

SOLANA BEACH CITY COUNCIL
REDEVELOPMENT AGENCY AND PUBLIC FINANCING AUTHORITY

JOINT **REGULAR** MEETING

MINUTES

WEDNESDAY, FEBRUARY 27, 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.

CALL TO ORDER AND ROLL CALL:

FLAG SALUTE:

The Cub Scouts Den 1 Pack 782 led the flag salute.

APPROVAL OF AGENDA:

MOTION: Moved by Roberts and seconded by Heebner to approve and moving Item # 8 to the beginning of the Staff Report section. **Motion carried unanimously.**

PROCLAMATIONS:

- 1. Spay & Neuter Action Project (SNAPS) & Spay Day USA**
- 2. Registered Dietitians & National Nutrition Month**

Mayor Kellejian presented the proclamations.

PRESENTATIONS:

- 1. San Diego Workforce Partnership, Inc**

Elaina Feldman, representative, said that they provide services for free at one

stop centers for employment and education expansion.

2. Certified Emergency Response Team (CERT) Program Certificates

Dismas Abelman, Deputy Fire Chief, and Lorn Cannon, Firefighter and CERT program manager, presented certificates to graduates who included a local writer for the Solana Beach Sun and who has written articles on the program.

Deputy Mayor Roberts and Councilmember Nichols, among the recent graduates, acknowledged the group and urged the community to take advantage of the CERT program and/or the one hour "Are You Ready Solana Beach?" program.

3. Responsible Beverage Sales & Service Award

Dismas Abelman, Deputy Fire Chief, announced that the City received an award from the San Diego County Alcohol Policy Panel because of the leadership displayed in instituting the Responsible Beverage Sales and Service Ordinance. He said that the City is seen as a leader in this effort.

Council discussed bringing the issue to the League of California Cities at the March Legislative Action Days for an endorsement.

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:

Council reported their announcements.

Mayor Kellejian stated that the meeting will be adjourned in memory of former Mayor of Del Mar Jerry Finnel.

COMMENTARY:

Council announced their commentary.

Mayor Kellejian requested that Captain Fowler address the Council regarding the recent rape incident in the area.

Captain Fowler explained that this case was placed at the forefront of his division's attention and the case was resolved as noted in the media. He said that they are working with the community on a neighborhood watch.

Councilmember Heebner reported an update from the Train Station Project Ad Hoc Committee (Nichols, Heebner). She said that Council had separated out the garage from the mixed-use project for the sole purpose of helping NCTD (North County Transit District) meet their impending deadline for funding. She said that NCTD said that if the City separated the projects that the City would not have the authority to place conditions on the garage. So the Ad Hoc said that Council will agree to hear the whole project at one time. She stated that the developer had identified which plan to present which was the reduced mass alternative without a theatre, that staff will provide a list of what is needed to bring the project forward, and that the next step would be for the developer to present the project.

Council discussed ensued regarding having a placeholder date and whether to provide a Question & Answer Fact Sheet to the community.

Council made additional commentary.

CONSENT CALENDAR: (Action Items) (Items 1-7)

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.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried unanimously.**

2. List of Demands (File 0300-30)

Recommendation: That the City Council

- A. Ratify the List of Demands dated January 19, 2008 through February 1, 2008.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried unanimously.**

3. Tide Beach Seawall Maintenance Project, Bid No. 2007-09. (File 0400-10)

Recommendation: That the City Council

- A. Adopt Resolution 2008-039:

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried unanimously.**

4. Monthly Investment Report. (File 0350-45)

Recommendation: That the City Council

- A. Accept and file the attached Cash and Investment Reports for the month of January 2008.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried unanimously.**

5. Friends of the Solana Beach Library Reimbursement Agreement. (File 0400-10)

Recommendation: That the City Council

- A. Adopt Resolution 2008-045 authorizing the City Manager to execute a Reimbursement Agreement between the Friends of the Solana Beach Library and the City for the purchase of materials for the Solana Beach Library in an amount not to exceed \$15,000.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried unanimously.**

6. North Cedros Avenue Drainage and Hardscape Improvement Project. (File 0400-10)

Recommendation: That the City Council

A. Adopt Resolution 2008-036:

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried unanimously.**

7. La Colonia Park Basketball Court Project. (File 0400-10)

Recommendation: That the City Council

A. Adopt Resolution 2008-037

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried unanimously.**

PUBLIC HEARINGS: (Items 8-9)

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.

9. Development Review Permit - 205 Pacific Avenue (Case No. 17-07-04; Applicant: Ron Blackburn). (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;

- B. Adopt Resolution 2008-041 conditionally approving a Development Review Permit to remodel an existing single-family residence on property at 205 Pacific Avenue.

David Ott, City Manager, introduced the item.

Tina Christensen, Community Development Dir., stated a correction to the initial packet regarding the larger set of plans that was submitted that eluded to encroachment on an adjacent property and that staff had confirmed with the applicant that they did not intend to encroach.

Leslea Meyerhoff, consultant, presented a Powerpoint.

Mayor Kellejian opened the public hearing.

MOTION: Moved by Heebner and seconded by Roberts to close the public hearing. **Motion carried unanimously.**

Council disclosed their familiarity with the project.

Council discussed potential non-conforming replacements and the current code section, that this project was not adding to the non-conforming part of this project, and that the trigger for non-conformance requiring conformity was over 50% of the structure being modified.

MOTION: Moved by Heebner and seconded by Kellejian to approve. **Motion carried unanimously.**

STAFF REPORT:

8. Sand Compatibility and Opportunistic Use Program (SCOUP) Draft Initial Study/Mitigated Negative Declaration. (File 0740-80)

Recommendation: That the City Council

- A. Receive the Staff Report and open the public hearing for the SCOUP project to receive comments from the public and agencies on the contents and findings of the Initial Study/Mitigated Negative Declaration.

Mayor Kellejian stated the the public comment period was from February 11, 2008 through March 12, 2008.

David Ott, City Manager, said that there would not be a decision tonight but this was the opportunity for public comment.

Mayor Kellejian recessed the meeting at 7:15 p.m. for a break and reconvened at 7:22 p.m.

Leslea Meyerhoff, consultant, presented a Powerpoint.

Council and staff discussed a communication received from Jim Jaffe, who was an advisor with Surfrider, which would be included in the public comments submitted; confirmed that formal responses would be made for each comment submitted; Shelby Tucker at Sandag would coordinate this process; to consider reviewing the language regarding surfer locations; other recreations that would be affected would be swimmers and divers as well as some others; how the project may impact parking; and the application should include a traffic control plan.

Leslea Meyerhoff, consultant, said that these issues could be added as conditions of the project.

MOTION: Moved by Campbell and seconded by Nichols to receive report and incorporate all the Council's comments with the understanding that once the EIR review period is over that it will return to the City in a public hearing environment.
Motion carried unanimously.

STAFF REPORTS: (Item 10 - 14)

Submit speaker slips to the City Clerk.

10. Community Development Block Grant (CDBG) and Home Investment Partnerships Programs Three-Year Cooperative Agreement and Certifications. (File 0400-10)

Recommendation: That the City Council

- A. Adopt Resolution 2008-043 authorizing the Mayor, City Attorney and City Clerk to sign four sets of agreements and several certifications.

David Ott, City Manager, introduced the item.

Council and staff discussed the possibility of front loading the project and completing the sidewalk project at one time without disrupting the neighborhood three different times and whether it would affect obtaining funding, that the City must accumulate the funds as they can and then spend within two years,

and that the City had looked at bonding future block grants but it would not be a reliable funding source.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried unanimously.**

11. Plaza Street Interim Improvements. (File 0400-10)

Recommendation: That the City Council

A. Adopt Resolution 2008-040:

David Ott, City Manager, introduced the item.

Dan Goldberg, Interim City Engineer, presented a Powerpoint.

Council and staff discussion ensued regarding past modifications, utilizing dog bag receptacles in the area, that the quote to move the Sago Palms into a box was \$1,500 so they removed it from the bid and the City would determine a different way to address those palms, that the project would not be entirely completed by the Fiesta Del Sol event so the median area would be sheltered and protected during that time, that this effort was the beginning of a vision for the area, that the ultimate vision in the master plan is more involved including changes to the curb line, that NCTD (North County Transit District) was willing to provide a bus shelter at \$6,000 and to coordinate with them regarding this location, that the agreement with NCTD allows the City to use the funds that NCTD would spend and to choose what materials the City prefers rather than the standard shelter, and that the City would assume maintenance for them.

MOTION: Moved by Campbell and seconded by Kellejian to approve recommendations and incorporate Councilmember Nichols comments regarding plans for the bus shelter. **Motion carried unanimously.**

12. Mid-Year 2007/2008 Budget Amendments. (File 0330-30)

Recommendation: That the City Council/ Board of Directors:

A. Adopt Resolution 2008-044 to revise the revenue estimates and appropriations in the Fiscal Year 2007/2008 Budget.

B. Adopt Resolution RDA 031 revising the revenue estimates and appropriations in the Fiscal Year 2007/2008 Budget.

David Ott, City Manager, introduced the item. He said that the two most significant costs included workman's compensation and a parking revenue of \$90,000 that is owed to the County and State that had not been paid for three years. He said additional factors included some non-reimbursable costs for the Wildland Fires as well as a 10% downturn in sales tax revenue specifically due to a business located in Solana Beach which had determined that its tax revenue actually belonged to another City. He said that the recommendations are meant to take a proactive approach.

Dennis Coleman, Finance Director, presented a Powerpoint.

Council and staff discussion ensued regarding the recommendation to temporarily defer the asset replacement funding, which is for replacement of computers, equipment and certain furniture. Discussion continued regarding analyzing the asset replacement accounts to report depreciation, that funds come from different pools of funding such as Highway 101 or the Coastal Rail Trail and can not be used for other purposes so their allocations are designated specifically for certain projects and purposes, and that reserves total \$6 million which represent a healthy portion for a \$15 million budget.

Council and staff discussion ensued regarding contingency reserves that are used for economic downturn if needed, that asset replacement includes Fire Department equipment (fire trucks, breathing apparatuses, technology), that the deferral of further funding asset replacement will not delay a new Fire Engine, that the City maintains a very lean staff, that the next year's budget is being planned with three scenarios, and that the City is maintaining financially as well as planning carefully for the current economic environment.

MOTION: Moved by Heebner and seconded by Campbell . **Motion carried unanimously.**

13. Interim Staffing Plan for the Community Development Department. (File 0400-10)

Recommendation: That the City Council

- A. Approve the amendment of the contract agreement with Harvey-Meyerhoff Consulting Group for services described in this report until December 31, 2008, increasing the contract amount in an amount not to exceed \$50,000.
- B. Approve the amendment to the contract agreement with Summit Environmental Consultants for services described in this report until December 31, 2008, increasing the contract amount in an

amount not to exceed \$35,000.

C. Approve the amendment to the contract agreement with Jones & Stokes Consultants for services as described in this report until December 31, 2008 in an amount not to exceed \$50,000.

D. Approve the amendment to the contract agreement with Lori Naylor, Consultant for services as described in the report until December 31, 2008, increasing the contract amount in an amount not to exceed \$35,000.

David Ott, City Manager, introduced the item.

Tina Christiansen, Community Development Director, reviewed the projects requiring consulting services.

MOTION: Moved by Heebner and seconded by Campbell . **Motion carried unanimously.**

14. Highway 101 Tree Replacement Project. (File 0400-10)

Recommendation: That the City Council

A. Adopt Resolution 2008-038:

David Ott, City Manager, introduced the item.

Council and staff discussed the replacement project as well as adding eight additional trees and new shrubs, that the Ad Hoc Committee had spent much time on it and felt confident with the final plan, that there was now an on-call arborist that will be on-hand to ensure the procedures for putting in the trees and provide training on proper maintenance, that the pilot maintenance area that staff put together was a helpful reference, that the project was supporting the recently signed U.S. Mayor's agreement, and that the project would be completed in April as well as going organic.

MOTION: Moved by Heebner and seconded by Nichols . **Motion carried unanimously.**

ORDINANCE INTRODUCTION: 1st Reading NONE
Submit speaker slips to the City Clerk.

ORDINANCE ADOPTION: 2nd Reading (Item 15)

Submit speaker slips to the City Clerk.

15. Stormwater Management, Standard Urban Stormwater Mitigation Plan and Grading and Excavation Ordinance Amendments to Meet Stormwater Permit Requirements. (File 0850-40)

Recommendation: That the City Council

- A. Adopt Ordinance No. 379 amending Chapter 13.10 Storm Water Management.
- B. Adopt Ordinance No. 380 adding a new Chapter 13.30 to Title 13 regarding the Solana Beach Standard Urban Storm Water Mitigation Plan.
- C. Adopt Ordinance No. 381 amending Chapter 15.40 "Excavation and Grading.

David Ott, City Manager, introduced the item.

Johanna Canlas, City Attorney, read the title of the three Ordinances to be adopted.

MOTION: Moved by Roberts and seconded by Kellejian . **Motion carried unanimously.**

WORKPLAN COMMENTS: (Adopted June 27, 2007)

Material is located in front section of agenda binder.

David Ott, City Manager, reported the plan for Workplan Session meeting on March 26th at 4:00 p.m.

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 reported their disclosures.

COUNCIL COMMITTEE REPORTS:

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

Council made their committee reports.

- 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)

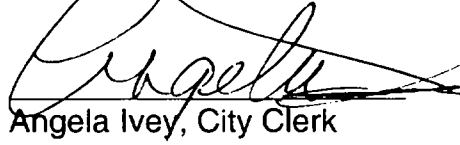
- 1. Business Liaison Committee - Roberts, Campbell.**
- 2. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.**
- 3. I-5 Construction Committee - Kellejian, Roberts.**
- 4. Public Arts Committee - Roberts, Nichols.**
- 5. School Relations Committee - Roberts, Campbell.**

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 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:

Mayor Kellejian adjourned the meeting at 9:24 p.m. in honor of former Del Mar Mayor and Councilmember Jerry Finnell.



Angela Ivey, City Clerk

Approved: April 9, 2008