



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 SPECIAL Meeting
Wednesday, November 16, 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. 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>	
David A. Zito, Mayor	
Peter Zahn, Deputy Mayor	Mike Nichols, Councilmember
Ginger Marshall, Councilmember	Lesa Heebner, 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*

None at the posting of this agenda

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

None at the posting of this agenda

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.6.)

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 October 26, 2016.

See Approved Minutes http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC

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 October 22, 2016 through October 28, 2016.

[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.

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. 330 S. Cedros Project Environmental Review Agreement. (File 0600-40)

Recommendation: That the City Council

1. Adopt **Resolution 2016-132** authorizing the City Manager to execute a professional service agreement amendment between the City and Environmental Science Associates, Inc. (ESA) in the amount of \$3,500 for Environmental Review Services for the 330 S. Cedros Project.

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

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COUNCIL ACTION: Approved 5/0

A.5. Environmental Impact Reports and Project Management Services Agreements.
(File 0600-40)

Recommendation: That the City Council

1. Adopt **Resolution 2016-115**:
 - a. Authorizing the City Manager to execute a professional service agreement amendment between the City and Summit, Inc. in the amount of \$24,500 for project management services for the Solana Highlands Project.
 - b. Appropriating \$24,500 to the Developer Pass-Through fund in the Developer-Pass Through revenue and Professional Services expenditure accounts.
 - c. Authorizing the City Treasurer to amend the FY 2016/17 Adopted Budget.
2. Adopt **Resolution 2016-116**:
 - a. Authorizing the City Manager to execute a professional service agreement amendment between the City and Dudek, Inc. in the amount of \$34,790 to prepare visual simulations for the EIR for the Solana Highlands Project and extend the term of the contract by 24 months.
 - b. Appropriating \$24,500 to the Developer Pass-Through fund in the Developer-Pass Through revenue and Professional Services expenditure accounts.
 - c. Authorizing the City Treasurer to amend the FY 2016/17 Adopted Budget.

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

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COUNCIL ACTION: Approved 5/0

A.6. Stevens & Valley Avenues Street Improvement Project. (File 0820-15)

Recommendation: That the City Council

1. Adopt **Resolution 2016-134**:

- a. Finding the project exempt from the California Environmental Quality Act pursuant to Section 15301(c) of the State CEQA Guidelines.
- b. Awarding a construction contract for the Stevens and Valley Avenues Street Improvements, Bid No. 2016-09, in the amount of \$1,108,159, to Dick Miller Inc.
- c. Approving an amount of \$228,224 for construction contingency.
- d. Authorizing the City Manager to execute the construction contract on behalf of the City.
- e. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.
- f. Authorizing a transfer of \$57,800 in appropriations from Capital Improvement Project CIP-11, Annual Pavement Management, into the Stevens-Valley project budget unit in the Gas Tax fund.
- g. Authorizing a transfer of \$75,200 in appropriations from Capital Improvement Project CIP-13, Storm Drain Improvements, into the Stevens-Valley project budget unit in the City CIP fund.
- h. Authorizing a transfer of \$50,000 in appropriations from Capital Improvement Project CIP-16, Palmitas Drainage Project, into the Stevens-Valley project budget unit in the City CIP fund.
- i. Authorizing the appropriation of \$58,383 in developer deposits into the project budget unit in the City CIP fund.
- j. Authorizing an appropriation of \$15,000, to be reimbursed by Santa Fe Christian Schools, into the Reimbursement Agreement Revenue Account and appropriating the same amount into the project budget unit both in the City CIP fund.
- k. Authorizing the City Manager to execute a reimbursement agreement between the City and San Dieguito Union High School District, in the amount of \$330,000, for storm drain, sidewalk, guardrail improvements and inspection services.
- l. Authorizing an appropriation of \$330,000, to be reimbursed by San Dieguito Union High School District, into the Reimbursement Agreement Revenue Account and appropriating the same amount into the project budget unit both in the City CIP fund.
- m. Authorizing the City Treasurer to amend the Fiscal Year 2016/17 Adopted Budget accordingly.

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

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COUNCIL ACTION: Approved 5/0

C.2. Community Choice Aggregation (CCA) Consultant Services. (File 1010-40)

Recommendation: That the City Council

1. Authorize the City Manager to initiate negotiations with TEA/Noble to provide CCA services to the City. Should an agreement not be reached with TEA/Noble, Staff further recommends that the City Council reserve the right to initiate negotiations with Pilot Power/EDMS for the CCA services.

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

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

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

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: 330 S. Cedros Ave., Applicant: McLeod, Case 17-16-03. (File 0610-60)

Recommendation: 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), CUP (Conditional Use Permit), SDP (Structure Development Permit) and MEC (Minor Exception). 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 15332 of the State CEQA Guidelines.
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2016-130** conditionally approving a DRP, SDP, CUP, MEC and comprehensive sign plan for the project for a mixed use development at 330 S. Cedros Avenue, Solana Beach.

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

[Attachment 8](#)

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 continue the hearing to a date certain of December 9, 2016 at 5:30 p.m.

B.2. Public Hearing: 627 Glencrest Place, Applicants: McGarry, Lannutti, Case 17-16-13. (File 0600-40)

Recommendation: 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 Development Review Permit (DRP) and administratively issue a Structure Development Permit (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 2016-131** conditionally approving a DRP and SDP to construct a 485 square-foot, first-floor addition and a new 681 square-foot, second-floor addition to an existing single-story, single-family residence with an attached two-car garage located at 627 Glencrest Place.

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

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COUNCIL ACTION: Approved 4/0/1 (Recused: Zahn)

B.3. This Item was removed from the Agenda.

C.1. This Item was removed from the Agenda.

C.3. This Item was removed from the Agenda.

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 (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 November 16, 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 November 10, 2016 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., November 16, 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, December 15, 2016, 6:30 p.m. (City Hall)
- **Climate Action Commission**
Thursday, November 17, 2016, 5:30 p.m. (City Hall) Special Meeting
- **Parks & Recreation Commission**
Thursday, December 8, 2016, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**
Tuesday, November 22, 2016, 5:30 p.m. (City Hall)
- **View Assessment Commission**
Tuesday, December 20, 2016, 6:00 p.m. (Council Chambers)