

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, JULY 9, 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 or by email at least 72 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 the 2nd and 4th Wednesdays and are broadcast live on Cox Communications, Channel 19, and Time Warner, Channel 24. Council meetings are archived and available for viewing. The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings.

A full City Council agenda packet with backup information is available at City Hall, at the Solana Beach branch of the San Diego County Library (157 Stevens Ave.), and online www.ci.solana-beach.ca.us at least 72 hours prior to the meeting. Agenda related writings or documents regarding an agenda item and that are received after the distribution of the agenda but at least 1 hour 30 minutes prior to the meeting will be available for public viewing at City Hall and posted online with the agenda.

CITY COUNCILMEMBERS

DAVID W. ROBERTS, MAYOR

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

DAVID OTT
CITY MANAGER

JOHANNA N. CANLAS
CITY ATTORNEY

ANGELAIVEY
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.

CALL TO ORDER AND ROLL CALL:

FLAG SALUTE:

APPROVAL OF AGENDA:

COUNCIL ACTION: Approved 5/0 to approve except Item 15 and 21 which will be pulled from the agenda.

PROCLAMATIONS:

PRESENTATIONS:

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 1-14)

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 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. List of Demands (File 0300-30) That the City Council
 - A. **Ratify the List of Demands dated June 7 - June 20, 2008.**
[Item 2 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

3. Shoreline Newsletter Publishing Services. (File 0400-10) That the City Council
 - A. **Authorize a one-year professional services agreement with three (3) additional one-year extension options, not to exceed \$22,000.00 in year one and \$25,000 per year in subsequent years with VIP Printing to design, publish, and deliver four (4) editions of the Shorelines City newsletter annually, effective July 9, 2008 through June 30, 2009.**
[Item 3 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

4. Jurisdictional Urban Runoff Management Program (JURMP). (File 0850-40) That the City Council
 - A. **Receive report**
[Item 4 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

6. Emergency Repairs to City Infrastructure and Facilities. (File 0700-10) That the City Council
 - A. **Adopt Resolution 2008-091 authorizing the City Manager to execute necessary agreements for emergency repairs to City infrastructure and facilities.**
[Item 6 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

7. Gull Sculpture Installation - Public Review. (File 0910-45) That the City Council
 - A. **Approve the Public Arts Advisory Commission (PAAC) and Standing Committee recommendation to open the 45-day public review period for the proposed gull design and installation location.**
[Item 7 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

8. One Year Suspension of Assessment Fees for the Solana Beach Lighting District. (File 0495-20) That the City Council
- A. **Adopt Resolution 2008-125 approving a one time, one-year suspension of the collection of assessment fees for the Solana Beach Lighting District for the fiscal year of 2008-2009.**
- [Item 8 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

9. Amendment to City Manager Contract. (File 0400-10) That the City Council
- A. **Adopt Resolution 2008-087 authorizing the Mayor to execute the Amendment to the Employment Agreement between the City of Solana Beach and David Ott.**
- [Item 9 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

10. Amendment to Legal Services Agreement with McDougal, Love, Eckis, Smith, Boehmer & Foley. (File 0400-10) That the City Council
- A. **Adopt Resolution 2008-100 authorizing the Mayor to execute the First Amendment to the Agreement between the City of Solana Beach, Solana Beach Redevelopment Agency, Public Finance Authority and McDougal, Love, Eckis, Smith, Boehmer & Foley through June 30, 2010.**
- [Item 10 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

11. Award Lomas Santa Fe at Stevens-Glencrest Median Reconstruction. (File 0400-10) That the City Council
- A. **Adopt Resolution 2008-132**
1. Awarding the construction contract to Fox Construction in the amount of \$19,487 for the Lomas Santa Fe Drive at Glencrest and Stevens Median, Bid No. 2008-11.
 2. Approving an amount of \$3,000 for construction contingency and testing services.
 3. Authorizing the City Manager to execute the construction contract on behalf of the City.
- [Item 11 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

12. Eighth Amendment to the Emergency Services Agreement Between the County of San Diego and the City of Solana Beach. (File 0400-10) That the City Council
- A. Adopt Resolution 2008-137 authorizing the City Manager to execute the Eighth Amendment and any subsequent amendments to the Emergency Services Agreement between the County of San Diego and the City of Solana Beach.**

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

COUNCIL ACTION: Approved 5/0

13. Plaza Street Improvements Notice of Completion. (File 0400-10) That the City Council

A. Adopt Resolution 2008-120

1. Approving Change Order No. 2 to the construction contract with Palomar Grading & Paving, Inc. in the amount of \$34,604.05 for the Plaza Street Improvement Project, Bid No. 2007-11.
2. Authorizing the City Council to accept as complete the Plaza Street Interim Improvement Project, Bid No. 2007-11.
3. Authorizing the City Clerk to file a Notice of Completion.

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

COUNCIL ACTION: Approved 5/0

14. Designate Voting Representative for League of California Cities 2008 Annual Business Meeting. (File 0140-10) That the City Council

- A. Appoint Mayor Roberts as the voting delegate and Councilmember Kellejian as voting alternate delegate for the 2008 Annual Business Meeting at the League of California Cities Annual Conference being held September 24-27, 2008 in Long Beach, Ca.**
- B. Direct the City Clerk to attest to the appointments and submit the Official Voting Form to the League of California Cities.**

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

COUNCIL ACTION: Approved 5/0

5. Sanitary Sewer Maintenance and Video Inspection Contract, Reject All Bids. (File 0400-10) That the City Council

A. Adopt Resolution 2008-134

1. Rejecting all bids for the Sanitary Sewer Maintenance and Video Inspection contract, Bid No. 2008-06; and

2. Authorizing the City Engineer to re-advertise the maintenance contract for bids.

[Item 5 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.

PUBLIC HEARINGS: (Items 15-19)

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.

15. Development Review Permit /Structure Development Permit and Director Use Permit for 410-444 South Cedros Avenue (Case No. 17-08-06 DRP/SDP/DUP; Applicant: Sean M. Macleod) (File 0600-40) That the City Council

A. Continue the item to a future agenda.

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

16. Commercial Solid Waste Rate Increase for EDCO Waste and Recycling Services Fiscal Year 2008-09. (File 1030-15) That the City Council

A. Report Council disclosures, if applicable.

B. Conduct the Public Hearing: Open the public hearing, Receive public testimony, Close the public hearing.

C. Following the Public Hearing, adopt Resolution 2008-130 approving EDCO's rate review request increasing commercial solid waste rates for Fiscal Year 2008-09 in accordance with the Franchise Agreement.

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

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

COUNCIL ACTION: Approved 5/0

17. Residential Solid Waste Rate Increase for Coast Waste Management, Inc. Fiscal Year 2008-09. (File 1030-15) That the City Council

A. Report Council disclosures, if applicable.

B. Conduct the Public Hearing: Open the public hearing, Receive public testimony, Close the public hearing.

- C. Following the Public Hearing, adopt Resolution 2008-131 approving Coast Waste Management's rate review request increasing residential solid waste rates for Fiscal Year 2008-09 in accordance with the Franchise Agreement.

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

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

COUNCIL ACTION: Approved 5/0

- 18. Solana Beach Coastal Rail Trail Maintenance District Resolutions to Provide For the Annual Levy and Collection of Assessments. (File 0495-20) That the City Council

- A. Conduct the Public Hearing: Open the public hearing, Receive public testimony, Close the public hearing.
- B. Adopt Resolution 2008-135 amending and/or approving the Fiscal Year 2008-09 Engineer's Report regarding the Coastal Rail Trail Maintenance District.
- C. Adopt Resolution 2008-136 ordering the levy and collection of the annual assessments regarding the Coastal Rail Trail Maintenance District for Fiscal Year 2008-09.

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

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

COUNCIL ACTION: Approved 5/0

- 19. Emergency Request for a Conditional Use Permit to construct a seawall and infill an existing seacave at 407 Pacific Avenue (Case No. CUP 17-08-11) Applicant: Chris Hamilton. (File 0610-60) That the City Council

- A. Report Council disclosures, if applicable.
- B. Conduct the Public Hearing: Open the public hearing, Receive public testimony, Close the public hearing.
- C. Find the project exempt from the requirements of CEQA pursuant to 2008 State California CEQA Guidelines Section 15269(b) as a documented emergency exists.
- D. Adopt Resolution 2008-133 conditionally approving an emergency request for a Conditional Use Permit to construct a seawall to support the lower- to mid-coastal bluff against significant failure along the bluff below 407 Pacific Avenue.

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

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

COUNCIL ACTION: Approved 5/0

STAFF REPORTS: (Item 20-22)

Submit speaker slips to the City Clerk.

20. Fiscal Year 2008/09 Salary and Compensation Plan for All Employees. (File 0520-10) That the City Council

- A. **Adopt Resolution 2008-129 approving the FY 2008/09 Salary and Compensation Plan for Appointive Management, Mid-Management, Confidential, Non-Represented, Represented Fire and Marine Safety Unit employees.**

[Item 20 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

21. Brechtel/Nicholas Subdivision APN: 298-121-55 (File 0600-10) That the City Council

- A. **Do not adopt any proposed changes to the Solana Beach Municipal Code as outlined in Attachment 1 of the staff report.**

[Item 21 Report \(click here\)](#)

22. Adopt (2nd Reading) Ordinance 389 to Increase the Amount of Monthly Compensation of the City Council. (File 0410-05) That the City Council

- A. **Adopt (2nd Reading) Ordinance 389 amending Title 2, Chapter 2.04 of the Solana Beach Municipal Code increasing the monthly compensation paid to members of the City Council pursuant to Government Code Section 36516.**

[Item 22 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

WORKPLAN COMMENTS: (Adopted June 25, 2008)

Material is located in front section of agenda binder.

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.

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.

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 Colonia Park Needs Assessment - Nichols, Heebner. Expires June 10, 2009.
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 July 9, 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 July 3, 2008 at 3:30 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m. p.m., July 9, 2008, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California. Angela Ivey, City Clerk City of Solana Beach, CA