

**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, February 22, 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](#).

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### **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> 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:**

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 5/0**

**PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

Black History 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.8.)

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 January 11, 2023 and January 25, 2023.

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

**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 January 21, 2023 – February 10, 2023.

**[Item A.2. 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.*

**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 \(click here\)](#)**

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**COUNCIL ACTION: Approved 5/0**

**A.4. Fire Station Generator Replacement – Reject all Bids.** (File 0370-38)

Recommendation: That the City Council

1. Adopt **Resolution 2023-025**:
  - a. Rejecting all construction bids received for the Fire Station Emergency Stand-by Generator Replacement, Bid No. 2022-06.
  - b. Authorizing the City Engineer to re-advertise the project for competitive construction bids.

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

[Item A.4. Supplemental Docs \(Updated 2-21-23 at 10:45am\)](#)

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**COUNCIL ACTION: Approved 5/0**

**A.5. California State Lands Commission Lease for United States Army Corps of Engineers (USACE) Encinitas – Solana Beach Coastal Storm Damage Reduction Project.** (File 0740-80)

Recommendation: That the City Council

1. Adopt **Resolution 2023-024** authorizing City Manager to act on behalf of the City of Solana Beach, in consultation with the City Attorney, to sign a lease of State Lands with the California State Lands Commission to ensure Project construction begins on schedule in late 2023.
2. Authorize the City Manager to approve expenditures and amend the Fiscal Year (FY) 2022/23 Budget as needed to execute this 50-year lease up to an amount of \$25,000, but not greater than the cost of this lease.

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

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**COUNCIL ACTION: Approved 5/0**

**A.6. Citywide Landscape Maintenance Services.** (File 0750-25)

Recommendation: That the City Council

1. Adopt **Resolution 2023-022**:
  - a. Authorizing the City Manager to execute an amendment to the Professional Services Agreement with Nissho of California, Inc., in an amount not to exceed \$427,411, for Citywide Landscape Maintenance Services for Fiscal Year 2022/23.
  - b. Appropriating \$25,000 from the General Fund – Undesignated Reserves to the Landscape Maintenance Professional Services Agreement with Nissho.
  - c. Authorizing the City Treasurer to amend the Fiscal Year 2022/23 Adopted Budget accordingly.

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

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**COUNCIL ACTION: Approved 5/0**

**A.7. Fire Station Door Inspection, Maintenance, and As-Needed Repair Services.**  
(File 0700-25)

Recommendation: That the City Council

1. Adopt **Resolution 2023-016**:

- a. Authorizing the City Manager to execute a Professional Services Agreement with National Garage Doors in an amount of \$5,900 per year for annual maintenance service, and \$3,000 per year for unforeseen, as-needed repairs, for a total not to exceed amount of \$8,900 per year for Fiscal Year 2022/23.
- b. Authorizing the City Manager to extend the agreement up to four additional one-year terms, at the City's option.
- c. Authorizing the City Manager to approve the one-time purchase and installation of six garage doors for the Solana Beach Fire Station in an amount of \$140,000, and a 15% (\$21,000) contingency amount for unforeseen repairs, for a total not to exceed amount of \$161,000 for FY 2022/23.
- d. Authorizing the City Treasurer to increase the FY 2022/2023 CIP Budget in the amount of \$74,000 and authorizing the transfer of \$74,000 from the Facilities Replacement Fund to the CIP fund.
- e. Authorizing the City Treasurer to amend the FY 2022/23 Adopted Budget accordingly.

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

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**COUNCIL ACTION: Approved 5/0**

**A.8. Traffic Signal Maintenance Services.** (File 0860-55)

Recommendation: That the City Council

1. Adopt **Resolution 2023-017**:

- a. Authorizing the City Manager to execute Amendment No. 7 to the Professional Services Agreement with Yunex Traffic to increase the compensation to an amount not to exceed \$71,000 for FY 2022/23 to replace a traffic signal pole and associated equipment at the Lomas Santa Fe/Plaza Entrance intersection.
- b. Appropriating \$45,000 from the General Fund – Undesignated Reserves to the Traffic Safety Operating Budget.
- c. Authorizing the City Treasurer to amend the FY 2022/23 Adopted Budget accordingly.

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

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**COUNCIL ACTION: Approved 5/0**

**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: 147 S. Rios Ave., Applicant: Betsey Von Summer, Case: DRP22-007, SDP22-005.** (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 and SDP. 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 2023-019** conditionally approving a DRP and SDP to construct a new two-story single-family residence with an attached garage and perform associated site improvements at 147 South Rios Avenue, Solana Beach.

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

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**COUNCIL ACTION: Approved 5/0**

**B.2. Re-introduce (1<sup>st</sup> Reading) Ordinance 529 with Amendments – Building Standards Code Amendments.** (File 0600-05)

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 project exempt from the California Environmental Quality Act pursuant to Section 15308 CEQA Guidelines
3. Re-Introduce **Ordinance 529** (1st Reading).

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

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**COUNCIL ACTION: Approved 5/0**

**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. Annual Comprehensive Financial Report (ACFR) – Fiscal Year 2021-22.**  
(File 0310-11)

Recommendation: That the City Council

1. Accept and file the City of Solana Beach Annual Comprehensive Financial Report (ACFR) for the Fiscal Year July 1, 2021 – June 30, 2022.
2. Accept and file the Communication of Internal Control Related Matters Identified in an Audit letter.
3. Accept and file The Auditor’s Communication with Those Charged with Governance letter.

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

[Item C.1. Updated Report #1 \(added 2-21-23\)](#)

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**COUNCIL ACTION: Approved 5/0**

**C.2. 2023 Citizen Commission Appointments.** (File 0120-06)

Recommendation: That the City Council

1. Appoint four (4) members to the **Parks and Recreation** Commission nominated/appointed by *Council-at-large* for two-year terms.
2. Appoint four (4) members to the **Public Arts** Commission nominated/appointed by *Council-at-large* for two-year terms.

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

[Item C.2. Updated Report #1 \(added 2-17-23\)](#)

[Item C.2. Updated Report #2 \(added 2-22-23\)](#)

*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 to appoint Deborah Sweet, Halle Shilling, Jeanie Grischy, and Vicki Cypherd until 2025 to the Public Arts Commission.**

**COUNCIL ACTION: Approved 5/0 to appoint and Sarah Shulkin, Matt Linnik, Debbie Day, and Carol Jensen until 2025, and H. Shane Naroozi until 2024 to the Parks and Recreation Commission.**

**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 March 8, 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 February 22, 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 February 15, 2023 at 2:30 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., February 22, 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**