

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting
Wednesday, March 22, 2023 * 6:00 p.m.

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

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

- 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

David A. Zito
Deputy Mayor / Councilmember District 1

Jewel Edson
Councilmember District 3

Kristi Becker
Councilmember District 2

Jill MacDonald
Councilmember District 4

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 6:17 p.m.

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

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.

Rodney Greek, Interim Finance Dir.

Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Councilmember Zito and second by Councilmember Edson to approve.

Approved 5/0. Ayes: Heebner, Zito, Edson, Becker, MacDonald. Noes: None. Motion carried unanimously.

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.

Cole Reed stated that he was the new local liaison for Senator Toni Atkins’ office.

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.6.)

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.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council meetings held on February 22, 2023 and February 25, 2023.

Motion: Moved by Councilmember Becker and second by Councilmember Zito to approve. **Approved 5/0.** Ayes: Heebner, Zito, Edson, Becker, MacDonald. 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 February 25, 2023 – March 03, 2023.

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

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.

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

A.4. Housing Element Annual Progress Report and Housing Successor Annual Report for Fiscal Year 2021/22. (File 0610-10)

Recommendation: That the City Council

1. Adopt **Resolution 2023-039** approving the 2022 Housing Element Annual Progress Report and the 2021/22 Housing Successor Annual Report as submitted and directing City Staff to file the report with the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

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

A.5. Lomas Santa Fe East Side Construction Contract. (File 0820-15)

Recommendation: That the City Council

1. Adopt **Resolution 2023-035:**
 - a. Authorizing the City Manager to execute an amendment to the Professional Services Agreement, for an increase of \$148,480, with Michael Baker International for the preparation of a set of bid documents for the east side of the project, which would extend from Santa Helena to Highland Drive.
 - b. Appropriating \$148,480 to the Lomas Santa Fe Corridor Improvement CIP project from Gas Tax.
 - c. Authorizing the City Treasurer to amend the Fiscal Year 2022/23 Adopted Budget accordingly.

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

A.6. Americans with Disability Act (ADA) Pedestrian Ramps Construction Contract. (File 0820-20)

Recommendation: That the City Council

1. Adopt **Resolution 2023-034:**
 - a. Awarding a construction contract to Portillo Concrete in the amount of \$55,000 for the ADA Pedestrian Ramps, Bid No. 2023-02.
 - b. Approving an amount of \$5,500 for construction contingency.
 - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
 - d. Appropriating \$8,926 to the Federal Grants revenue account and to the ADA Pedestrian Ramps CIP project, both in the CDBG fund.
 - e. Appropriating \$5,874 to the ADA Pedestrian Ramps CIP project from Gas Tax.

- f. Authorizing the City Treasurer to amend the FY 2022/23 Adopted Budget accordingly.

Motion: Moved by Councilmember Becker and second by Councilmember Zito to approve. **Approved 5/0.** Ayes: Heebner, Zito, Edson, Becker, MacDonald. 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 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: 722 W. Solana Circle, Applicant: JWK Holdings, Inc., Case: DRP22-004. (File 0600-40)

The proposed project meets the minimum zoning requirements under the under the Park Del Mar Development regulations and the underlying SBMC, could be found to be consistent with the General Plan and could 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 2023-037** conditionally approving a DRP to demolish a single-family residence, construct a replacement one-story, single-family residence with an attached two-car garage and perform associated site improvements at 722 W. Solana Circle.

Greg Wade, City Manager, introduced the item.

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

Mayor Heebner opened the public hearing.

Council disclosures.

John Kenyan, Applicant, said that they designed a house with the awareness of the neighborhood charm and culture, presented a PowerPoint (on file) and said that they took time to get to know the neighbors and any parties affected by their project, that they had met with most concerned parties, that all view issues were addressed, that they aimed for an aesthetically pleasing landscape and roof deck, they had lowered the roof so the deck would be lower taking into consideration any view obstructions, and would limit vegetation heights.

Jim Edson presented a PowerPoint (on file) and spoke about concerns with the relationship to the adjacent land uses, minimizing adverse impacts, the roof deck not being compatible with the surrounding developments, windows on the south wall were clear and could see directly into their own bedroom, lighting, grading and elevation, and landscaping.

John Kenyan, Applicant, rebuttal, said that the small confined neighbor lots limited the design options, that the landscape heights in front of the home would be maintained at a specified height limit, the landscape on the side of the house could not climb above the wall, that many homes in the area share window views to the next home, that they were not opposed to making concessions on down lighting and landscape.

Council, Staff, and Applicant discussed other letters from the public regarding the firepit which was already removed, to consider limiting landscaping in the front to 3 ft. and on the south side yard to 4 ft., the size of the outside lights, removing the roof deck and the related stairwell, moving windows due to the viewing out impacts to the neighbor, that they intended to screen the exterior stairs, obscuring kitchen windows, grading of 162 msl at finished grade, that the grill was removed from the southern front yard, that this is their second home, that the house design was lovely and charming, that the roof deck was not compatible with the neighborhood and a view was already provided from other areas of the home, to relocate, obscure, raise or remove some windows.

Mayor Heebner recessed the meeting at 7:19 p.m. for a break and reconvened at 7:37 p.m. and moved to the next item, leaving the public hearing open.

Mayor Heebner reconvened the public hearing at 8:11 p.m.

Mr. Edson stated that he and John Kenyan had agreed on removing the roof deck, removing the south facing bathroom windows, moving the closet windows to the east wall, changing the kitchen windows to obscured glass or limit its window height to 5 ft. 6 in. from the bottom sill, limiting the front yard vegetation to 42 inches in height, limiting the side south yard vegetation to 4 ft, specifying the hardscape construction language from Mr. Edson's letter, and making all external light fixtures down-lighting.

Motion: Moved by Deputy Mayor Zito and second by Councilmember Becker to close the public hearing. **Approved 4/0/1.** Ayes: Heebner, Zito, Becker, MacDonald. Noes: None. Absent/Recused: Edson. Motion carried.

Motion: Moved by Mayor Heebner and second by Councilmember Becker to approve with additional conditions, as agreed upon by the Applicant and stated by Jim Edson, removing the roof deck, moving the closet windows to the east wall, changing the two kitchen windows to obscured glass or limiting the height to 5 ft. 6 in. from the bottom sill, limiting the front yard vegetation to a max height of 42 in., limit the south side yard vegetation to 4 ft. height, that the hardscape construction in the front yard of any hardscape fire fixture or facilities such as a firepit, fireplace, chimney, barbecue, outdoor kitchen or any other structure shall be constructed at least 28 feet away from and north of the south property line of the lot, and that the external light fixtures be down-lighting. **Approved 4/0/1.** Ayes: Heebner, Zito, Becker, MacDonald. Noes: None. Absent/Recused: Edson. Motion carried.

C. STAFF REPORTS: (C.1. – C.3.)

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. Mid-Year Budget Adjustments for Fiscal Year 2022/23. (File 0330-30)

Recommendation: That the City Council

1. Adopt **Resolution 2023-023**:
 - a. Authorizing creation of the Principal Human Resources Analyst position and job description.
 - b. Approving adjustments to the Fiscal Year (FY) 2022/23 Executive and Management Salary Schedule (Exhibit B).
 - c. Approving revised appropriations in the FY 2022/23 Adopted Budget.
 - d. Authorize the City Treasurer to amend the FY 2022/23 Adopted Budget accordingly.
 - e. Authorize an adjustment to the FY 2022/23 Executive and Management Salary Schedule to add Principal Human Resources Analyst position at pay grade M4 on the Management Employees' Salary and Classification Plan.
 - f. Authorize the move of the Human Resources Manager position to pay grade M4-A of the Management Employees' Salary and Classification Plan.
 - g. Authorize the move of the Finance Manager position to pay grade M6 of the Management Employees' Salary and Classification Plan.
 - h. Authorize the reclassification of the temporary Help Desk Management Assistant position to a regular/part-time Help Desk Management Assistant position at pay grade MIS-92 on the Miscellaneous Employees' Salary and Classification Plan.

Greg Wade, City Manager, introduced the item.

Rodney Greek, Interim Finance Dir., presented a PowerPoint (on file).

Motion: Moved by Deputy Mayor Zito and second by Councilmember MacDonald to approve. **Approved 4/0/1.** Ayes: Heebner, Zito, Becker, MacDonald. Noes: None. Absent: Edson. Motion carried.

C.2. Age-Friendly Solana Beach Action Plan. (File 0220-30)

Recommendation: That the City Council

1. Adopt **Resolution 2023-038** adopting the Age-Friendly Solana Beach Action Plan.

Greg Wade, City Manager, introduced the item.

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

Council and Staff discussed sending mailers such as the Shorelines newsletter as well as some educational outreach as well as posting them at the Community Center and the Library. They discussed removing the reference to 'hiring of additional Staff' in Parks & Recreation

and leaving it to the City Manager to achieve the goal of expanding programmatic reach, that building sidewalks in some areas of town could be controversial and should be considered by Council and the community first, that all mobility language aim toward environmental friendly and green options, that 41% of the population on the east side of the City was 65 years or older, and that additional Staff would probably be required to implement many items in the plan.

Motion: Moved by Mayor Heebner and second by Councilmember MacDonald to approve. **Approved 4/0/1.** Ayes: Heebner, Zito, Becker, MacDonald. Noes: None. Absent: Edson. Motion carried.

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)

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

CITIZEN COMMISSION(S)

ADJOURN:

Mayor Heebner adjourned the meeting at 8:26 p.m.

Angela Ivey, City Clerk

Council Approved: April 26, 2023