

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting
Wednesday, January 10, 2024 * 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](#).

CITY COUNCILMEMBERS

Lesa Heebner
Mayor

Jewel Edson
Deputy Mayor / Councilmember District 3

Kristi Becker
Councilmember District 2

Jill MacDonald
Councilmember District 4

David A. Zito
Councilmember District 1

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 6:00 p.m.

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

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.
Rachel Jacobs, Finance Dir.
Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

PRESENTATIONS: Ceremonial items that do not contain in-depth discussion and no action/direction.

- San Diego County Sheriff's Annual Report

Captain Lawrence, San Diego County Sheriff's Department, presented a PowerPoint (on file) reviewing crime statistics, traffic offenses, homeless outreach, safety efforts, and the benefits of LPR (License Plate Reader) cameras.

Council and Captain Lawrence discussed package theft, on-street collisions and hit and run damage, and the LPR cameras.

APPROVAL OF AGENDA:

Motion: Moved by Deputy Mayor Edson and second by Councilmember Becker to approve. **Approved 5/0.** Ayes: Heebner, Edson, Becker, MacDonald, Zito. 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 agendaized 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 December 13, 2023.

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

Motion: Moved by Councilmember Zito and second by Deputy Mayor Edson to approve. **Approved 5/0.** Ayes: Heebner, Edson, Becker, MacDonald, Zito. 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 November 25, 2023 – December 15, 2023.

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

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

A.3. General Fund Adopted Budget for Fiscal Year 2023/2024 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2023-2024 General Fund Adopted Budget.

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

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

A.5. Fire Station Garage Doors Replacement, Maintenance, and As-Needed Repair Services. (File 0700-14)

Recommendation: That the City Council

1. Adopt **Resolution 2024-001**:
 - a. Ratifying the City Manager's decision to execute amendment No. 2 to the Professional Services Agreement with National Garage Door, in an amount of \$48,000, for a total not to exceed amount of \$230,900 for Fiscal Year 2023/24.
 - b. Authorizing a transfer of \$48,000 from the CIP Fund unallocated fund balance for Fiscal Year 2023/24.
 - c. Authorizing the City Treasurer to amend the Fiscal Year 2023/24 Adopted Budget accordingly.

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

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

A.6. Fiscal Year 2022-23 Street Maintenance and Repair Project. (File 0820-35)

This item was removed from the agenda.

A.7. Code Compliance Vehicle Replacement. (File 0370-26)

Recommendation: That the City Council

1. Approve **Resolution 2024-008** authorizing the purchase of two (2) new Ford Maverick Hybrid pick-up trucks, with equipment upfits, for \$96,680.46 for the Code Compliance Division.

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

Motion: Moved by Councilmember Zito and second by Deputy Mayor Edson to approve. **Approved 5/0.** Ayes: Heebner, Edson, Becker, MacDonald, Zito. 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 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: 825 S. Sierra Ave., Applicant: Del Mar Beach Club Homeowners Association, Case: CUP23-001. (File 0600-40)

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. Find the Proposed Project exempt from the requirements of CEQA pursuant to 2023 State California CEQA Guidelines §15269 as emergency conditions exist onsite. The project could also be found exempt from the requirements of CEQA pursuant to Section 152301 of the State California CEQA Guidelines.
3. Adopt **Resolution 2024-010** conditionally approving a Conditional Use Permit for maintenance and repair of the southern 170 feet of an existing 540-foot lower bluff seawall and an upper bluff drilled pier wall running east to west along the southern property line at 825 S. Sierra Avenue, Solana Beach.

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

[Item B.1. Updated Report #1 \(added 01-04-24 at 11:45am\)](#)

[Item B.1. Updated Report #2 \(added 01-09-24 at 10:30am\)](#)

[Item B.1. Supplemental Docs \(updated 01-10-24 at 12:30pm\)](#)

Greg Wade, City Manager, introduced the item.

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

Mayor Heebner opened the public hearing.

Council disclosures.

Council and Staff discussed that the mitigation fee phase 1 was only for this proposed repair, that the proposal was to include a shotcrete cover on the lower wall and would blend to look like the bluff, the blue folder request to postpone, and that the request was due to an urgency for repair.

Bob Trettin, Applicant's representative, said that phase 1 was for this repair, that there would be next phases for additional repairs in the next few years, the wall was not assessed a fee in the 1980's, that the California Coastal Commission assessed a sand mitigation fee but not a recreation fee in 2001 for a lateral wall approval for which the 30 year will run until 2031, that they would give them a credit on the new fee because there is still 7 years remaining on the last fee assessment, the request for the City to accept the fee assessed by the California Coastal Commission which may be lower or higher, and a request to consider adding language similar to another project "as an alternative to completing conditions B.1., B.2., and B.3., the applicants can modify the condominium association CC&Rs as applicable and recorded with the office of the county recorder and a form and content approved by the city attorney to reflect the obligations imposed under conditions B.1., B.2., and B.3. prior to issuance of the regular permits" to allow for one instead of 192 deed restrictions.

Terry Hines, HOA, reviewed the process for getting to this stage, that the seawall must be fixed due to the obvious gaps in the wall, and that the repair would be hand sculpted and color treated to match the other walls on the bluff.

John Steel said that he lived nearby and was the HOA President at Surfson and COOSSA (Condominium Owners Of South Sierra Association) President, that this was not insignificant, that they would be contributing \$1.4 million in sand mitigation fees for permitting, that their care and interest would benefit the City, and that the Applicant has demonstrated compliance with City rules, and he recommended that the City Council approve the project.

Kristin Brinner, resident and co-lead of the Beach Preservation Committee for Surfrider Foundation, said that she asked in her blue folder submittal about the conditions on past seawalls prior to incorporation such as the one in 1984, that this permit would extend the seawall and be in existence for 65 years by the time the expiration is reached, that they are stating that this is one of many future phases of repairs, the difference between maintenance over time and eventual replacement of the entire seawall, and the LUP's (Land Use Plan) Policy 2.6 regarding phasing out private staircases in favor of public staircases and the public easement in the area.

Bob Trettin, rebuttal, said that they received the Surfrider comments today, that if they were building a new seawall today that the sand mitigation fee would be the same, that there was a public access area to the south in Del Mar, that the easement was in the City of Del Mar, that there was a large amount of funding for the City to provide better beach access and protection, that the older California Coastal Commission permits did not have many conditions and required maintenance, and that the two items he requested were important especially the CC&R amendment if a single deed restriction is not possible.

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

Council and Staff discussed that new seawalls are good for 20 years, that a repair is also for 20 years, the need for a calculation of the percentage being consumed or changed as part of this repair so that it can be tracked over time, consider changing the hours of operation from Memorial Day to Labor Day to include the weekend through the month of September since it

is a warm month and many people still frequent the beach, that the request to change CC&Rs to prevent many deed restrictions was deemed to be under the HOA control and this would not be a requirement of the City and that they were referred to their own Counsel, and consider accepting the California Coastal Commission's fee assessment.

Motion: Moved by Deputy Mayor Edson and second by Councilmember Zito to approve with modifications regarding the California Coastal Commission fee being accepted in lieu of the City's assessment and that conditions B.1, B.2., or B.3. be crafted in a manner to be the least burdensome once consulted with and recommended by the City Attorney . **Approved 5/0.** Ayes: Heebner, Edson, Becker, MacDonald, Zito. Noes: None. Motion carried unanimously.

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. Army Corps Beach Sand Project Presentation.

No recommendation or report.

Greg Wade, City Manager, reported the status of the schedule to begin work in Solana Beach.

A.4. 2024 City Council Meeting Schedule Planning. (File 0410-05)

Recommendation: That the City Council

1. Review, edit, and/or approve a 2024 anticipated Council Meeting schedule with proposed cancellations and/or additional meetings.

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

Motion: Moved by Mayor Heebner and second by Deputy Mayor Edson to approve the schedule with all dark August meetings and a potential Special meeting on November 20th. **Approved 5/0.** Ayes: Heebner, Edson, Becker, MacDonald, Zito. 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](#) None

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 7:24 pm

Angela Ivey, City Clerk

Approved: February 14, 2024