

# 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, APRIL 23, 2008**  
**6:00 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 online [www.ci.solana-beach.ca.us](http://www.ci.solana-beach.ca.us) at least 72 hours prior to the meeting. Agenda related writings or documents regarding an agenda item that are received after the distribution of the agenda and before 4:30 p.m. on the meeting day will be available for public viewing at City Hall and posted online with the agenda.

#### **CITY COUNCILMEMBERS**

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

DAVID OTT  
CITY MANAGER

JOHANNA N. CANLAS  
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, pulling Item 9 from the agenda and will bring back on May 14th and will open Item 5 but will continue it to May 14th.**

**PROCLAMATIONS: None**

**PRESENTATIONS:**

**1. Graffiti Presentation - San Diego County Sheriff's Department**

**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 1-3)**

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. Financial and Economic Analysis of the Cedros Crossing Development. (File No. 0400-10)**

Recommendation: That the Board of Directors

A. Adopt Resolution RDA 032:

- A. Authorizing the Executive Director to execute an amendment to the professional services agreement with CBRE Consulting for pro forma and economic analysis not-to-exceed \$30,000, and
- B. Authorizing the Finance Officer to amend the FY 2007-08 Budget by increasing the appropriation to the line item 416-7800-7810-6530 by \$15,000.

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

**COUNCIL ACTION: Approved 5/0.**

**3. Urban Area Security Initiative. (File 0400-10)**

Recommendation: That the City Council

- A. Adopt Resolution 2008-72 authorizing the Memorandum of Agreement to allow Solana Beach to remain eligible to receive grant funds and benefits through the Urban Area Security Initiative (UASI) intended to protect the urban area in the event of a terrorist attack on the region

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

**COUNCIL ACTION: Approved 5/0.**

**PUBLIC HEARINGS: (Items 4-7)**

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.

**4. 514 Barbara Avenue Development Review and Structure Development Permits (Case #17-07-38, Applicants: Matthew and Cathy Meunier). (File 0600-40)**

Recommendation: That the City Council

- A. Find the project categorically exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines; and
- B. Adopt Resolution 2008-065 conditionally approving a Development Review Permit and a Structure Development Permit to construct a new single-family residence on property at 514 Barbara Avenue.

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

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

**COUNCIL ACTION: Approved 5/0.**

5. **355 Pacific Avenue Development Review and Structure Development Permits (Case # 17-05-37; Applicant: Don Totten). (File 0600-40) ITEM CONTINUED TO MAY 14, 2008**

Recommendation: That the City Council

A. Continue the item to a future agenda date.

6. **Nonconforming Uses and Structures - Introduction (1st Reading) of Ordinance 372. (File No. 0610-10)**

Recommendation: That the City Council

A. Open the public hearing and take testimony from the public.

B. Close the public hearing.

C. Make the requisite findings supporting adoption of Ordinance No. 372.

D. Adopt the Negative Declaration prepared for the amendments to SBMC Chapter 17.16 "Nonconforming Uses and Structures."

E. Introduce Ordinance No. 372, amending SBMC Chapter 17.16 "Nonconforming Uses and Structures."

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

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

7. **Transportation Uniform Mitigation Fee for the Regional Transportation Congestion Improvement Plan (RTCIP). (File 0840-30)**

Recommendation: That the City Council

A. Adopt Resolution 2008-069 establishing a schedule of fees for the Solana Beach Regional Transportation Congestion Program (RTCIP) to defray costs of constructing planned regional transportation facilities.

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

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

**COUNCIL ACTION: Approved 5/0.**

**STAFF REPORTS: (Item 8-16)**

Submit speaker slips to the City Clerk.

**8. CalPERS Valuation Study on Shared Fire Department Services. (File 0240-20)**

Recommendation: That the City Council

- A. Adopt Resolution 2008-70 stating the intent to merge the fire functions of the City of Solana Beach and the City of Del Mar Fire Departments and request that CalPERS provide a valuation for determining cost or cost savings.

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

**COUNCIL ACTION: Approved 5/0.**

**9. Public Arts Advisory Commission Member Appointment. (File No. 0120-80)**

Recommendation: That the City Council

- A. Make one appointment by the Council-at-large to the Public Arts Advisory Commission with a term expiration date of January 2009.

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

**10. Organic fertilizers and herbicides on the Coastal Rail Trail. (File 0840-35)**

Recommendation: That the City Council

- A. Receive report stating that the Coastal Rail Trail will switch from using conventional fertilizers and herbicides to organic fertilizers and herbicides

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

**COUNCIL ACTION: Approved 5/0.**

**11. ICLEI Membership & Cities for Climate Protection Campaign Participation. (File 0230-25)**

Recommendation: That the City Council

- A. Adopt Resolution 2008-71 to become a "Full Member" of ICLEI to make a commitment to global sustainability.

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

**COUNCIL ACTION: Approved 5/0.**

**12. Del Mar Fairgrounds and Horsepark Master Plan. (File 0150-85)**

Recommendation: That the City Council

- A. Authorize the City Manager to send the public comment letter, dated April 23, 2008, to the 22nd DAA (District Agriculture Association).

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

**COUNCIL ACTION: Approved 5/0 to approve items mentioned by staff and Council.**

13. **Placement of Utility Facilities in the Public Rights-of-Way - Introduction (1st Reading) of Ordinance 378. (File 1000-10) NO ACTION TAKEN**
- A. Introduce Ordinance 378 amending Chapter 13.20 and creating Section 11.20.295 of the SBMC to provide reasonable regulations regarding the installation and placement of surface mounted utility facilities in City streets and rights-of-way.
  - B. Adopt Resolution 2008-29 to establish a new Council Policy to create guidelines for the placement of utility facilities in the public rights-of-way.

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

14. **No Smoking Ordinance - Introduction (1st Reading) of Ordinance 385. (File 0270-30)**
- A. Introduce Ordinance 385 amending Title 11, Chapter 11.12 Section 11.12.020 **EE** of the Solana Beach Municipal Code to remove reference to temporary or signed smoking areas.

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

**COUNCIL ACTION: Approved 5/0.**

15. **Graffiti Removal - Introduction (1st Reading) of Ordinance 384. (File 0230-80)**
- A. Introduce Ordinance 384 amending Title 11, Chapter 11.14 of the Solana Beach Municipal Code.

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

**COUNCIL ACTION: Approved 5/0.**

16. **California Building Standards Code, 2007 Edition - Adoption (2nd Reading) of Ordinance 382. (File 0800-90)**
- A. Adopt Ordinance 382
    - 1. Finding the project exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the State CEQA Guidelines; and
    - 2. Amending Chapters 15.80, 15.12, 15.16, 15.20, 15.22 and 15.32 and adopting new Sections of the Solana Beach Municipal Code adopting the California Building Standards Code, 2007 Edition, including the 2006 International Building Code, the 2005 National Electrical Code, the 2006 Uniform Plumbing Code, the 2006 Uniform Mechanical Code, the California Energy Code 2007 Edition and the 2007 California Fire Code.

[Item 16 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) - Kellejian, Roberts (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 - Campbell, Roberts.

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

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

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

1. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires January 9, 2009.
2. Development Review - Nichols, Heebner. Expires November 29, 2008.
3. Environmental Sustainability - Roberts, Heebner. Expires January 9, 2009.
4. Fletcher Cove - Campbell, Heebner. Expires November 28, 2008.
5. La Goiania Park Needs Assessment - Nichols, Heebner. Expires June 13, 2008.
6. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 12, 2009 or at the California Coastal Commission adoption.
7. Solana Beach Mixed-Use Train Station Project Ad Hoc Committee - Nichols, Heebner.
8. Views and Vegetation - Roberts, Nichols. Expires October 24, 2008.

## **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 April 23, 2008 Council Meeting as called by City Council, Redevelopment Agency, and the Public Financing Authority of the City of Solana Beach, California, was provided and posted on April 17, 2008 at 3:00 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., April 23, 2008, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk  
City of Solana Beach, CA