

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 SPECIAL Meeting
Tuesday, August 25, 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
Mike Nichols, Councilmember

Peter Zahn, Councilmember
Ginger Marshall, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

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 4/0/1 (Absent-Nichols)

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.7.)

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 June 13, 2015 through July 31, 2015.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

A.2. General Fund Adopted Budget for Fiscal Year 2014-15 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2014-2015 General Fund Adopted Budget.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

A.3. League of California Cities' 2015 Annual Business Meeting Voting Delegates Designees. (File 0140-10)

Recommendation: That the City Council

1. Appoint Councilmember Zahn, primary voting delegate, and City Manager, Greg Wade, as alternate voting delegate, for the 2015 Annual Business Meeting of the League of California Cities Annual Conference being held September 30th through October 2nd, or provide alternative appointments.
2. Authorize the City Clerk to attest to the appointments and submit the Official Voting Form to the League of California Cities by September 18, 2015.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

A.4. Quarterly Investment Report. (File 0350-44)

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Report for the quarter ended June 30, 2015.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

A.5. 2015 Street Maintenance & Repair Project. (File 0820-35)

Recommendation: That the City Council

1. Adopt **Resolution 2015-095**:
 - a. Awarding a construction contract for the 2015 Street Maintenance & Repair Project, Bid 2015-05, in the amount of \$318,903.90, to American Asphalt South.
 - b. Approving an amount of \$80,000 for construction contingency.
 - c. Approving an amount of \$15,000 for construction inspection and management.
 - 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.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

A.6. Appointment to the Oversight Board for the Successor Agency to the former Solana Beach Redevelopment Agency. (File 0115-30)

Recommendation: That the City Council

1. Appoint Mo Sammak as the former RDA employee representative to the Oversight Board for the Successor Agency to the former Solana Beach Redevelopment Agency.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

A.7. Submittal of Application to the County for Neighborhood Reinvestment Program for La Colonia Park Veterans' Honor Courtyard. (File 0330-25)

Recommendation: That the City Council

1. Adopt **Resolution 2015-092**:
 - a. Confirming that the City of Solana Beach is a public agency under the laws of the State of California.
 - b. Approving the filing of an application, in the amount of \$100,000, with the County of San Diego for Neighborhood Reinvestment Program funding during the County's 2015-2016 fiscal year.
 - c. Authorizing the City Manager to sign a grant agreement with the County of San Diego for Neighborhood Reinvestment Program funds for the 2015-2016 Fiscal Year.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

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.4.)

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. 225 Pacific Ave. – Development Review Permit (DRP), and Structural Development Permit (SDP), Applicant: Mark and Felicia Barr, Case No. 17-12-21. (File 0600-40)

The proposed project meets the minimum objective requirements under the LUP, 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 2015-093** conditionally approving a DRP and an administrative SDP to demolish an existing single family home, garage and accessory structure and to construct a new 1,949.25 square foot single-family residence with attached 400 square foot garage at 225 Pacific Avenue.

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

[B.1. Supplemental Documents – R](#)

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

B.2. 447 S. Sierra Ave. – Conditional Use Permit (CUP) for a New Clay Seam Notch Infill and Maintenance and Repair of Five Existing Sea Cave Infills, Applicant: Solana Beach and Tennis Club, Case No. 17-15-13. (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 2013 State California CEQA Guidelines Section 15301(d) and 15304(c),
3. Adopt **Resolution 2015-094** approving CUP 17-15-13 for the maintenance and repair of five existing concrete infills and a 75 foot long clay seam notch infill located at the base of the lower coastal bluff below 447 South Sierra Avenue.

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

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

[B.2. Supplemental Documents 8-21 last update 320pm - R](#)

[B.2. Supplemental Documents 8-24 last update 830am - R](#)

[B.2. Supplemental Documents 8-25 last update 324pm – R](#)

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

B.3. 1220 Via Mil Cumbres – Development Review Permit (DRP), Applicant: Kettler, Case No. 17-14-31. (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 2015-097** conditionally approving a DRP for a 1,027 square foot addition to an existing single-story, single-family residence with an attached 745 square foot garage located at 1220 Via Mil Cumbres.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

B.4. 118 S. Cedros Ave. – Conditional Use Permit (CUP), Applicant: Carruth, Case No. 17-15-12. (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 CUP. 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 2015-098** conditionally approving a CUP for the project to allow for on- and off-site alcohol sales at 118 South Cedros Avenue.

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

[B.4. Updated Report #1](#)

[B.4. Supplemental Documents 8-20 last update 340pm - R](#)

[B.4. Supplemental Documents 8-24 last update 1000am - R](#)

[B.4. Supplemental Documents 8-25 last update 510pm - R](#)

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

C. STAFF REPORTS: (C.1. - C.5.)

Submit speaker slips to the City Clerk.

C.1. Public Safety Commission Review. (0120-35)

Recommendation: That the City Council

1. Discuss the analysis performed by Staff and the status intention for the Public Safety Commission.

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

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols) to return to Council with the procedural actions to retire the Commission at this time.

C.2. Consideration of Resolution of Support Urging The State To Provide New Sustainable Funding For State And Local Transportation Infrastructure. (0480-70)

Recommendation: That the City Council

1. Adopt **Resolution 2015-099** urging the state to provide new sustainable funding for state and local transportation.

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

COUNCIL ACTION: Approved 3/1/1 (Noes-Marshall; Absent-Nichols)

C.3. Introduce (1st Reading) Ordinance 463 to Clarify Projects Subject to the City's Waste Diversion Requirements. (1030-00)

Recommendation: That the City Council

1. Introduce **Ordinance 463** to amend Section 6.36.020 of the Solana Beach Municipal Code to clarify projects that must meet the City's waste diversion requirements.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

C.4. Introduce (1st Reading) Ordinance 456 related to Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Systems. (File 0600-05)

Recommendation: That the City Council

1. Introduce **Ordinance 456** to add Chapter 15.52 to the Solana Beach Municipal Code to Provide an Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Systems.

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

COUNCIL ACTION: Approved 4/0/1 (Absent-Nichols)

C.5. Parks and Recreation Commission Appointment. (File 0120-05)

Recommendation: That the City Council

1. Make one appointment (by Council-at-large) to the vacant position on the Parks and Recreation Commission with a term expiration date of January 2017.

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

NO ACTION: Application deadline will be extended to September 4, 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 August 25, 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 August 19, 2015 at 5:30 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., August 25, 2015, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk
City of Solana Beach, CA