides longevity and should be done during the summer months, and that the Cliff Street and North Cedros upgrade and repairs to the list could be covered in the contingency funds.

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

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 7:45 p.m.

Angela Ivey, City Clerk

Council Approved: May 10, 2023