



**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, July 13, 2016 \* 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](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 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.

<b><u>CITY COUNCILMEMBERS</u></b>	
<b>David A. Zito, Mayor</b>	
<b>Peter Zahn, Deputy Mayor</b>	<b>Mike Nichols, Councilmember</b>
<b>Ginger Marshall, Councilmember</b>	<b>Lesa Heebner, Councilmember</b>

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 4/1 (Noes:Zahn)**

**PROCLAMATIONS/CERTIFICATES: None**

*Ceremonial - None at the posting of this agenda*

**PRESENTATIONS: None**

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

**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.10.)

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 June 8, 2016.

See Approved Minutes [http://www.ci.solana-beach.ca.us/index.asp?SEC=FOF1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B\\_BASIC](http://www.ci.solana-beach.ca.us/index.asp?SEC=FOF1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC)

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**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 June 4, 2016 through June 24, 2016.

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

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**COUNCIL ACTION: Approved 5/0**

**A.3. 2016 Street Maintenance & Repair Project.** (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2016-096:**
  - a. Awarding a construction contract for the 2016 Street Maintenance & Repair Project, Bid 2016-05, in the amount of \$353,750, to ATP General Engineering Contractors.
  - b. Approving an amount of \$88,000 for construction contingency.
  - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

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

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**COUNCIL ACTION: Approved 5/0**

**A.4. Citywide Traffic Speed Survey.** (File 0860-45)

Recommendation: That the City Council

1. Adopt **Resolution 2016-097** authorizing the City Manager to execute a Professional Services Agreement with Linscott, Law and Greenspan Engineers, in the amount of \$24,355, to conduct a citywide traffic speed survey.

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

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**COUNCIL ACTION: Approved 5/0**

**A.5. City Clerk's Office Area Expansion.** (File 0710-30)

Recommendation: That the City Council

1. Adopt **Resolution 2016-091**:
  - a. Authorizing the City Manager to accept as complete the City Clerk's Office Area Expansion, Bid No. 2015-07, constructed by Evergreen Construction and Consulting, Inc., dba EvergreenCali.
  - b. Authorizing the City Clerk to file a Notice of Completion.

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

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**COUNCIL ACTION: Approved 5/0**

**A.6. Veterans' Honor Courtyard at La Colonia Park.** (File 0160-18)

Recommendation: That the City Council

1. Adopt **Resolution 2016-092**:
  - a. Authorizing the City Manager to accept as complete the Veterans' Honor Courtyard at La Colonia Park, Bid No. 2015-06, constructed by Conan Construction, Inc.
  - b. Authorizing the City Clerk to file a Notice of Completion.

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

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**COUNCIL ACTION: Approved 5/0**

**A.7. Salary and Compensation Plans Fiscal Year 2016-17.** (File 0520-10)

Recommendation: That the City Council

1. Adopt **Resolution 2016-089** approving FY 2016-17 Salary and Compensation Plans for Executive Management, Mid-Management, Confidential, Marine Safety, Miscellaneous and Part-Time/Seasonal Temporary employees.

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

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**COUNCIL ACTION: Approved 5/0**

**A.8. California Public Employees Retirement System's.** (File 0520-50)

Recommendation: That the City Council

1. Adopt **Resolution 2016-090** approving the City's intention to amend its CalPERS contract in order to implement California Public Employees Retirement System's Government Code Section 20516 (Employees Sharing Additional Cost) for Miscellaneous, Marine Safety and Non-Represented employee groups.

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

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**COUNCIL ACTION: Approved 5/0**

**A.9. Audio Visual and Photography Services.** (File 0190-20)

Recommendation: That the City Council

1. Adopt **Resolution 2016-088** authorizing the City Manager to sign a Professional Services Agreement with Bob Hoffman Video and Photography with an option to extend for four (4) additional one-year periods based on satisfactory past performance.

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

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**COUNCIL ACTION: Approved 5/0**

**A.10. Destruction of Obsolete Records.** (File 0170-50)

Recommendation: That the City Council

1. Adopt **Resolution 2016-098** authorizing the destruction of officially obsolete records.

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

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**COUNCIL ACTION: Approved 5/0**

**NOTE: The City Council shall not begin a new agenda item after 10:30 p.m. unless approved by a unanimous vote of all members present. (SBMC 2.04.070)**

**B. PUBLIC HEARINGS:** (B.1. – B.3.)

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: 412 E. Cliff St., Applicant: Korniczky, Case No: 17-14-22** (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 (Development Review Permit). Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, 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 2016-076** conditionally approving a DRP and an administrative SDP (Structure Development Permit) to demolish the existing structure and construct a new 4,435 square foot single-family residence and a 534 square foot attached garage on property at 412 E. Cliff Street.

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

[B.1. Supplemental Documents - R](#)

[B.1. Supplemental Documents 7-13 last update 306pm - R](#)

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**COUNCIL ACTION: Approved 4/0/1 to close the public hearing (Recused: Heebner)**

**COUNCIL ACTION: Approved 3/1/1 (Noes: Zahn, Recused: Heebner)**

**B.2. Public Hearing: 243 N. Highway 101, Applicant: Evarts / Distillery 101, Case No: 17-15-38.** (File 0610-60)

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 (Development Review Permit). 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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2016-087** conditionally approving a CUP (Conditional Use Permit) for the project to allow for a tenant improvement to combine two existing restaurant tenant spaces and add 155 square feet from an adjacent office tenant space for the use of a restaurant with a bar or cocktail lounge and to allow for the incidental use of four tables and 16 chairs without providing additional parking spaces in a gated patio in front of the proposed tenant space along Highway 101 within The Boardwalk shopping center at 243 N. Highway 101, Solana Beach.

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

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

[B.2. Updated Report #2](#)

[B.2. Supplemental Documents - R](#)

[B.2. Supplemental Documents 7-8 last update 1030am - R](#)

[B.2. Supplemental Documents 7-11 last update 930am - R](#)

[B.2. Supplemental Documents 7-12 last update 430pm - R](#)

[B.2. Supplemental Documents 7-13 last update 355pm - R](#)

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**COUNCIL ACTION: Approved 5/0 to close the public hearing.**

**COUNCIL ACTION: Approved 5/0**

**B.3. Blank – Removed from the agenda.**

**C. STAFF REPORTS:** (C.1. - C.3.)  
*Submit speaker slips to the City Clerk.*

**C.1. Del Mar Fairgrounds Fiscal Impact Study.** (File 0150-85)

Recommendation: That the City Council

1. Review and discuss the Council and Commission comments and, if desired, direct Staff to prepare a memorandum incorporating their comments to be included as an addendum to the Study.

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

[C.1. Supplemental Documents](#)

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**COUNCIL ACTION: Approved 5/0**

**C.2. Adopt (2<sup>nd</sup> Reading) Ordinance 461 – Retail Pet Sales.** (File 0200-20)

Recommendation: That the City Council

1. Adopt **Ordinance 461** amending Chapter 4 of the Solana Beach Municipal Code regulating the retail sale of dogs, cats and rabbits.

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

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**COUNCIL ACTION: Approved 5/0**

**C.3. Council Discussion on Designation as a “Welcoming Community”.** (File 0230-20)

Recommendation: That the City Council

1. Discuss becoming a “Welcoming Community” and consider **Resolution 2016-084**.

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

[C.3. Supplemental Documents - R](#)

[C.3. Supplemental Documents 7-12 last update 430pm](#)

[C.3. Supplemental Documents 7-13 last update 405pm - 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**

**WORKPLAN COMMENTS:**

*Adopted June 8, 2016*



**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, Zahn (alternate).
- b. County Service Area 17 – Zahn, Marshall (alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities' San Diego County Executive Committee – Nichols, Zahn (alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee – Nichols, Zahn (alternate).
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) – Nichols, Heebner (alternate).
- g. North County Dispatch JPA – Zahn, Nichols (alternate).
- h. North County Transit District – Nichols, Heebner (1<sup>st</sup> alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols, Zahn (alternate).
- j. SANDAG – Heebner (Primary), Nichols (1<sup>st</sup> alternate), Zito (2<sup>nd</sup> alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee – Nichols, Heebner (alternate).
- l. San Dieguito River Valley JPA – Zito, Zahn (alternate).
- m. San Elijo JPA – Marshall, Zito (both primary members) (no alternates).
- n. 22<sup>nd</sup> Agricultural District Association Community Relations Committee – Heebner, Nichols.

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

- a. Business Liaison Committee – Zito, Zahn.
- b. Highway 101 / Cedros Ave. Development Committee – Heebner, Nichols.
- c. I-5 Construction Committee – Heebner, Zito.
- d. Parks and Recreation Committee – Heebner, Nichols.
- e. Public Arts Committee – Nichols, Zito.
- f. School Relations Committee – Marshall, Zahn.

**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 July 13, 2016 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 July 7, 2016 at 10:45 a.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., July 13, 2016, 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, July 21, 2016, 6:30 p.m. (City Hall)
- **Climate Action Commission**  
Wednesday, July 20, 2016, 5:30 p.m. (City Hall)
- **Parks & Recreation Commission**  
Thursday, August 11, 2016, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**  
Tuesday, July 26, 2016, 5:30 p.m. (City Hall)
- **View Assessment Commission**  
Tuesday, July 19, 2016, 6:00 p.m. (Council Chambers)