

CITY OF SOLANA BEACH



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.

**SOLANA BEACH CITY COUNCIL, Successor Agency for the Solana Beach Redevelopment Agency,
PUBLIC FINANCING AUTHORITY, HOUSING AUTHORITY**

**Joint REGULAR Meeting
Wednesday, October 28, 2015
6:00 P. M.**

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

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.

CITY COUNCILMEMBERS

Lesa Heebner, Mayor

David A. Zito, Deputy Mayor

Peter Zahn, Councilmember

Mike Nichols, Councilmember

Ginger Marshall, 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:

1. San Dieguito Alliance's Red Ribbon Week
2. National Blue Ribbon School Award - Santa Fe Christian

PRESENTATIONS:

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

1. Sunset 5k Special Event

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:

A. CONSENT CALENDAR: (Action Items) (A.1. - A.3.)

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. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for September 19, 2015 to October 2, 2015.

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

COUNCIL ACTION: Approved 5/0

A.2. General Fund Adopted Budget for Fiscal Year 2015-16 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2015-16 General Fund Adopted Budget.

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

COUNCIL ACTION: Approved 5/0

A.3. Veterans' Honor Courtyard at La Colonia Park. (File 0160-18)

Recommendation: That the City Council

1. Adopt **Resolution 2015-122**
 - a. Awarding a construction contract for the Veterans' Honor Courtyard at La Colonia Park, Bid 2015-06, in the amount of \$247,295.05 which includes all alternate bid items, to Conan Construction, Inc.
 - b. Approving an amount of \$48,704.95 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.
 - e. Appropriating \$45,000 into the project account for the Veterans' Honor Courtyard at La Colonia Park from the Public Improvement Grant fund reserves.
 - f. Approving the transfer of \$25,000 from CIP-3 in the Public Improvement Grant fund into the project account for the Veterans' Honor Courtyard at La Colonia Park.
 - g. Appropriating \$100,000 in grant revenue from a grant provided by the County of San Diego and \$40,000 in contribution revenue from the sales of donor tiles for a total appropriation of \$140,000 in project expenditures into the Public Improvement Grant fund's project account for the Veterans' Honor Courtyard at La Colonia Park in the City's CIP fund.

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

COUNCIL ACTION: Approved 5/0

B. PUBLIC HEARINGS: (B.1. – B.5.)

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: Consideration of Resolution 2015-121 for Fiscal Year 2016-2017 Community Development Block Grant Funds – ADA Pedestrian Ramp Improvements. (File 0670-20)

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. Adopt **Resolution 2015-121**:
 - a. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.
 - b. Approving the list of public street ADA ramp locations.
 - c. Requesting Fiscal Year 2016-17 Community Development Block Grant Funds for ADA pedestrian ramp improvements at various public street intersections.
 - d. Finding that all of Fiscal Year 2016-17 CDBG funds, presently estimated at a total of \$40,000, are designated to be used for ADA pedestrian ramp improvements.
 - e. Authorizing the City Manager to execute the County contract for management and implementation of the CDBG program.

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

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

B.2. Public Hearing: 339 S. Granados Ave - Development Review Permit (DRP) and Structure Development Permit (SDP) - Applicant: Bergum, Case # 17-15-14.
(File 0600-40)

The proposed project, as revised, meets the minimum objective requirements under the 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 and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Continue 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 2015-116** conditionally approving a DRP and an administrative SDP to allow for the construction of a remodel and addition to an existing single-family residence and demolition and replacement construction of an ALU at 339 South Granados Avenue.

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

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

COUNCIL ACTION: Approved 5/0 with modifications.

B.3. Public Hearing: 407 Hilmen Pl - Development Review Permit (DRP) and Structure Development Permit (SDP) - Applicants: Sandra Aung and Chris Twitty, Case # 17-15-17. (File 0600-40)

Recommendation: That the City Council

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 administratively 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 2015-119** conditionally approving a DRP and an administrative SDP to allow for the construction of a remodel and addition to an existing single-family residence at 407 Hilmen Place.

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

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

COUNCIL ACTION: Approved 4/0/1 with modifications. Recuse: Heebner)

B.4. Public Hearing: 726 Marsolan Ave - Development Review Permit (DRP) and Structure Development Permit (SDP) - Applicant: Shank, Case # 17-15-23. (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. 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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2015-117** conditionally approving a DRP and an administrative SDP for a 818 square foot addition to an existing two-story, single-family residence with an attached 497 square foot garage located at 726 Marsolan Avenue.

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

[B.4. Supplemental Documents 10-26 last update 500pm](#)

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

COUNCIL ACTION: Approved 5/0

B.5. Public Hearing: 197-201 Pacific Ave - Conditional Use Permit (CUP) for a New Erodible Sea Cave Infill - Applicants: Robert Monroe and Norton Sloan, Case # 17-15-24. (File 0610-60)

The proposed project meets the minimum objective requirements under the SBMC, the LCP LUP, and 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 CUP. 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 categorically exempt from the requirements of CEQA pursuant to 2015 State California CEQA Guidelines Section 15304(c).
3. Adopt **Resolution 2015-118** approving CUP 17-15-24 for the construction of a 90-foot long erodible concrete notch infill located at the base of the lower coastal bluff below 197 and 201 Pacific Avenue.

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

[B.5. Updated Report #1](#)

[B.5. Supplemental Documents - R](#)

[B.5. Supplemental Documents 10-28 last update 438pm](#)

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS: (C.1.)

Submit speaker slips to the City Clerk.

C.1. Adopt (2nd Reading) Ordinance 466 - Regulating the Use of Expanded Polystyrene and Non-Recyclable Plastic Disposable Food Service Containers and Packaging. (File 0220-70)

Recommendation: That the City Council

1. Adopt **Ordinance 466** Regulating the Use of Expanded Polystyrene and Non-Recyclable Plastic Disposable Food Service Containers and Packaging.

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

[C.1. Supplemental Documents](#)

COUNCIL ACTION: Approved 5/0 (Ordinance effective date November 27, 2015)
See Ordinance for other specific effective dates of implementation)

WORKPLAN COMMENTS:

Adopted June 10, 2015

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 (1st alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols, Zahn (alternate).
- j. SANDAG – Heebner (Primary), Nichols (1st alternate), Zito (2nd 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. 22nd 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 October 28, 2015 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 October 21, 2015 at 5:15 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., October 28, 2015, 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.

- a. **Budget & Finance Commission**
Thursday, November 19, 2015, 6:30 p.m. (City Hall)
- b. **Parks & Recreation Commission**
Thursday, November 12, 2015, 4:00 p.m. (Fletcher Cove Community Center)
- c. **Public Arts Commission**
Tuesday, November 24, 2015, 5:30 p.m. (City Hall)
- d. **View Assessment Commission**
Tuesday, November 17, 2015, 6:00 p.m. (Council Chambers)