



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

ACTION AGENDA

The Action Agenda of the City Council Meeting is a document provided immediately following the Council Meeting in order for staff and the public to be aware of the business transacted and actions taken by Council. This is a preliminary draft and not a public record. The meeting's legal record is the Minutes approved by the City Council.

Joint REGULAR Meeting
Wednesday, May 24, 2017 * 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](#).

PUBLIC MEETING ACCESS

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live on Cox Communications-Channel 19, Time Warner-Channel 24, and AT&T U-verse Channel 99. 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 website.

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. 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 courtesy agenda posting. Materials submitted for consideration should be forwarded to the City Clerk's department 858-720-2400. The designated location for viewing public documents is the City Clerk's office at City Hall during normal business hours.

SPEAKERS

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.

AMERICAN DISABILITIES ACT TITLE 2

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 cellular phones and pagers to silent mode and engage in conversations outside the Council Chambers.

<u>CITY COUNCILMEMBERS</u>		
Mike Nichols, Mayor		
Ginger Marshall, Deputy Mayor	David A. Zito, Councilmember	
Jewel Edson, Councilmember	Judy Hegenauer, Councilmember	

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:

CLOSED SESSION REPORT: (when applicable)

FLAG SALUTE:

APPROVAL OF AGENDA:

COUNCIL ACTION: Approved 5/0

PROCLAMATIONS/CERTIFICATES: *Ceremonial*

1. Public Works' Week

PRESENTATIONS: Ceremonial items that do not contain in-depth discussion and no action/direction.

1. Encinitas Half Marathon Recap
2. San Diego County Water Authority
3. ~~Stevens Avenue Update~~

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.

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.15.)

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. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held March 22, 2017 and March 29, 2017.

[Item A.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.

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 April 22, 2017 through May 5, 2017.

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

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COUNCIL ACTION: Approved 5/0

A.3. General Fund Adopted Budget for Fiscal Year 2016-2017 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2016-2017 General Fund Adopted Budget.

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

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COUNCIL ACTION: Approved 5/0

A.4. This Item was left blank.

A.5. Street Lighting District Annual Assessment. (File 0495-20)

Recommendation: That the City Council

1. Adopt **Resolution 2017-078** approving the Engineer's Report for proceedings for the annual levy of assessments within a special maintenance district.
2. Adopt **Resolution 2017-079** declaring intention to provide for an annual levy and collection of assessment in a special maintenance district and setting a time and date for a public hearing; and scheduling the public hearing for June 28, 2017.

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

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COUNCIL ACTION: Approved 5/0

A.6. Coastal Rail Trail Maintenance District Annual Assessment. (File 0495-20)

Recommendation: That the City Council

1. Adopt **Resolution 2017-075**, initiating the proceedings for the annual levy of assessments within the Coastal Rail Trail Maintenance District.
2. Adopt **Resolution 2017-076**, approving the Engineer's Report for proceedings of the annual levy of assessments within Coastal Rail Trail Maintenance District.
3. Adopt **Resolution 2017-077**, declaring intention to provide for the annual levy and collection of assessments in the Coastal Rail Trail Maintenance District and setting a time and date for a public hearing for June 28, 2017.

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

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COUNCIL ACTION: Approved 5/0

A.7. Fire Benefit Fee. (File 0390-23)

Recommendation: That the City Council

1. Adopt **Resolution 2017-072**:
 - a. Setting the FY 2017-18 Fire Benefit Fee at \$10.00 per unit, and
 - b. Approving the Fee for levying on the tax roll.

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

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COUNCIL ACTION: Approved 5/0

A.8. Municipal Improvement Districts Benefit (MID) Fees. (File 0495-20)

Recommendation: That the City Council

1. Approve **Resolution 2017-080**, setting the Benefit Charges for MID No. 9C, Santa Fe Hills at \$232.10 per unit for FY 2017-18.
2. Approve **Resolution 2017-081**, setting the Benefit Charges for MID No. 9E, Isla Verde at \$68.74 per unit for FY 2017-18.
3. Approve **Resolution 2017-082**, setting the Benefit Charges for MID No. 9H, San Elijo Hills # 2 at \$289.58 per unit for FY 2017-18.
4. Approve **Resolution 2017-083**, setting the Benefit Charges for MID No. 33, Highway 101/Railroad Right-of-Way at \$3.12 per unit for FY 2017-18.

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

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COUNCIL ACTION: Approved 5/0

A.9. Appropriations Limit. (File 0330-60)

Recommendation: That the City Council

1. Adopt **Resolution 2017-073**, establishing the FY 2017-18 Appropriations Limit in accordance with Article XIII B of the California Constitution and Government Code Section 7910 and choosing the County of San Diego's change in population growth to calculate the Appropriations Limit.

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

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COUNCIL ACTION: Approved 5/0

A.10. Genevieve Street Assisted Living Facility Project Agreement. (File 0600-40)

Recommendation: That the City Council

1. Adopt **Resolution 2017-067** authorizing the City Manager to execute a professional services agreement between the City and Summit in the amount of \$45,000 plus a 15% administrative fee (\$6,750) for a total of \$51,750 to support the continued application processing and management of the CEQA process for the Genevieve Street Assisted Living Facility Project and authorizing ongoing authority for the City Manager to modify the contract as needed.

[Item A.10. Report \(click here\)](#)

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COUNCIL ACTION: Approved 5/0

A.11. Community Development Block Grant and Home Investment Partnerships Programs. (File 0400-10)

Recommendation: That the City Council

1. Adopt **Resolution 2017-074** authorizing the automatic renewal of the Community Development Block Grant Cooperation Agreement for the qualification periods of July 1, 2018 to June 30, 2019; July 1, 2019 to June 30, 2020; and July 1, 2020 to June 30, 2021.

[Item A.11. Report \(click here\)](#)

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COUNCIL ACTION: Approved 5/0

A.12. Americans with Disabilities Act (ADA) Pedestrian Ramps Project, Bid 2016-10.
(File 0820-20)

Recommendation: That the City Council

1. Adopt **Resolution 2017-084**:
 - a. Authorizing the City Council to accept as complete the ADA Pedestrian Ramps Project, Bid No. 2016-10, constructed by Miramar General Engineering.
 - b. Authorizing the City Clerk to file a Notice of Completion.

[Item A.12. Report \(click here\)](#)

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COUNCIL ACTION: Approved 5/0

A.13. Palmitas Street Storm Drain Project, Bid 2016-11. (File 0850-40)

Recommendation: That the City Council

1. Adopt **Resolution 2017-085**:
 - a. Authorizing the City Council to accept as complete the Palmitas Street Storm Drain Project, Bid 2016-11, constructed by Miramar General Engineering.
 - b. Authorizing the City Clerk to file a Notice of Completion.

[Item A.13. Report \(click here\)](#)

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COUNCIL ACTION: Approved 5/0

A.14. Series 2006 Tax Allocation Bonds Refund and Professional Services Agreements for Bond Refunding. (File 0340-00)

Recommendation: That the City Council

1. **Resolution SA-013** authorizing the Executive Director to execute a Professional Services Agreement with Del Rio Advisors, LLC for Municipal Advisors services in connection with the possible refinancing of the TA Bonds.
2. **Resolution SA-014** authorizing the Executive Director to execute a Professional Services Agreement with Brandis Tallman, LLC for Placement Agent services in connection with the possible refinancing of the TA Bonds.
3. **Resolution SA-015** authorizing the Executive Director to execute a Professional Services Agreement with Quint & Thimmig, LLP for Bond Counsel services in connection with the possible refinancing of the TA Bonds.
4. **Resolution SA-016** authorizing the Executive Director to execute a Professional Services Agreement with Fraser & Associates for Fiscal Consultant services in connection with the possible refinancing of the TA Bonds.
5. **Resolution SA-017** requesting the Oversight Board to direct the Successor Agency to refund the TA Bonds, including approval of refunding costs.

[Item A.14. Report \(click here\)](#)

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COUNCIL ACTION: Approved 5/0

A.15. Residential Solid Waste Rate Review. (File 1030-15)

Recommendation: That the City Council

1. Approve **Resolution 2017-087** authorizing the City to proceed with the proper Proposition 218 noticing and majority protest voting procedures and setting the residential Solid Waste Rate Review Public Hearing protest vote for July 12, 2017.

[Item A.15. 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 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: 216 Ocean St., Applicants: Jackel, Case: 17-16-10. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is 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 issue a 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 2017-062** conditionally approving a SDP and a DRP to demolish an existing single family residence, construct a new two-story, single-family residence with a subterranean basement and an attached two-car garage, and perform associated site improvements at 216 Ocean Street, Solana Beach.

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

[B.1. Updated Report #1](#)

[B.1. Supplemental Documents \(updated 5-24-17, 215pm\) - R](#)

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 close the public hearing.

COUNCIL ACTION: Approved 5/0 with additional condition.

B.2. Introduce (1st Reading) Ordinance 478 to Prohibit the Establishment and Operation of all Commercial Marijuana Activities, Including Marijuana Cultivation, Processing, Delivery, and Dispensary Activities, in the City of Solana Beach. (File 0230-10)

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. Introduce **Ordinance 478** prohibiting the delivery, cultivation and dispensing of all marijuana.

[Item B.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 to close the public hearing.

COUNCIL ACTION: Approved 5/0.

C. STAFF REPORTS: (C.1. - C.2.)

Submit speaker slips to the City Clerk.

C.1. Community Choice Aggregation (CCA) Consultant Services. (File 0480-70)

Recommendation: That the City Council

1. Adopt **Resolution 2017-043** and **Resolution 2017-044** authorizing the City Manager to execute all contracts with TEA and Calpine to provide CCA services to the City.

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

[B.1. Updated Report #1](#)

[C.1. Supplemental Documents \(updated 5-24-17, 425pm\) - R](#)

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 4/1 to close the public hearing (Noes: Marshall)

COUNCIL ACTION: Approved 4/1 (Noes: Marshall)

C.2. Repayment of Funds Borrowed from the San Elijo Joint Powers Authority for the Water Reclamation Facility, Approving Sale of Bonds and Official Statement, and Authorizing Official Actions. (File 0150-80)

Recommendation: That the City Council

1. Approve **Resolution 2017-088** authorizing the Execution and Delivery of the Series 2017 Loan Agreement Providing for the Repayment of Funds Borrowed from the San Elijo Joint Powers Authority for the Water Reclamation Facility, Approving Sale of Bonds and Official Statement, and Authorizing Official Actions

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

[C.2. Updated Report #1](#)

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COUNCIL ACTION: Approved 5/0.

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 at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS:

Regional Committees: (outside agencies, appointed by this Council)

- a. City Selection Committee (meets twice a year) – Nichols (Edson, alternate).
- b. County Service Area 17 – Marshall (Nichols, alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities’ San Diego County Executive Committee – Nichols (Edson, alternate) and any subcommittees.
- e. League of Ca. Cities’ Local Legislative Committee – Nichols (Edson, alternate)
- f. League of Ca. Cities’ Coastal Cities Issues Group (CCIG) – Nichols (Edson, alternate)
- g. North County Dispatch JPA – Marshall (Edson, alternate).
- h. North County Transit District – Edson (Nichols, alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols (Hegenauer, alternate).
- j. SANDAG – Zito (Primary), Edson (1st alternate), Nichols (2nd alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee – Zito (Hegenauer, alternate).
- l. San Dieguito River Valley JPA – Hegenauer (Nichols, alternate).
- m. San Elijo JPA – Marshall, Zito (City Manager, alternate).
- n. 22nd Agricultural District Association Community Relations Committee – Marshall, Edson.

Standing Committees: (All Primary Members) (Permanent Committees)

- a. Business Liaison Committee – Zito, Edson.
- b. Highway 101 / Cedros Ave. Development Committee – Edson, Nichols.
- c. Fire Dept. Management Governance & Organizational Evaluation – Edson, Hegenauer
- d. I-5 Construction Committee – Zito, Edson.
- e. Parks and Recreation Committee – Nichols, Zito
- f. Public Arts Committee – Marshall, Hegenauer.
- g. School Relations Committee – Nichols, Hegenauer.

ADJOURN:

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 May 24, 2017 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 May 17, 2017 at 7:55 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., May 24, 2017, 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, as of this Agenda Posting. Dates, times, locations are all subject to change. See the City's Commission's website or the City's Events Calendar for updates.

- **Budget & Finance Commission**
Thursday, June 15, 2017, 6:30 p.m. (City Hall)
- **Climate Action Commission**
Wednesday, June 21, 2017, 5:30 p.m. (City Hall)
- **Parks & Recreation Commission**
Thursday, June 8, 2017, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**
Tuesday, June 27, 2017, 5:30 p.m. (City Hall)
- **View Assessment Commission**
Tuesday, June 20, 2017, 6:00 p.m. (Council Chambers)