

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting

Wednesday, September 26, 2018 * 6:00 p.m.

Minutes contain a summary of significant discussions and formal actions taken at a City Council meeting.

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

Teleconference - Hotel Aspen, 110 West Main Street. Aspen, Colorado

- 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

David A. Zito, Mayor

Jewel Edson, Deputy Mayor

Judy Hegenauer, Councilmember

Lesa Heebner, Councilmember

Peter Zahn, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Deputy Mayor Zito called the meeting to order at 6:02 p.m.

Present: David A. Zito, Jewel Edson, Judy Hegenauer, Lesa Heebner, Peter Zahn

Absent: None

Also Present: Greg Wade, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk,
Dan King, Assistant City Manager
Mo Sammak, City Engineer/Public Works Dir.
Marie Berkuti, Finance Manager
Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: (when applicable)

FLAG SALUTE:

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FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Councilmember Hegenauer and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

ORAL COMMUNICATIONS:

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. 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 presentation is THREE MINUTES (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

Kristine Schindler spoke about participating in Walk-tober, International Walk to School Day on October 10th, and safety needed with increased activity on the streets.

Carla Hayes spoke about a Change.org petition of 1,340 signers opposing the potential Del Mar rezoning, concerns with views, traffic, water supply and environmental issues, and asked that Council put it on a future agenda.

Al Evans requested an update on the S.E.A. (Solana Energy Alliance) regarding the number of participants and non-participants, current costs of the program, initial loan and terms of the loan, and who would be responsible if the program failed.

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.5.)

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 discussed immediately after approval of the Consent Calendar.

A.1. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for August 18 – September 7, 2018.

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

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.

Motion: Moved by Councilmember Hegenauer and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

A.2. General Fund Adopted Budget for Fiscal Year 2018-2019 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2017-2018 General Fund Adopted Budget.

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

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Motion: Moved by Councilmember Hegenauer and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

A.3. Regional Wireless Emergency Alert System. (File 0240-60)

Recommendation: That the City Council

1. Adopt **Resolution 2018-127**:
 - a. Approving the Wireless Emergency Alert Memorandum of Agreement between the County of San Diego and the City of Solana Beach; and
 - b. Authorizing the City Manager to execute the Memorandum of Agreement on behalf of the City of Solana Beach.

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

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Motion: Moved by Councilmember Hegenauer and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

A.4. 234 S. Rios Sewer Main Construction. (File 1040-60)

Recommendation: That the City Council

1. Adopt **Resolution 2018-125** authorizing the City Manager to execute an agreement on behalf of the City with the owners of 234 South Rios Avenue for a sewer main construction reimbursement agreement.

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

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Motion: Moved by Councilmember Hegenauer and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

A.5. Engineering/Public Works Replacement Tractor. (File 0370-26, 0380-60)

Recommendation: That the City Council

1. Adopt **Resolution 2018-121**:
 - a. Approving the purchase of a 2018 Kubota Tractor for \$48,546.
 - b. Authorizing an appropriation of \$48,546 from the Asset Replacement Reserve Fund into the Asset Replacement Public Works Vehicle Expenditure account.
 - c. Authorizing the City Treasurer to amend the FY 2017-2018 Adopted Budget accordingly.

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

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Motion: Moved by Councilmember Hegenauer and second by Councilmember Heebner to approve. **Approved 5/0.** Motion carried unanimously.

C. STAFF REPORTS: (C.1.)

Submit speaker slips to the City Clerk.

C.1. Lomas Santa Fe Corridor Improvement Project Clarification. (File 0820-15)

Recommendation: That the City Council

1. Adopt **Resolution 2018-129** providing clarification and direction on the study of a potential roundabout at the intersection of Lomas Santa Fe Drive and Highland Drive as part of the Lomas Santa Fe Corridor Improvement Project.

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

[Item C.1. Supplemental Docs \(Updated 9-26 at 2:45pm\)](#)

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

Greg Wade, City Manager, introduced the item, summarized public comments received regarding roundabouts from the August 22nd and September 11th Council Meetings, and said that 284 responses opposed the study of any roundabouts, 72 responses favored the studying of all four roundabouts, 30 responses supported the study of one roundabout at Highland, 12 responses favored studying a hybrid design, and that overall 71% of the responses opposed the studying of any roundabouts and 29% favored studying some form of roundabouts.

Councilmember Heebner spoke about her history and opposition to past projects and her understanding of the opposition to roundabouts, and made a motion to eliminate the consideration and studying of all roundabouts and retaining of all four lanes on Lomas Santa Fe east of Las Banderas.

Harley Gordon spoke in favor of eliminating all roundabouts, the public being heard, and retaining all driving lanes between Highland and Interstate-5 (I-5).

Kelly Harless spoke about opposing all roundabouts, no reduction of lanes on Lomas Santa Fe east of the I-5, the opposite points of view on the issue, the hard work that went into the proposal, and resolving the issue.

Kristi Becker spoke about opposing any further study of roundabouts, maintaining four lanes on Lomas Santa Fe, and safety for all modes of transportation without roundabouts.

Kristine Schindler spoke about the transformation of the corridor towards a "complete street" that benefits all users, traffic calming, and supporting the project proposal without restrictions.

Elizabeth Borst spoke about supporting roundabouts because they helped traffic flow, adding at least one roundabout at Highland, safer streets for all ages and abilities, the current safety risk of aged drivers on Lomas Santa Fe without stop signs or roundabouts, and to continue research of all options.

Dorothy Deans spoke about being visually impaired, the ease of using roundabouts for walking or driving her motorbike, critics changing their view of roundabouts after using them,

trucks being able to pass through them, the benefit to traffic, bikers, and were safer for children, and that she favored having at least one roundabout.

Paul Dickstein spoke about his support of roundabouts, his positive experience using them in other cities, the smooth and continuous traffic flow with roundabouts, current delays on Lomas Santa Fe with controlled intersections, the spread of misconceptions about roundabouts, support for the expert traffic engineers and outside consultants, and to support the four proposed roundabouts.

Tammy Tidmore spoke about her incident regarding the removal of her ROAR (Residents Opposing All Roundabouts) signs and the difficulty getting them back.

Ted Axe spoke about being the General Manager at the Lomas Santa Fe Country Club, its opposition to any traffic restrictions along the corridor, maintaining the current four lanes, and the three roundabouts in Carlsbad that caused confusion and recently removed at the City's expense.

Roger Boyd spoke about continued evaluation of all design options, his opposition to the resolution, this early rejection of applicable options, encouraging the public to make suggestions but not demand inclusion or rejection of design concepts at this early stage, and consider allowing a newly elected Council to take responsibility of the project.

Mary Jane Boyd spoke about the need for additional education, keeping residents engaged and active in the decision-making, her opposition to interference or restrictions at this phase of the study, that importance of obtaining the data for the project and allowing Staff and engineers to finish the study, and her support for the continued study of roundabouts.

Marjorie Williams spoke about the majority of East side residents opposing roundabouts and her support to eliminating the roundabouts.

Dawn Seymour spoke about favoring the continuation of the study, the many opportunities to improve the corridor, not supporting a specific number of roundabouts, and giving Staff the opportunity to determine what was best.

John Frank spoke about the survey results showing an overwhelming number of people against roundabouts, and that more thought should go into how to sell a project of this magnitude to residents.

Richard Rothschild spoke about his opposition to roundabouts and the reduction of Lomas Santa Fe down to one lane because it would not help traffic calming.

Leane Marchese spoke about being in favor of the continued study of roundabouts, decisions not being based on who made comments to Council, that she had always liked roundabouts, and their use in other parts of the world.

Christy Whalen spoke about being the manager of the Rancho Santa Fe Association, opposing restrictions on Lomas Santa Fe, and that reducing lanes or adding roundabouts would make traffic worse and emergency response more difficult.

Laurel Graziano spoke about her visually impaired son who would never be able to drive which encouraged her interest in alternative modes of transportation, the traffic calming needed on Lomas Santa Fe, the consideration of pedestrians, and her support for listening to the engineers and consultants.

Craig Nelson spoke about his early opposition to traffic jamming and roundabouts, the public's response and going back to Phase 1 to redesign, getting input from businesses and other cities, and the reduction of two bike lanes to one lane on Lomas Santa Fe would be dangerous.

Karl Rudnick (time donated by Jill Cooper) spoke about better outreach in Phase 3, increased e-blasts and workshops, publicizing at Bike Walk Solana Meetings, and consideration of a multi-use path from Highland to the Coastal Rail Trail.

Shawna McGarry spoke about her support of the draft plan, Lomas Santa Fe becoming safer for pedestrians, support for roundabouts, a separate crossing path for Earl Warren and Skyline students, and a multiuse path to the coast.

Deputy Mayor Edson spoke about the traffic calming and safety goal, making the street user friendly for everyone, and if the goals could be met without roundabouts then she would support Councilmember Heebner's earlier motion.

Councilmember Zahn spoke about the public comments, changing his mind and favoring the elimination of all roundabouts on Lomas Santa Fe, and supporting the motion.

Mayor Zito spoke about supporting the motion, the data that showed roundabouts were safer, the vast majority of citizens opposing roundabouts, his support to eliminate them due to the community's preference, the roundabout matter put the whole project at risk, and that public outreach would be further improved in the future.

Councilmember Hegenauer spoke about supporting the resolution, opposing roundabouts, and requested that drivers slow down.

Motion: Moved by Councilmember Heebner and second by Deputy Mayor Edson to approve to amend the resolution to eliminate all roundabouts, preserve four lanes of travel and remove numbers 3. and 4. **Approved 5/0.** Motion carried unanimously.

Mayor Zito recessed the meeting at 7:55 p.m. for a break and reconvened at 8:00 p.m.

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 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. Please be aware of the timer light on the Council Dais.

B.1. Public Hearing: Partial Street Vacation at 982 Avocado Place. (File 0820-73)

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. Consider adoption of **Resolution 2018-119**:
 - a. Approving that the portion of the public street right-of-way described and shown on Exhibits A and B of Resolution 2018-119 shall be vacated.
 - b. Authorizing the City Clerk to certify a copy of this resolution and have it recorded at the County of San Diego Recorder in accordance with Section 8325 of the Streets and Highway Code.

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

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Greg Wade, City Manager, introduced the item.

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

Mayor Zito opened the Public Hearing.

Council disclosures.

Council and Staff discussed that the area of the proposed vacation was too small and on a slope making it unsuitable for a pocket park, and that a landscape plan could be conditioned to limit the height of the trees for similar concerns to height.

Motion: Moved by Councilmember Heebner and second by Councilmember Hegenauer to close the public hearing. **Approved 5/0.** Motion carried unanimously.

Motion: Moved by Councilmember Heebner and second by Councilmember Hegenauer to approve. **Approved 5/0. Motion carried unanimously.**

B.2. Public Hearing: 301 W. Cliff Street, Applicant: Meineke, Case 17-17-10. (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 2018-124** conditionally approving a Development Review Permit (DRP) and an Structure Development Permit (SDP) to construct a replacement two-story, single-family residence with an attached garage and subterranean basement level, and perform associated site improvements 301 W. Cliff Street, Solana Beach.

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

[B.2. Supplemental Docs \(Updated 9-25 at 1pm\)](#)

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.

Greg Wade, City Manager, introduced the item.

Regina Ochoa, Assistant Planner, presented a PowerPoint (on file).

Mayor Zito opened the Public Hearing.

Council Disclosures.

Council and Staff discussed the concern about the height of the trees, the agreement with the neighbors to keep trees at a lower height and the height of the building, and that the zoning area did permit permanent window wells in the setback.

Bob Moldenhauer spoke about being a successor trustee for the Streater Family, that the revisions were a product of discussions with the claimant, and that he thought that the issues had been resolved.

Ryan Meineke, applicant, spoke about the property being his home and not an investment property, the many revisions were made including a 4ft. height reduction, the total redesign of the home and the new landscape plan were based on discussions with the neighbors, and that they wanted to be good neighbors and made the necessary revisions.

Kevin Mulliney, architect, spoke about his past work in beach communities, this being the largest project change he had ever made due to neighbor concerns, and that the changes had caused considerable delays on the project.

Motion: Moved by Councilmember Heebner and second by Councilmember Hegenauer to close the public hearing. **Approved 5/0.** Motion carried unanimously.

Motion: Moved by Councilmember Heebner and second by Councilmember Hegenauer to approve. **Approved 5/0.** Motion carried unanimously.

C. STAFF REPORTS: (C.2.)

Submit speaker slips to the City Clerk.

C.2. Year-End Budget Adjustments for Fiscal Year 2017-2018. (File 0330-30)

Recommendation: That the City Council

1. Accept and file the General Fund Update for Fiscal Year (FY) 2017-2018.
2. Provide direction to Staff regarding whether to use an amount of the projected General Fund surplus to fund the PARS Irrevocable Trust as part of a budget appropriation to the General Fund and other funds as determined by the Finance Department for Fiscal Year 2017-2018.
3. Provide direction to Staff regarding whether to use an amount of the projected General Fund surplus to fund the City CIP fund.
4. Provide direction to Staff regarding whether to authorize the FY 2018-2019 PERS Side Fund payment to the Sanitation Fund of \$168,269 be made in FY 2017-2018.
5. Approve **Resolution 2018-128** revising appropriations in the Fiscal Year 2017-2018 Budget.

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

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Greg Wade, City Manager, introduced the item.

Marie Berkuti, Finance Manager, presented a PowerPoint (on file).

Council and Staff discussed the numbers in the report, the unexpected legal costs for the District Election process was on last year's budget, additional legal funds included in the City Attorney's budget, and the recent property purchase would not affect this year's budget.

Discussion continued regarding allocating \$450,000 towards P.A.R.S. (Public Agency Retirement Services) Trust, \$155,000 towards paying off the P.E.R.S. (Public Employees Retirement System) side fund, and allocating the remaining \$420,000 C.I.P. (Capital Improvement Projects) budget for projects such as the Marine Safety Center and La Colonia Tot Lot, whether to allocate some surplus towards staffing needs.

Motion: Moved by Councilmember Heebner and second by Councilmember Hegenauer to approve with the following allocations: \$158k to pay off PERS side fund, \$400k deposited to PARS, and \$420k towards C.I.P. projects. **Approved 4/1** (Noes: Zahn).

WORK PLAN COMMENTS:

Adopted June 13, 2018

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 at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS:

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

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

ADJOURN:

Mayor Zito adjourned the meeting at 9:09 p.m.

Megan Bavin, Deputy City Clerk

Approved: December 5, 2018