

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 **REDEVELOPMENT AGENCY and PUBLIC FINANCING AUTHORITY**

JOINT **REGULAR** MEETING

WEDNESDAY, DECEMBER 12, 2007
06:00 P.M.

CITY COUNCIL CHAMBERS
635 S. HIGHWAY 101
SOLANA BEACH, CALIFORNIA

The City Council acts as the City of Solana Beach Redevelopment Agency and the Public Financing Authority.

NOTICE

In compliance with the Americans with Disabilities Act, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202 of the Americans with Disabilities Act of 1990. 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 at (858) 720-2400 at least 48 hours before 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.

The Regular Meetings of the City Council are scheduled for 2nd and 4th Wednesdays and are broadcast live on Cox Communications, Channel 19, and Time Warner, Channel 24.

A full City Council agenda packet with all backup information is available at City Hall and the Solana Beach branch of the San Diego County Library the Friday before each Council meeting and on the web at www.ci.solana-beach.ca.us.

CITY COUNCILMEMBERS

LESA HEEBNER, MAYOR
JOE G. KELLEJIAN, DEPUTY MAYOR
DAVID W. ROBERTS, COUNCILMEMBER
MIKE NICHOLS, COUNCILMEMBER
THOMAS M. CAMPBELL, COUNCILMEMBER

DAVID OTT
CITY MANAGER

JAMES P. LOUGH
CITY ATTORNEY

ANGELAIVEY
CITY CLERK

Please submit your speaker slip to the City Clerk prior to the meeting or the announcement of

the Item.

CALL TO ORDER AND ROLL CALL:

FLAG SALUTE:

APPROVAL OF AGENDA:

COUNCIL ACTION: Approved 5/0 to approve the agenda moving the order of some items.

CITY COUNCIL REORGANIZATION:

- A. **Recognition of Mayor Heebner for her service as Mayor 2007.**
- B. **In accordance with the policies established by Resolution No. 96-17, appoint the Mayor and Deputy Mayor for the term of December 12, 2007 to December 10, 2008.**
 - 1. Nominations for Mayor by Motion and Second
 - a. Close nominations
 - b. Majority Vote

COUNCIL ACTION: Approved 5/0 to appoint Joe G. Kellejian for six months (December 2007 - June 2008) and Dave Roberts for the following six months (June - December 2008) as Mayor.

- 2. Nominations for Deputy Mayor by Motion and Second

COUNCIL ACTION: Approved 5/0 to appoint Dave Roberts for six months (December 2007 - June 2008) and Mike Nichols for six months (June - December 2008) as Deputy Mayor.

NOTE: AT THIS TIME A BRIEF RECESS WILL BE CALLED Seating Exchange

PROCLAMATIONS:

PRESENTATIONS:

- 1. Employee Appreciation - Chandra Collure

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. Items can be referred to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES as per SBMC . (Be aware of the timer lights on the Council dais.)

COMMUNITY ANNOUNCEMENTS:

COMMENTARY:

CONSENT CALENDAR: (Action Items) (Items 1-9)

Items listed on the Consent Calendar are considered routine; however, any member of the public may

address the City Council on an item of concern by submitting to the City Clerk a request to speak 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 all other Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

1. Waive text reading of ordinances

Recommendation: That the City Council

- A. Approve waiving the text reading of ordinances on this agenda pursuant to Solana Beach Municipal Code Section 2.04.460.

COUNCIL ACTION: Approved 5/0.

2. Minutes of City Council meeting

Recommendation: That the City Council

- A. Approve the Minutes of the Regular City Council meeting held July 11, 2007 (regular & closed), August 22, 2007 (regular & closed).

Approved Minutes <https://www.cityofsolanabeach.org/en/government/public-meetings/agendas-minutes-videos>

COUNCIL ACTION: Approved 5/0.

3. List of Demands

Recommendation: That the City Council

- A. Ratify the List of Demands dated November 10 - November 23, 2007.

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

COUNCIL ACTION: Approved 5/0.

4. Monthly Investment Report

Recommendation: That the City Council

- A. Accept and file the attached Cash and Investment Reports for the months of July through September 2007.

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

COUNCIL ACTION: Approved 5/0.

5. 432 North Cedros Avenue Avenue - Laura Randolph, SSBL L.L.C. (Case 17-07-12 Clarification Resolution for Development Review Permit and Structure Development Permit

Recommendation: That the City Council

- A. Adopt Resolution 2007-165 including only one of the conditions suggested at the November 14, 2007 Council Meeting leaving out the condition requiring half diamond planters along the southern property line, by;
 - 1. Finding the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
 - 2. Conditionally approving a Development Review Permit and Structure Development Permit for the project.

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

COUNCIL ACTION: Approved 5/0 with modifications.

6. Status Report on Major FY 2007/08 Capital Improvement Projects

Recommendation: That the City Council

- A. Receive the report.

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

COUNCIL ACTION: Approved 5/0.

7. Lomas Santa Fe Plaza - 1-5 Interchange Project Change Order, Supplemental Funding of Escrow Account, and Additional Regional Surface Transportation Program (RSTP) Funds for Pavement Overlay

Recommendation: That the City Council

- A. Adopt Resolution 2007-186:
 - 1. Appropriating \$93,500 to the State Grant revenue account (244-4680) and to the Lomas Santa Fe at 1-5 Interchange Project, Budget Unit 244-9356-6510-6530, Project No. 9356.01-6661.
 - 2. Transferring \$8,740 from Street Light Master Plan, Budget Unit 211-9701-6510-6530, Project No. 9701.08-6661 to the Lomas Santa Fe at 1-5 Interchange Project, Budget Unit 211-9356-6510-6530, Project No. 9356.01-6661.
 - 3. Authorizing the City Engineer to execute change orders totaling \$137,378 to the agreement with American Assets for nine items listed in the staff report dated December 12, 2007, including overlaying Lomas Santa Fe Drive between Santa Helena and Las Banderas with rubberized asphalt concrete.
 - 4. Authorizing the City Finance Director to fund the escrow account in the amount of \$130,378 per the agreement with American Assets executed on May 24, 2006.

5. Authorizing the City Treasurer to amend the Fiscal Year 2007-2008 Adopted Budget accordingly.

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

COUNCIL ACTION: Approved 5/0.

8. Traffic Signal Poles for Highway 101/Cliff Street Intersection

Recommendation: That the City Council

- A. Adopt Resolution 2007-187 authorizing the purchase of the Vernon series decorative traffic signal poles for the Highway 101/Cliff Street Intersection from Sternberg Vintage Lighting.

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

COUNCIL ACTION: Approved 5/0.

9. Emergency Rescue Vehicle and Associated Emergency Response Equipment

Recommendation: That the City Council

- A. Adopt Resolution 2007 - 181:
 1. Approving the purchase of a new replacement Marine Safety Department rescue vehicle for a cost of \$23,600 including tax; and
 2. Approving the purchase of the necessary emergency response equipment and to retrofit the emergency response vehicle with emergency lights, warning devices, and communication devices at a cost of \$5,200.

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

COUNCIL ACTION: Approved 5/0.

NOTE: THE CITY COUNCIL MAY NOT BEGIN A NEW AGENDA ITEM AFTER 10:30 P.M. UNLESS UNANIMOUSLY APPROVED BY THE CITY COUNCIL.

14. Fiscal Year 2006-07 Audited Financial Report and Single Audit Report

- A. Accept and file the City of Solana Beach Comprehensive Annual Financial Report (CAFR) for the fiscal year July 1, 2006 - June 30, 2007.
- B. Accept and file the Single Audit Report for the year ended June 30, 2007.
- C. Accept and file the Statement of Auditing Standards (SAS) No. 112 Management Letter
- D. Accept and file the Independent Accountants' Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets letter.

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

COUNCIL ACTION: Approved 5/0.

PUBLIC HEARINGS continued: (Item 10)

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 designee 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 three-minute timer light on the Council Dais.

10. 700 Stevens Avenue - Stevens Street LLC (Case No. 17-06-22) Development Review Permit and Structure Development Permit

Recommendation: That the City Council

- A. Find that the Initial Study and Mitigated Negative Declaration prepared for the project (SCH# 2007071151) has been prepared consistent with CEQA and the 2007 State CEQA Guidelines and certify the Initial Study and Mitigated Negative Declaration;
- B. Adopt the Mitigation Monitoring and Reporting Program prepared for the project; and
- C. Adopt Resolution 2007-184 conditionally approving a Development Review Permit and Structure Development Permit to construct a new 16,740 square foot, two story commercial office building on property at 700 Stevens Avenue.

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

COUNCIL ACTION: Approved 3/0/2 to close the public hearing. (Absent: Heebner, Nichols recused due to conflicts of interest.) (Recused: Heebner, and Nichols)

COUNCIL ACTION: Approved 3/0/2 to approve with additional conditions 1) to utilize the easement Option 1., 2) to direct staff to add conditions that all parking needs be required by the project to be onsite and if overflow is needed to work with staff to mitigate cost, 3) connectivity of sidewalk, 4) to accept the voluntary art fee to La Colonia Park. (Recused: Heebner, and Nichols)

16. Banning Condominium Hotels and Similar Uses

Recommendation: That the City Council

- A. Open the public hearing and take testimony from the public.
- B. Close the public hearing.
- C. Adopt the negative declaration prepared for the condominium hotel, fractional ownership, and timeshare amendments to the zoning ordinance.
- D. Introduce Ordinance 376 amending sections 17.12.010(0)(8) and 17.12.020(A)(8) to define and disallow condominium hotel, timeshares (prospectively) and fractional ownership hotels.

- E. Set this matter for adoption at the next regularly scheduled City Council meeting.

[Item 16 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0 to approve and include the memo by Wayne Brechtel be included in the record.

STAFF REPORTS: (Items 11-15)

Submit speaker slips to the City Clerk.

11. Fiscal Year 2006-07 Community Grant Program Award Recipients Financial Expenditure Report

Recommendation: That the City Council

- A. Direct that the Casa de Amistad remit remaining funds of \$26.92 back to the City of Solana Beach.

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

COUNCIL ACTION: Approved 5/0 to deny staff recommendation at this time, to direct staff to contact all organizations requesting their financials as required, to not require Casa de Amistad to return the unused funds of \$26.92, and clarify the policy that if organizations do not fulfill their obligation to submit their financials that they will not be eligible for future requests until they are received.

12. Fiscal Year 2007-08 Community Grant Recipients Selection

Recommendation: That the City Council

- A. Select the 2007-08 Community Grant recipients and identify an award amount to each recipient.
- B. Adopt Resolution 2007-183 authorizing the funding for selected community grant recipients for financial assistance under the FY 2007-08 Community Grant Program.

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

COUNCIL ACTION: Approved 5/0 to approve the \$25,000 Community Grant with the following allocations:

Boys & Girls Club \$5,000

Kids Corps USA \$5,000 total for two projects

California Foundation for International Arts \$2,500

North Coast Rep. \$2,500

Solana Beach Little League \$8,000 total for two projects

San Dieguito Alliance for Drug Free Youth \$2,000

13. San Diego Regional Stormwater Co-permittees Memorandum of Understanding

Recommendation: That the City Council

- A. Adopt Resolution 2007-182 authorizing the City Manager to enter into the Regional National Pollutant Discharge Elimination System (NPDES) Memorandum of Understanding.

COUNCIL ACTION: Approved 5/0.

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

15. La Colonia Park Project Conceptual Design Services - Van Dyke Landscape Architects

Recommendation: That the City Council

- A. Adopt Resolution 2007-188 Authorizing the City Manager to enter into negotiations with Van Dyke Landscape Architects for conceptual design services for the La Colonia Park Project.

[Item 15 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

ORDINANCE INTRODUCTION: 1st Reading (Items 16-18)

Submit speaker slips to the City Clerk.

17. Citizen Boards, Commissions and Committees Solana Beach Municipal Code Update

Recommendation: That the City Council

- A. Introduce Ordinance 370 amending Chapters 2.60, 2.62, 2.64, 2.72, and 17.63 and adding Chapters 2.74 and 2.84 to the Solana Beach Municipal Code for Citizen Boards, Committees, and Commissions.

[Item 17 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

18. Ban on Use of Plastic Bags for Distribution of Solicitation Materials

Recommendation: That the City Council

- A. Introduce Ordinance 375 amending Chapter 4.38 Solicitations to add a ban on the use of plastic bags for distribution of solicitation materials.

[Item 18 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0 with modifications.

ORDINANCE ADOPTION: 2nd Reading (Item 19)

Submit speaker slips to the City Clerk.

19. Responsible Sales and Service of Alcoholic Beverages Ordinance

Recommendation: That the City Council

- A. Adopt Ordinance 371 adding chapter 4.09 Alcoholic Beverages - Responsible Beverage Sales and Service to the Solana Beach Municipal Code, requiring Responsible Beverage Service training for people who serve and sell alcoholic beverages.

[Item 19 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

WORKPLAN COMMENTS: (Adopted June 27, 2007)

Material is located in front section of agenda binder.

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:

Please state the committee you are speaking to before making each report. Regional Committees: (outside agencies)

1. California Cities Contract Association (CCCA) - Roberts, Heebner (alternate).
2. City Selection Committee - Kellejian (meets twice a year)
3. County Service Area 17 - Campbell, Nichols (alternate).
4. Escondido Creek Watershed Authority - Nichols, Roberts (alternate).
5. League of Ca. Cities' San Diego County Executive Committee and its' Subcommittees - Roberts, Kellejian (alternate).
6. League of Ca. Cities' Local Legislative Committee - Roberts, Kellejian (alternate).
7. League of Ca. Cities' Coastal Cities Issues Group (CCIG) - Roberts, Kellejian (alternate).
8. North County Dispatch JPA- Nichols, Campbell (alternate).
9. North County Transit District - Roberts, Heebner (alternate).
10. Regional Solid Waste Association (RSWA) - Nichols, Kellejian (alternate).
11. SANDAG & its' subcommittees - Heebner (Primary), Roberts (1st alternate), Nichols (2nd alternate).
12. SANDAG Shoreline Preservation Committee - Kellejian, Roberts (alternate).
13. San Dieguito River Valley JPA- Roberts, Nichols (alternate).
14. San Elijo JPA- Campbell, Roberts (both primary members) (no alternates).
15. 22nd Agricultural District Association Community Relations Committee - Roberts, Campbell (alternate).

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

1. Business Liaison Committee - Roberts, Campbell.
2. Highway 101 / Cedros Ave. Development Committee - Heebner, Nichols.
3. 1-5 Construction Committee - Kellejian, Roberts.
4. Public Arts Committee - Roberts, Nichols.
5. School Relations Committee - Roberts, Campbell.
6. Traffic Transportation - Heebner, Kellejian.

Ad Hoc Committees: (All Primary Members) (Temporary Committees)

1. Condo-Hotel - Heebner, Campbell. Expires October 24, 2008.
2. Development Review - Heebner, Nichols. Expires November 29, 2008.
3. Fletcher Cove - Heebner, Campbell. Expires November 28, 2008.
4. La Colonia Park Needs Assessment - Heebner, Nichols. Expires June 13, 2008.
5. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 14, 2008 or at the California Coastal Commission adoption.
6. Sand Replenishment Alternative Review - Kellejian, Campbell. Expires January 25, 2007.
7. Solana Beach Mixed-Use Train Station Project Ad Hoc Committee - Heebner, Nichols.
8. Views and Vegetation Subcommittee - Roberts, Nichols. Expires October 24, 2008.

ADJOURN:

Angela Ivey, City Clerk

Approved: _____