



# CITY OF SOLANA BEACH

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

## MINUTES

### Joint REGULAR Meeting

Wednesday, February 09, 2022 \* 6:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California

This meeting was conducted in accordance with California Government Code sections 54953(e) and 54954.3 and other applicable law.

- 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**

**Kelly Harless**  
Deputy Mayor

**David A. Zito**  
Councilmember  
District 1

**Jewel Edson**  
Councilmember  
District 3

**Kristi Becker**  
Councilmember

Gregory Wade  
**City Manager**

Johanna Canlas  
**City Attorney**

Angela Ivey  
**City Clerk**

#### **SPEAKERS:**

See Public Participation on the first page of the Agenda for publication participation options.

#### **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:**

Mayor Heebner called the meeting to order at 6:33 p.m.

Present: Lesa Heebner, Kelly Harless, Jewel Edson, Kristi Becker

Absent: David A. Zito

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.

Ryan Smith, 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.

#### **Black History Month**

Mayor Heebner read the proclamation for Black History Month.

## **APPROVAL OF AGENDA:**

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

## **ORAL COMMUNICATIONS:**

*Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.*

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 joining the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. No written correspondence may be submitted in lieu of public speaking. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

## **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.)**

*Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.*

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 written correspondence for the record to be filed with the record or by joining the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

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. Minutes of the City Council.**

Recommendation: That the City Council

1. Approve the Minutes of the December 8, 2021 City Council Meetings.

Approved Minutes [http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B\\_BASIC](http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC)

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

#### **A.2. Register Of Demands. (File 0300-30)**

Recommendation: That the City Council

1. Ratify the list of demands for January 08, 2022 – January 21, 2022.

[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.*

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Harless to approve.



**Approved 4/0/1** Ayes: Heebner, Harless, Edson, Becker. Noes: None. Absent: Zito. Motion carried.

### **A.3. General Fund Budget Adjustments for Fiscal Year 2021/2022.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2021/2022 General Fund Adopted Budget.

#### [Item A.3. 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 Edson and second by Deputy Mayor Harless to approve.  
**Approved 4/0/1** Ayes: Heebner, Harless, Edson, Becker. Noes: None. Absent: Zito. Motion carried.

### **A.4. Local Emergency Teleconferencing.** (File 0240-25)

Recommendation: That the City Council

1. Adopt **Resolution 2022-015** authorizing remote teleconference meetings of the legislative bodies of the City for the period of February 10, 2022 through March 12, 2022 pursuant to the new provisions of the Brown Act.

#### [Item A.4. 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 Edson and second by Deputy Mayor Harless to approve.  
**Approved 4/0/1** Ayes: Heebner, Harless, Edson, Becker. Noes: None. Absent: Zito. Motion carried.

### **A.5. Conflict of Interest Code Update.** (File 0440-00)

Recommendation: That the City Council

1. Adopt **Resolution 2022-010** adopting an amended Solana Beach Conflict of Interest Code.

#### [Item A.5. 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 Edson and second by Deputy Mayor Harless to approve.  
**Approved 4/0/1** Ayes: Heebner, Harless, Edson, Becker. Noes: None. Absent: Zito. Motion carried.

## **B. PUBLIC HEARINGS:** (B.1. – B.3.)

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the

virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

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 have three minutes each.

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.

**B.1. Public Hearing: 135 South Sierra Ave., Applicant: Las Brisas Homeowners Association, Case: CUP20-004.** (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 this the Proposed Project exempt from the requirements of CEQA pursuant to 2022 State California CEQA Guidelines §15269 as emergency conditions exist onsite.
3. Adopt **Resolution 2022-013** conditionally approving a Conditional Use Permit Modification to construct a return wall that would consist of a drilled pier/caisson design with structural concrete between piers, extend from the top of the southern terminus of the existing seawall to the top of the bluff, and would be covered with hand sculpted, colored shotcrete to match the adjacent natural bluff at 135 S. Sierra Avenue, Solana Beach.

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

[Item B.1. Supplemental Docs \(updated 2-09-22 at 3:01pm\)](#)

*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.

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

Mayor Heebner opened the public hearing.

Greg Wade, City Manager, spoke about the Surfrider letter reference to a special condition issued by the Coastal Commission in a Coastal Development Permit, that Staff did verify that the mitigation fees were paid in full, that the 2010 approval did not trigger additional mitigation fees, and that Staff was processing this as Conditional Use Permit amendment.

Council and Staff discussed the irrigation capped within one hundred feet of the bluff top, the 2004 seawall conforms with the LCP as an appropriate bluff retention device structure, construction activities during holidays and Fiesta Del Sol, the project was designed to protect the upper bluff fronting the Las Brisas property and not neighboring properties,

Bob Trettin, applicant representative, spoke about doing all or most of the work from the top of the bluff rather than using the beach very long during the holidays or events, the 2005 irrigation capping was required at a 150- foot back exceeding the requirement of this permit, this was a 22-year permit that would need amending no later than 2026 to apply for an



additional 20 years along with mitigation fees, there was no nexus allowing a double charge for the same sand twice,

Brian Caine, Las Brisas Board, said that homeowners were anxious about the collapse and that the project was very important to them.

Council discussed amending the resolution to require that no construction activities occur on the beach between the date of Fiesta Del Sol to Labor Day.

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

**Motion:** Moved by Councilmember Edson and second by Councilmember Becker to approve including no construction on the beach allowed between May 20<sup>th</sup> until Labor Day. **Approved 4/0/1** Ayes: Heebner, Harless, Edson, Becker. Noes: None. Absent: Zito. Motion carried.

**B.2. Public Hearing Continued: 211 Ocean St., Applicant: Blakely, Case: DRP21-004/ SDP21-004.** (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 continued 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 2021-128** conditionally approving a DRP, SDP, and SDP Waiver to demolish a single-family residence, construct a replacement two-story, single-family residence with an attached two-car garage, and perform associated site improvements at 211 Ocean Street, Solana Beach.

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

[Item B.2. Supplemental Docs \(updated 2-09-22 at 1:20pm\)](#)

*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.

Katie Benson, Sr. Planner, presented a PowerPoint (on file).

Council disclosures.

Ford Blakely, Applicant, presented a PowerPoint (on file) reviewing the history of the project, and spoke about support for the project, changes since the last meeting to address bulk and scale, the project being the most modest plan on the street and having the second smallest ratio for the building square footage, support of six neighbors and an issue with only one neighbor, their review of all of Council's past comments to produce a workable solution, and

asked for approval.

Julie Hamilton (time donated by Ronald Everett, Monty James, Asli Carome) said that they've had no contact with the Blakely's since the View Assessment Commission, there was a significant amount of proposed outdoor living area including a large second story deck, the privacy impacts and bulk and scale concerns, that they were requesting the sill height be raised for the five windows that look onto the Carome's property, the southeast corner balcony be removed or reduced by 120 sq. ft. and move the deck back 10 ft. as well as remove the deck cover.

David Babbe said that he supported Ms. Hamilton's comments and they were only asking him to scale back or move the location of the deck.

Michelle Stribling said that they were never contacted by the Blakely's to discuss the project and any impacts, that mansionized homes were changing the fabric, feel, and lifestyle of the neighborhood, the bulk and scale of the property was maxed out in FAR sq. footage and height, and that the bulk and scale should be greatly reduced.

Erin McBriar said that she was surprised that the neighbor was asking for a deck to be removed after a View Assessment Commission meeting, that the Blakely's worked with her on an easy solution when they proposed a deck facing her pool, that the project appeared to be a reasonable home for the lot size, working with the neighbor to achieve a mutually beneficial solution would be better than minimizing the project at this stage, and that she and four other neighbors have worked with neighbors on issues that arose during and after construction on their own home.

Ford Blakely said that they had an email with Frank Stribling on April 30, 2022 regarding surf updates, his roof deck, and a picture of the image of their project telling them we would be happy to review our plans with them, that he ran into Michelle Stribling on the street and said she loved the project and she thought it would get approved, that the images presented by Ms. Carome and her graphic designers were renditions of how they would like us to design our home, that these obstacles have delayed the project and created friction in the neighborhood, and that they intended to gain their own privacy as well as respect the privacy of their neighbors.

Mayor Heebner said she wanted to address some comments made about her notes from a prior meeting that were suggestions from one Councilmember and not a design recommendation, and that this current design had achieved reducing the bulk and scale.

Councilmember Edson said that she was sympathetic to concerns of Ms. Carome and Mr. Babbe, that the Blakely's had been thoughtful in working with neighbors to reach a compromise by agreeing to reduce the second story deck roof over the desk, that the project was 14 ½ ft. from the east property line which only had to be 5 ft., that a landscape plan was provided on each property line to screen the view into the neighbors' yards, and that the roof deck pushed back had reduced the bulk and scale.

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



Councilmember Harless said that Council works hard to make the best decisions for the community as a whole, that we do not look at impacts on one person, that privacy cannot be protected, and that the deck cover was the main issue with bulk and scale and their reduction had met the requirements and supported the project.

Deputy Mayor Becker said that there was tension and disappointment on both sides, hard to maximize property development, process benefits, the difficulty of maximizing the area of their property, the process was done well to hear all sides, and that the project was better than when it started, and that she could make all of the findings.

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

Mayor Heebner adjourned the meeting for a break at 7:52 p.m. and reconvened the meeting at 8:00 p.m.

### **C. STAFF REPORTS: (C.1. – C.3.)**

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

#### **C.1. Fiscal Year 2020-21 Annual Comprehensive Financial Report (ACFR).**

(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, 2020 – June 30, 2021.
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 \(click here\)](#)

*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.

Ryan Domino, LSL Financial, presented a PowerPoint (on file).

Ryan Smith, Finance Director, continued the PowerPoint (on file).

No action required.

#### **C.2. Citywide Traffic Calming Measures.** (File 0860-45)

Recommendation: That the City Council

1. Validate the North Highway 101 Engineering and Traffic Speed Survey performed by STC Traffic.
2. Adopt **Resolution 2022-012** determining that upon the basis of the Engineering and Traffic Speed Survey, that North Highway 101, between Cliff Street and the northern city limit, the speed limit shall be 35 miles per hour, which is the most appropriate speed to facilitate the orderly movement of traffic and is reasonable and safe.
3. Consider and provide direction to Staff on implementing the three proposed traffic calming measures at San Mario, South Sierra, and Santa Helena.

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

[Item C.2. Supplemental Docs \(updated 2-09-22 at 1:20pm\)](#)

*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.

Jennifer Kuzman said that the speed cushion petition for S. Sierra was needed from the neighbors adjacent to the proposed area, in which the City's own property would be one of the neighbors, and is asking for support and approval from the City to continue working with Public Works Director to gain the remaining signatures.

Karl Rudnick said that low intermittent obstacles were prohibited in California Highway design, to remove the choker idea on Santa Helena and consider a two-foot buffer as an alternate solution, and adding more frequent cross hatching.

Council and Staff discussed traffic Sheriff Deputy locations and frequency on streets, patrolling at night for traffic violations such as speeding, trying the 2 ft. buffer on Santa Helena, the loud sound that street dots generate, taking a speed survey to track the impact of the calming measures, using a combination of striping and race pavement markers (RPMs) within a two-foot buffer zone, reflective painting options on flat paving, and crosshatching.

David DiPierro, STC Traffic, spoke about various colors used for pavements, using thermoplastic as reflective, concerns about street dots near bike lanes, and implementing measures in small steps.

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Harless to approve and paint a 2 ft. buffer, instead of a proposed choker, narrowing the lanes on the downhill side to 10 ft. using more cross hatching and looking at thermoplastic striping. **Approved 4/0/1** Ayes: Heebner, Harless, Edson, Becker. Noes: None. Absent: Zito. Motion carried.

### **C.3. SANDAG 2021 Annual Report.** (File 0150-55)

Recommendation: That the City Council

1. Receive the report of SANDAG's 2021 Annual Report.

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

[Item C.3. Updated Report #1 \(added 2-9 at 1:20pm\)](#)

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new*



Greg Wade, City Manager, introduced the item and said that Assembly Bill 805 requires that a representative member of the local jurisdiction provide an annual report made available by SANDAG 2021.

Mayor Heebner reported that the Regional Transportation Plan (RTP) is a document required by state and federal law, that it includes a mandate to reduce greenhouse gas emissions including vehicle miles traveled. The Plan, or the Five Big Moves, are 1) complete corridors by way of managed lanes, 2) transit leap which also includes commuter trail, light rail, rapid buses, and ferry, 3) mobility hubs as major connection points, 4) flexible fleets which would provide different mobility services, and 5) Next Operating System (Next OS) which is a digital platform that compiles information from various sources in a centralize data hub for analysis to improve how transportation is planned, operated, and experienced. She said that noted in the report were purple lines that connect from Tijuana airport to various places in the county that would someday connect to the mid-coast trolley, the Blue Line Express which would be a high-speed grade separated train, relocating the LOSSAN corridor off of the bluffs in Del Mar, and federal and state funding to Transnet.

Councilmember Edson reported that North County pays approximately 30% of the taxes to Transnet but would only receive a 20% split at this time, adding trains to the coaster with newer and cleaner locomotives, and adding more frequent trips to increase mass transit options.

Mayor Heebner said that a proposed tax to drivers was removed as a funding source for projects, that there was a citizens' initiative being circulated to increase taxation to a half a cent sales tax countywide for funding some measures in the MTS zone, which would not include Solana Beach, and that there would be other anticipated sales tax measures coming from SANDAG throughout the years.

Council reached consensus to send a letter regarding potential changes to the TransNet ordinance.

**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 9:42 p.m.

  
Angela Ivey, City Clerk

Council Approved: April 27, 2022

