

CITY OF SOLANA BEACH

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



MINUTES

Joint SPECIAL Meeting
Tuesday, June 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

- 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 6:05 pm

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,
Marie Berkuti, Finance Manager

CLOSED SESSION REPORT: (when applicable)

Johanna Canlas, City Attorney, stated that there was no reportable action.

FLAG SALUTE:

APPROVAL OF AGENDA:

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

ORAL COMMUNICATIONS: None

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.

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.

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 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: District-Based Elections / Content of Draft Maps, Sequence of Elections – Receive Input From the Community and Council Consideration of Introducing (1st Reading) Ordinance 488 to Adopt District Boundary Maps and Sequence of Elections Pursuant to Elections Code § 10010. (File 0430-60)

Recommendation: That the City Council

1. Open the public hearing and invite members of the public to provide feedback on the initial draft maps, Focus Maps, and potential election sequencing presented; and
2. Close the public hearing and select a preferred map and set the sequence of elections; and
3. Introduce (1st Reading) **Ordinance 488**, an Ordinance of the City of Solana Beach, California, Establishing a By-District Election Process in Four Council Districts With an Elective Office of Mayor Pursuant to California Elections Code § 10010 & California Government Code §§ 34871(C) & 34886, incorporating the adopted map and sequence of elections.

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

[Item B.1. Supplemental Docs \(Updated 6-26-18 at 245pm\)](#)

[District Election Maps – Focus Maps & Election Sequencing webpage](#) link here as well as in Staff Report

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.

Deputy Mayor Zito opened the public hearing.

Council disclosures.

Doug Johnson, NDC demographer, presented a PowerPoint (on file) reviewing the Focus Maps.

Council discussed balancing of districts and deviation of population.

Dave Clemons spoke about his support for map 410e that met an almost equal population distribution among the four districts, and that it met the compact and contiguous principals that was the goal in defining districts.

Ronald Lubesnick spoke in support of map 410d since it contains the Home Owners Associations (HOAs) along the coast in a single district, map 410c as an alternate as it also kept the HOAs together, and his and other bluff homeowners having the same interests.

Denise Rahmani spoke about being an executive committee member of COOSSA (Condominium Owners of South Sierra Ave.), the shared interest of those living on the bluff, preference of maps 410d and 410c as an alternative to keep cohesive members in the same district, and the Board of Directors for Seascape Management Corp. and the HOA having passed a resolution in support of map 410d.

Roger Boyd spoke about his original support for the 5-district map 506 to maintain the cohesiveness for east side residents, and that he supported maps 410c or 410d if a four-district option was going to prevail, these maps would maintain the neighborhood relationship established more than 50 years ago.

Mary Jane Boyd spoke about not supporting any of the maps presented, City Council's compromised integrity of the redistricting process, three Council members publicly stated their position for a 4-district division of the City with an elected mayor and an east-west orientation at the 1st public meeting, the confirmation of this same position at the second public meeting, a map drawn up by a community member that supported the configuration stated by three Council members, 9 out of 10 public speakers had urged Council to consider a 5-district map with a rotating mayor, the 4-district map with an elected mayor did not follow natural boundaries and divided the largest HOA on the east side of the City, that a fair districting process would have created equal representation from all segments of the City, and concerns that the sequence of events described did not meet legal requirements for the districting process.

Kelly Harless spoke about not supporting district elections but understood the City's consideration of the legal threat, the importance of finding a broad representation for all districts, support for map 410e that touched each of the major areas of the City, concerns that the motivation that pushed district elections was not to address the needs of potentially underrepresented Latinos residing in the City but rather an attempt to meet the desires of certain special interest groups, that map 410e placed Eden Gardens and La Colonia in its own district, the importance of allowing as many residents as possible to have a say in what was decided, that the City's assets belonged to all residents and they should have a say in them, district elections limited the number of votes for each member of the community, and support for map 410e which allowed for each resident to vote for two people, one in their district and an elected mayor.

Lisa Montes spoke about her outreach to the Eden Gardens neighborhood supporting map 410e, that everyone was happy about projects in all areas of the City that were supported by the City Council, the City being forced into districting from a threat of litigation, her

preference to vote for two representatives rather than one, the 37 signatures she obtained from Eden Gardens residents who were happy to sign the petition supporting the map, and she submitted the list of the signatures (on file).

Tracy Richmond spoke of his opposition to districting, voting was not polarized in the City, support of map 410e, districts created balkanization of the City, the importance of sharing interests among as many assets as possible, and the most equitable distribution of the population was map 410e.

Gary Martin spoke about map 410e most closely representing the population, providing more representation by way of four-districts rather than 5-districts, crucial community assets such as Highway 101, Cedros Ave., and the bluffs deserved to have as much representation as possible.

Gerri Retman (time donated by Ira Opper) spoke about her opposition to districting, carving out neighborhoods into districts were supported by a small group of people hoping that districts would allow certain special interest candidates to be elected, and support for map 410e as the best choice to give four districts access to as many assets as possible.

Keith Spears spoke about the issues of combining a district on the east side of the I-5 with the west side, the east side's issues of less dense housing, a golf course, and different traffic issues made it specific to the residents on that side, the importance of an east-side only district to ensure representation, map 410e met a lot of the needs, SANDAG's demographics from the 2010 census, and a recent Supreme Court decision in Texas that dealt with the issue of race.

Janet Nielson spoke of her support for map 410e.

Johanna Canlas, City Attorney, stated Councilmembers could not be censured for expressing their opinions, that Councilmembers were also citizens of the City and did not forego their first amendment right, they had the right to participate in the public process, and that Council would exercise impartiality in making their decision.

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

Councilmember Edson spoke about the time and effort she spent in reviewing all maps, her residency on both the east and west side of I-5 and the north and south side of Lomas Santa Fe over 20 years, public input that she received mostly favored maintaining at-large elections, Councilmembers had been elected throughout the City's geography, the diversity of past elections and winning candidates, placing the City's financial wellbeing of the City above her own and other residents' interests to fight an unfair and unproven claim, potential negative impacts of district elections, and her preference for map 410e offering the best balance, least population deviation, and having the most access to major City property assets.

Councilmember Heebner spoke about her opposition of the district elections, map 410e being the most sensible, community assets being represented by as many

Councilmembers as possible, her residency on the east and west of I-5 and north and south of Lomas Santa Fe over 42 years, and her choice for a map that provided the most broad representation of the City's assets among the elected councilmembers.

Councilmember Zahn spoke about the high cost of contesting the allegations and the City being compelled to go through this process, that all benefit from the City's significant areas, that the ideal configuration would be as compact as possible, easily ascertainable boundaries, some concentration of Latino residents, the most access to representing the cost, and preferred map 410e due to its balance, little population deviation, and preserved strong Latino community of interest.

Councilmember Hegenauer spoke about her disfavor for districting, everyone having different interests and concerns in a community, her comparisons of the 404's and 410's, elected Councilmembers should be required to care about the entire City, and that she would vote for 410e.

Deputy Mayor Zito spoke about not being able to satisfy everyone, the process was not being mandated by the California Voting Rights (CVRA) but were facilitated by it, the data of citywide voting age population of Hispanic was 8% and registered voters were 6%, the history of the City's election showed that 8% of the elected Councilmembers had been Hispanic, the allegation of misrepresentation was unfounded, that public input between speakers and written submittals favored a citywide mayor vs. 5-districts by 2:1, a Mayor representing the entire City and not just one district, and that he favored map 410f which combined all of the COOSSA organizations together and had 3 districts touching the transit district property.

Motion: Moved by Councilmember Heebner and second by Councilmember Zahn to approve Map 410e, election sequencing proposed with Districts 1 & 3 and Mayor Elect occurring in 2020 and Districts 2 & 4 occurring in 2022. **Approved 5/0.** Motion carried unanimously.

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.

ADJOURN:

Deputy Mayor Zito adjourned the meeting at 7:13 p.m.

Angela Ivey, City Clerk

Approved: November 28, 2018