

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



## **ACTION AGENDA**

**Joint REGULAR Meeting**  
**Wednesday, May 10, 2023 \* 6:00 p.m.**

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

- 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](#).

### **PUBLIC MEETING ACCESS**

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live. 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.

### **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.

### **AGENDA MATERIALS**

A full City Council agenda packet including relative supporting documentation is available at City Hall, the Solana Beach Branch [Library](#) (157 Stevens Ave.), La Colonia Community Ctr., and online [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org). Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. Writings and documents regarding an agenda of an open session meeting, [received](#) after the official posting, and distributed to the Council for consideration, will be made available for public viewing at the same time. In addition, items received at least 1 hour 30 minutes prior to the meeting time will be uploaded online with the agenda posting. Materials submitted for consideration should be forwarded to the [City Clerk's Department](#) 858-720-2400. The designated location for viewing of hard copies is the City Clerk's office at City Hall during normal business hours.

### **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](mailto: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 two hours 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.

And/Or

Verbal Comment Participation:

Please submit a speaker slip to the City Clerk prior to the meeting, or the announcement of the Section/Item, to provide public comment. Allotted times for speaking are outlined on the speaker's slip for each agenda section: Oral Communications, Consent, Public Hearings and Staff Reports.

Public speakers have 3 minutes each to speak on each topic. Time may be donated by another individual

who is present at the meeting to allow an individual up to 6 minutes to speak. Group: Time may be donated by two individuals who are present at the meeting allowing an individual up to 10 minutes to speak. Group Hearings: For public hearings only, time may be donated by two individuals who are present at the meeting allowing an individual up to 15 minutes to speak.

**SPECIAL ASSISTANCE NEEDED**

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 at least 72 hours prior to the meeting.

As a courtesy to all meeting attendees, please set all electronic devices to silent mode and engage in conversations outside the Council Chambers.

<b><u>CITY COUNCILMEMBERS</u></b>		
<b>Lesa Heebner</b> Mayor		
<b>David A. Zito</b> Deputy Mayor / Councilmember District 1		<b>Jewel Edson</b> Councilmember District 3
<b>Kristi Becker</b> Councilmember District 2		<b>Jill MacDonald</b> Councilmember District 4

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

**SPEAKERS:**

Please submit your speaker slip to the City Clerk prior to the meeting or the announcement of the Item. Allotted times for speaking are outlined on the speaker's slip for Oral Communications, Consent, Public Hearings and Staff Reports.

**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**

**PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

- Mental Health Awareness Month

## **ORAL COMMUNICATIONS:**

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.12.)

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 April 12, 2023.

**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 April 08, 2023 – April 21, 2023.

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

**COUNCIL ACTION: Approved 5/0**

#### **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.

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

**COUNCIL ACTION: Approved 5/0**

**A.4. Solana Beach Lighting Maintenance District Annual Assessments.** (File 0495-20)

Recommendation: That the City Council

1. Adopt **Resolution 2023-053** approving the Solana Beach Lighting Maintenance District Engineer's Report for Fiscal Year 2023/24 for proceedings of the annual levy of assessments within a special maintenance district.
2. Adopt **Resolution 2023-054** declaring intention to provide for an annual levy and collection of assessment in a special maintenance district and setting a time and date for a public hearing; and scheduling the public hearing for June 14, 2023.

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

[Item A.4. Signed Resolutions](#)

**COUNCIL ACTION: Approved 5/0**

**A.5. Solana Beach Coastal Rail Trail (CRT) Maintenance District Annual Assessments.**  
(File 0495-20)

Recommendation: That the City Council

1. Adopt **Resolution 2023-050** initiating the proceedings for the annual levy of assessments within the Coastal Rail Trail Maintenance District for Fiscal Year 2023/24.
2. Adopt **Resolution 2023-051**, approving the Engineer's Report for proceedings of the annual levy of assessments within Coastal Rail Trail Maintenance District.
3. Adopt **Resolution 2023-052**, declaring intention to provide for the annual levy and collection of assessments in Coastal Rail Trail Maintenance District and setting a time and date for a public hearing for June 14, 2023.

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

[Item A.5. Signed Resolutions](#)

**COUNCIL ACTION: Approved 5/0**

**A.6. Financial Audit Services.** (File 0310-20)

Recommendation: That the City Council

1. Adopt **Resolution 2023-055** approving a five-year professional services agreement with Davis Farr LLP for audit services (with two one-year options to extend).

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

[Item A.6. Signed Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**A.7. Annual Deputy Mayor Appointment Guidelines.** (File 0410-85)

Recommendation: That the City Council

1. Review and consider adoption of **Resolution 2023-057** updating guidelines for the annual appointment of the Deputy Mayor.

[Item A.7. Report \(click here\)](#)

[Items A.7. Signed Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**A.8. Sewer and Storm Drain Rehabilitation Project.** (File 1040-26)

Recommendation: That the City Council

1. Adopt **Resolution 2023-059**:
  - a. Awarding the construction contract to Southwest Pipeline and Trenchless Corporation, in the amount of \$649,634, for the Sewer & Storm Drain Rehabilitation Project, Bid 2023-04.
  - b. Approving an amount of \$98,000 for construction contingency.
  - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.
  - e. Authorizing an appropriation of \$89,802 from the General Fund for the Storm Drain Improvements associated with the project.
  - f. Authorizing the City Treasurer to amend the Fiscal Year 2022/23 Adopted Budget accordingly.

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

[Item A.8. Signed Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**A.9. Property Tax Consulting Services.** (File 0390-70)

Recommendation: That the City Council

1. Adopt **Resolution 2023-056** authorizing the City Manager to execute a Professional Services Agreement with HDL Coren & Cone, in an amount not to exceed \$91,191, for Property Tax Consulting Services for a Five-Year Agreement for Fiscal Year (FY) 2023/24 through FY 2027/28 with two additional one-year options to extend.

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

[Item A.9. Signed Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**A.10. Local Streets and Roads Funding Program (SB 1) Project List - Fiscal Year (FY) 2023/24.** (File 0850-35)

Recommendation: That the City Council

1. Adopt **Resolution 2023-060**:
  - a. Authorizing the City Engineer to establish a project list for Local Streets and Roads Funding Program Road Maintenance and Rehabilitation Account FY 2023/24 revenues and designates the 2023 Annual Street Maintenance and Repair Project, as identified in the City's FY 2023/24 Capital Improvement Program list, to receive the SB 1 funding. It is anticipated that the designated project will rehabilitate the pavement on portions of Lomas Santa Fe Drive and

several residential streets including North Acacia Avenue from Estrella Street to Cliff Street, South Nardo Avenue from El Sueno to Corto Street, Patty Hill Drive from Barbara Avenue to North Granados Avenue, and the easterly portion of Via Mil Cumbres. It is also anticipated that the designated project is estimated to be completed by February 2024 and will have an estimated useful life of approximately 15 years.

- b. Authorizing the City Engineer to submit the project list to the California Transportation Commission for the 2023/24 Local Streets and Roads Funding Program using funds from the Road Maintenance and Rehabilitation Account.

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

[Item A.10. Signed Resolution](#)

**COUNCIL ACTION: Approved 5/0**

#### **A.11. Traffic Signal and Safety Lighting Maintenance.** (File 0860-55)

Recommendation: That the City Council

1. Adopt **Resolution 2023-062**:
  - a. Authorizing the City Manager to execute a Professional Services Agreement with Yunex Traffic, Inc., in an amount of \$16,669.72 per year for annual maintenance service, and \$16,000 per year for unforeseen as needed repairs, for a total not to exceed amount of \$32,669.72 per year, for Citywide Traffic Signal and Safety Lighting Maintenance.
  - b. Authorizing the City Manager to approve a one-time expenditure in the amount of \$114,255 for Fiscal Year 2023/24, for Traffic Signal Phase 1 Immediate improvements.
  - c. Authorizing the City Manager to extend the agreement for up to four additional one-year terms, at the City's option.

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

[Item A.11. Signed Resolution](#)

**COUNCIL ACTION: Approved 5/0**

#### **A.12. Solid Waste Review Prop 218 Notification.** (File 1030-15)

Recommendation: That the City Council

1. Adopt **Resolution 2023-061** setting the Solid Waste Rate Review Public Hearing protest vote for June 28, 2023.

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

[Item A.12. Signed Resolution](#)

**COUNCIL ACTION: Approved 5/0**

**NOTE: The City Council shall not begin a new agenda item after 10:30 p.m. unless approved by a unanimous vote of all members present. (SBMC 2.04.070)**

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

*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. Adopt (2<sup>nd</sup> Reading) Ordinance 530: Zoning Text Amendment – San Elijo Hills.**  
(File 0600-05)

Recommendation: That the City Council

1. Adopt **Ordinance 530** adding section 17.68.030(C)(1)(c)(i-vii) to the Solana Beach Municipal Code that would allow for modifications to roof structures of legal nonconforming garages that encroach into the required front yard setback and are located in the Low-Medium Residential Zone north of Lomas Santa Fe Drive and east of the Interstate 5 Freeway.

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

[Item C.1. Signed Ordinance](#)

**COUNCIL ACTION: Approved 4/0/1 (Recused: MacDonald)**

**B. PUBLIC HEARINGS:** (B.1. – B.2.)

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: 424 Santa Bartola, Applicants: Bernier and Fleck, Case: DRP22-009, SDP22-007, MEC23-001.** (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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2023-063** conditionally approving a DRP, SDP, and Minor Exception for construction of a 377 square-foot first-floor and 377 square-foot second-floor additions to an existing two-story, single-family residence with an attached garage, reconstruct the flat roof to a gable roof over the nonconforming garage, and perform associated site improvements at 424 Santa Bartola, Solana Beach.

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

[Item B.1. Power Point](#)

### [Item B.1. Signed Resolution](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0**

### **B.2. Public Hearing: Adoption of Revised 6<sup>th</sup> Cycle Housing Element Update.**

(File 0610-10)

1. Adopt **Resolution 2023-058** adopting the Revised 6th Cycle Housing Element and submitting the document to the California Department of Housing and Community Development for certification.

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

### [Item B.2. Power Point](#)

### [Item B.2. Signed Resolution](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 5/0**

### **C. STAFF REPORTS: (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.2. Revised Draft Work Plan – Fiscal Year 2023/2024.** (File 0410-08)

Recommendation: That the City Council

1. Review and discuss the modifications to the draft Fiscal Year 2023/24 Work Plan and direct Staff to return to Council with the final Fiscal Year 2023/24 Work Plan for approval with the Budget in June 2023.

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

### [Item C.2. Updated Report #1 \(added 05-09-23\)](#)

### [Item C.2. Supplemental Docs \(upd. 05-10-23 at 5:20pm\)](#)

**COUNCIL ACTION: Approved 5/0**

### **WORK PLAN COMMENTS:**

*Adopted June 22, 2022*

### **COMPENSATION & REIMBURSEMENT DISCLOSURE:**

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)**

- 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-MacDonald, Alternate-Edson
- d. Escondido Creek Watershed Authority: Becker / Staff (no alternate).

- e. League of Ca. Cities' San Diego County Executive Committee: Primary-MacDonald, Alternate-Becker. Subcommittees determined by its members.
- f. League of Ca. Cities' Local Legislative Committee: Primary-MacDonald, Alternate-Becker
- g. League of Ca. Cities' Coastal Cities Issues Group (CCIG): Primary-MacDonald, Alternate-Becker
- h. North County Dispatch JPA: Primary-MacDonald, Alternate-Becker
- i. North County Transit District: Primary-Edson, Alternate-MacDonald
- j. Regional Solid Waste Association (RSWA): Primary-Zito, Alternate-MacDonald
- k. SANDAG: Primary-Heebner, 1<sup>st</sup> Alternate-Zito, 2<sup>nd</sup> Alternate-Edson. Subcommittees determined by its members.
- l. SANDAG Shoreline Preservation Committee: Primary-Becker, Alternate-Zito
- m. San Dieguito River Valley JPA: Primary-MacDonald, Alternate-Becker
- n. San Elijo JPA: Primary-Zito, Primary-Becker, Alternate-City Manager
- o. 22<sup>nd</sup> 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 – Edson, MacDonald
- c. Highway 101 / Cedros Ave. Development Committee – Heebner, Edson
- d. Parks and Recreation Committee – Zito, Becker
- e. Public Arts Committee – Edson, Heebner
- f. School Relations Committee – Becker, MacDonald
- g. Solana Beach-Del Mar Relations Committee – Heebner, Edson

**CITIZEN COMMISSION(S)**

- a. Climate Action Commission – Zito, Becker

**ADJOURN:**

**Next Regularly Scheduled Meeting is May 24, 2023**

*Always refer to the City's website Event Calendar for an updated schedule or contact City Hall. [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org) 858-720-2400*

**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 May 10, 2023 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 May 03, 2023 at 4:30 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., May 10, 2023, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk  
 City of Solana Beach, CA

**UPCOMING 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**