

# CITY OF SOLANA BEACH

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



## MINUTES

Joint REGULAR Meeting

Wednesday, June 27, 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, Deputy Mayor

Jewel Edson, Councilmember

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 6:16 p.m.

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

Absent: Lesa Heebner

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:

### APPROVAL OF AGENDA:

**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

### 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.

Dr. Ed Siegel spoke about a 2005 resolution to sing the Star Spangled Banner in G major, a July 4<sup>th</sup> event where he would be conducting 30,000 people singing the song with the Symphony, his annual Sing-a-Long, and his certification of appreciate from former Mayor Schlesinger.

Carol Dahlberg-Bohl spoke about her opposition to the 2-hour parking enforcement on S. Cedros from Via de la Valle to Cofair, the need for residential parking passes, and to not enforce the parking in the area or move the parking signs.

### **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.9.)

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 May 5–18, 2018.

#### **Item A.1. Report (click here)**

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**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

#### **A.2. General Fund Adopted Budget for Fiscal Year 2017-2018 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 Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**A.3. City Investment Policy Fiscal Year 2018/19.** (File 350-30)

Recommendation: That the City Council

1. Adopt **Resolution 2018-066** approving the City's Investment Policy for Fiscal Year 2018/19.

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

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**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**A.4. Cooperative Fire Management Services Third Amendment to Agreement by and between the Cities of Del Mar, Encinitas, and Solana Beach.** (File 0260-10)

Recommendation: That the City Council

1. Adopt **Resolution 2018-082**:
  - a. Approving the Third Amendment to the Agreement for Cooperative Fire Management Services by and between the cities of Del Mar, Encinitas, and the Solana Beach; and
  - b. Authorizing the City Manager to execute the third amendment.

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

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**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**A.5. Advanced Life Support First Responder Services, County Service Area 17, County of San Diego Contract Amendment.** (File 0260-00)

Recommendation: That the City Council

1. Adopt **Resolution 2018-085**:
  - a. Approving Amendment 13 Contract No. 45207 with the County of San Diego Purchasing and Contracting to extend advanced life support first responder services in County Service Area 17.
  - b. Authorizing the City Manager to execute the Amendment to the Contract on behalf of the City of Solana Beach.

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

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**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**A.6. 2017 Street Maintenance & Repair Project.** (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2018-081**:

- a. Authorizing the City Council to accept, as complete, the 2017 Street Maintenance & Repair Project, Bid No. 2017-08, performed by PAL General Engineering.
- b. Authorizing the City Clerk to file a Notice of Completion.
- c. Approving an additional contingency of \$37,646 and authorizing the City Manager to approve cumulative change orders up to a revised construction contingency amount of \$106,646.

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

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**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**A.7. Ratifying the City Manager's Decision to Install Stop Signs on Santa Helena at Sun Valley and Accepting the Donation of Two Speed Feedback Signs by the Isla Verde Homeowners Association for Use Along Highland Drive.** (File 0860-50)

Recommendation: That the City Council

1. Adopt **Resolution 2018-080**:
  - a. Ratifying the City Manager's decision to install stop signs in both directions on Santa Helena at Sun Valley Road.
  - b. Authorizing the City Manager to accept the donation of two speed feedback signs from the Isla Verde Homeowners Association for use on Highland Drive between San Lucas Drive and San Andres Drive.

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

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**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**A.8. Audit Services Agreement with Lance, Soll, and Lunghard for Audit Services.** (File 0310-05)

Recommendation: That the City Council

1. Adopt **Resolution 2018-083** approving and ratifying professional services agreement with Lance, Soll, and Lunghard for audit services.

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

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**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**A.9. Community Development Professional Service Agreements with Coastal Frontiers Corporation, Telecom Law Firm and City Place Planning.** (File 0600-90)

Recommendation: That the City Council

1. Adopt **Resolution 2018-071**, authorizing the City Manager to execute a Professional Services Agreement with Coastal Frontiers.

2. Adopt **Resolution 2018-072**, authorizing the City Manager to execute a Professional Services Agreement with Telecom Law Firm.
3. Adopt **Resolution 2018-074**, authorizing the City Manager to execute Professional Services Agreement Amendment #1 with City Place Planning.

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

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**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**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 designees 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: Solana Beach Coastal Rail Trail Maintenance District Fiscal Year 2018/19 Final Engineer's Report and Ordering the Levy and Collection of Annual Assessments.** (File 0610-60)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Adopt **Resolution 2018-076**, approving the Engineer's Report regarding the Coastal Rail Trail Maintenance District.
3. Adopt **Resolution 2018-077**, ordering the levy and collection of the annual assessments regarding the Coastal Rail Trail Maintenance District for Fiscal Year 2018/19.

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

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Greg Wade, City Manager, introduced the item.

Angela Ivey, City Clerk, reported there were no protests received.

**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to close the public hearing. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**Motion:** Moved by Councilmember Zahn and second by Councilmember Edson to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**B.2. Public Hearing: Solana Beach Lighting District Fiscal Year (FY) 2018/19 Final Engineer's Report and Ordering the Levy and Collection of Annual Assessments.** (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. Adopt **Resolution 2018-078** confirming the diagram and assessment and approving the Engineer's Report.
3. Adopt **Resolution 2018-079** ordering the levy and collection of annual assessments for FY 2018/19 and ordering the transmission of charges to the County Auditor for collection.

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

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**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to close the public hearing. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**Motion:** Moved by Councilmember Hegenauer and second by Councilmember Edson to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**C. STAFF REPORTS:** (C.1. - C.7.)

*Submit speaker slips to the City Clerk.*

**C.2. Climate Action Plan Implementation Plan and Cost Study.** (File 220-10)

Recommendation: That the City Council

1. Approve **Resolution 2018-087** approving the CAP Implementation Plan and Cost Study.

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

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

Poonam Boparai, Ascent Environmental, spoke of checking off items as complete as well as ongoing tracking of the larger goal.

Council discussed the work of many contributors that led to this plan and study, working with multiple partners, taking advantage of other opportunities such as potable re-use, in addition to the purple pipe listed, and other ideas that may suit the organization, the C.C.A.

(Community Choice Aggregation) was the second largest mitigation measure in the plan, and updates of the list for completed and pending tasks.

**Motion:** Moved by Councilmember Zahn and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**C.3. Community Grant Program Awards Fiscal Year 2018/19.** (File 0330-25)

Recommendation: That the City Council

1. Select the FY 2018/19 Community Grant Program recipients and identify an award amount to each recipient.
2. Adopt **Resolution No. 2018-086**
  - a. Authorizing the funding for the selected community grant applicants for financial assistance under the FY 2018/19 Community Grant Program.
  - b. Appropriating \$5,000 to the Community Grant revenue account and the Contribution to Other Agencies expenditure account in the General Fund.
  - c. Authorizing the City Treasurer to amend the FY 2018/19 Adopted Budget accordingly.

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

[Item C.3. Supplemental Docs \(Updated 6-27 at 430pm\)](#)

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Deputy Mayor Zito introduced the item.

Public Speakers

Manny Aguilar and Mary Ann Aguilar, representing La Colonia de Eden Gardens, Inc. Foundation, spoke about their financials, governance, unfounded allegations, and that all of the paperwork requested by the City was provided.

Carmen Blum spoke about the amazing work that all of the organizations provided to the community, considering modifying the presentation process by not conducting it in public, and streamlining the focus on the specific organizations and their requests to eliminate personal comments or family feuds that were not productive.

Olga Vasquez, UCSD, spoke about her past service to these programs serving children in La Colonia, that the organization's Teenology Ranger project was excellent and a large percentage of participants desired to attend college, her involvement acting as an advisor, and that the project was a model across the state.

Jan Kooistra said that she was the site coordinator with La Clase Majica, and spoke about La Colonia organization's support by providing healthy snacks for kids, and that the organization had always done a wonderful job with after school kids.

Margaret Hellerboard spoke about her membership at St. James, her familiarity with the Aguilars who had a sense of pride in the community, and her request that Council support the organization.

Deputy Mayor Zito stated that the process had to be public, and not behind the scenes, because a public agency was using public funds, and the right of the public to speak.

Council discussed funding for La Colonia de Eden Gardens Foundation, that the subject of the allegations made against the organization had made their application less competitive, that the organization had made great contributions to the community over the years, that there was no confirmation of the allegations so it was difficult to assess the concerns, that the City would be contributing funds to the Dia de los Muertos event through the Parks and Recreation Commission this year effectively providing grant support to them, that something had happened between two parties causing divisiveness, that the issue needed to be addressed because both parties were well respected in the community, and that Councilmembers were interested in offering any assistance in facilitating a resolution among the parties.

Council spoke about their proposed allocations, reasons for funding organizations, common interests, and reached consensus on the allocation of the funds.

**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve the following funding allocations. **Approved 4/0/1** (Absent: Heebner). Motion carried.

American Association of University Women	\$2,000
Assistance League Rancho San Dieguito	\$3,000
Boys and Girls Club of San Dieguito	\$5,000
Casa De Amistad	\$5,000
Community Resource Center	\$5,000
North Coast Repertory Theatre	\$5,000
North County Immigration & Citizenship Center	\$2,000
Reality Changers	\$5,000
San Dieguito River Valley Conservancy	\$2,500
Solana Beach Civic and Historical Society	\$2,900
Solana Beach Disconnect Collective - Plug	\$2,000
Solana Beach Soccer Club	\$1,600
St. James & St. Leo Medical Program	\$4,000
<b>Total</b>	<b>\$45,000</b>

**C.4. Adopt (2<sup>nd</sup> Reading) Ordinance 487 Amending the Highway 101 Specific Plan – Specific Plan Amendment No. 17-18-09.** (File 0490-70)

Recommendation: That the City Council

1. Adopt **Ordinance 487** (2<sup>nd</sup> Reading) amending the Highway 101 Specific Plan.

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

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Johanna Canlas, City Attorney, read the title of the ordinance and that the definition language of roof decks was updated.



**Motion:** Moved by Councilmember Edson and second by Councilmember Hegenauer to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**C.6. Opposition to the Trump Administration's Zero Tolerance Policy and Family Separation of Immigrants.** (File 480-60)

Recommendation: That the City Council

1. Consider adoption of **Resolution 2018-088** in opposition to the Trump Administration's "Zero Tolerance" policy and family separation of immigrants.

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

[Item. C.6. Supplemental Docs \(Updated 6-27 at 4:30pm\)](#)

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Greg Wade, City Manager, introduced the item that was requested by Councilmember Zahn.

Councilmember Zahn spoke about the White House Administration's treatment of immigrants as criminals, separating children from parents, the protests all over the country, and the court's recent decision.

Lisa Montes spoke about being a 4<sup>th</sup> generation resident of Solana Beach, her great grandparents settlement in Eden Gardens in the early 1920s, their descendants were college graduates and worked as professionals, that nearly 100 years later families have continued to settle in Eden Gardens to make better lives for their families, and asked Council to take a stand against the zero tolerance policy.

Cindi Clemons spoke of her opposition of the policy, her request that Council pass the resolution, Solana Beach's designation as a Welcoming City, many people fleeing their home countries risking their lives, the lifelong health problems created from children being forcibly separated from a parent, the Trump policy intention as a deterrent and its cruel message, and this policy was not the way to achieve immigration reform.

**Motion:** Moved by Councilmember Hegenauer and second by Councilmember Zahn to approve. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**C.7. Discussion and Consideration of Mayoral Rotation: Mayor / Deputy Mayor Appointments.** (File 0410-85)

Recommendation: That the City Council

1. Review and consider whether to make the appointment of a Mayor and Deputy Mayor for a term until the December 2018 Mayoral rotation and, if so, determine the effective date.

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

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Greg Wade, City Manager, introduced the item.

Council discussed the need to appoint a Mayor and the rotation policy.

**Motion:** Moved by Councilmember Zahn and second by Councilmember Hegenauer to approve appointing Dave Zito as Mayor and Jewel Edson as Deputy Mayor beginning July 10<sup>th</sup>. **Approved 4/0/1** (Absent: Heebner). Motion carried.

**C.1. Crossing Guard Services Council Consideration of Approving a Memorandum of Understanding with the Solana Beach School District.** (File 0860-35)

Recommendation: That the City Council

1. Adopt **Resolution 2018-089** authorizing the City Manager to execute a Memorandum of Understanding with the Solana Beach School District to Provide Crossing Guard Services

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

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Not heard. This item was adjourned to a July 10, 2018 Council Regular Adjourned Meeting.

**C.5. Real Property Located at 700 Stevens Avenue: Establish an Internal Service Fund to Receive Funds from the Sanitation Fund to Pay for the Acquisition of Real Property and Approval of the Purchase and Sale Agreement.** (File 0490-70)

Not heard. This item will be heard at the July 11, 2018 Council meeting.

**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:**

Deputy Mayor Zito adjourned the meeting at 7:50 p.m. to an adjourned meeting on July 10, 2018.

Angela Ivey, City Clerk

Approved: November 28, 2018