

**SOLANA BEACH CITY COUNCIL
REDEVELOPMENT AGENCY AND PUBLIC FINANCING AUTHORITY**

JOINT **SPECIAL** MEETING

MINUTES

**WEDNESDAY, MARCH 26, 2008
7:00 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:

Present: Kellejian, Roberts, Nichols, and Heebner.

Absent: and Campbell.

Also Present: Angela Ivey, City Clerk
David Ott, City Manager
Dennis Coleman, Finance Director
Park Morse, Interim Deputy City Mgr.
Chandra Collure, City Engineer
Steve Didier, Management Analyst
Tina Christiansen, Community Development Dir.

Mayor Kellejian called the meeting to order at 7:15 p.m.

FLAG SALUTE:

APPROVAL OF AGENDA:

MOTION: Moved by Roberts and seconded by Heebner except for Item #11 which will be moved to the April 9th meeting. **Motion carried 4/0/1** (Absent: Campbell.)

PROCLAMATIONS: None

PRESENTATIONS: None**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.)

PoliceWatch.org reviewed CNN stories in the news regarding police incidents.

COMMUNITY ANNOUNCEMENTS:

Council made community announcements.

COMMENTARY:**CONSENT CALENDAR: (Action Items) (Items 1-5)**

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 4/0/1** (Absent: Campbell.)

2. Minutes of City Council meeting

Recommendation: That the City Council

- A. Approve the Minutes of the Regular City Council meeting held November 28, 2007.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried 4/0/1** (Absent: Campbell.)

3. List of Demands (File 0300-30)

Recommendation: That the City Council

- A. Ratify the List of Demands dated February 16 - 29, 2008.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried 4/0/1** (Absent: Campbell.)

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

Recommendation: That the City Council

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

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried 4/0/1** (Absent: Campbell.)

5. Cliff Street Bicycle/Pedestrian Bridge, Bid No. 2006-16. (File 0400-10)

Recommendation: That the City Council

- A. Adopt Resolution 2008-060:

1. Authorize the City Council to accept as complete the Cliff Street Bicycle/Pedestrian Bridge, Bid No. 2006-16.
2. Authorize the City Clerk to file a Notice of Completion.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried 4/0/1** (Absent: Campbell.)

PUBLIC HEARINGS continued: (Items 6-9)

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.

6. Development Review Permit and Structure Development Permit at 1148 Solana Drive; Applicant: Chris Miller, Case No. 17-07-29. (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 2008-051 conditionally approving a Development Review Permit and Structure Development Permit to remodel an existing single-family residence on property at 1148 Solana Drive.

David Ott, City Manager, introduced the item. Rich Whipple, Principal Planner, presented a Powerpoint. Council disclosed their familiarity with the project. Mayor Kellejian opened the public hearing.

MOTION: Moved by Heebner and seconded by Nichols to close the public hearing. **Motion carried 4/0/1** (Absent: Campbell.)

MOTION: Moved by Heebner and seconded by Roberts . **Motion carried 4/0/1** (Absent: Campbell.)

7. Development Review and Structure Development Permits for 214 South Rios Avenue, Applicants: Alan and Deborah Kerr; Case No. 17-07-33. (File 0600-40)

Recommendation: That the City Council

- A. Adopt Resolution 2008-058:

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 to construct a new multi-level, single-family residence on property at 214 South Rios Avenue, subject to the conditions of approval stated therein.

David Ott, City Manager, introduced the item.

Corey Johnson, Associate Planner, presented a Powerpoint.

Council disclosed their familiarity with the project.

Council and staff discussed what qualified as an accessory unit

Mayor Kellejian opened the public hearing.

MOTION: Moved by Heebner and seconded by Roberts to close the public hearing. **Motion carried 4/0/1** (Absent: Campbell.)

Council discussed cleaning up on the language in the basement portion of the ordinance to make clear a 10 ft. set back situation as opposed to a 5 ft. set back situation, to clean up to the potential loop hole by counting another parking space in order to increase the FAR with a small accessory living unit, to confirm that the driveway is not exceeding the maximum 40%, that the project is meeting state code, and that the project would meet affordable housing numbers needed by the City.

MOTION: Moved by Heebner and seconded by Roberts . **Motion carried 4/0/1** (Absent: Campbell.)

8. Development Review Permit at 603 Canyon Place; Applicants: Marvin & Elaine Dellinger, Case No: 17-07-35. (File 0600-40)

Recommendation: That the City Council

- A. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and

- B. Adopt Resolution 2008-056 conditionally approving a request for a Development Review Permit to construct a one-story addition, and a new attached garage to an existing single-family residence at a maximum height of 16 feet at 603 Canyon Place.

David Ott, City Manager, introduced the item.

Kathy Johnson, Assistant Planner, presented a Powerpoint.

Mayor Kellejian opened the public hearing.

Elaine Dellinger, applicant, said that the project was simple and that the initial issues with the project had been addressed.

Ken Karr stated that he asked people what they thought about the addition and did not receive any feedback regarding problems, that he supported the project, and that his concerns regarding in the area due to two current projects creating a lot of noise in the area were addressed by the applicant assured him that they would make sure construction was compliant with appropriate work hours.

Ed Strauss said that he lived next door to the project area, that the staff report did not take into consideration off-street parking, that the area is covered with bushes and shrubs, and that offset parking needs to be supplied, and requested that the area be cleared to make room for parking as well as the room for the fire hydrant clearance.

Staff and Council reviewed pictures of the area covered by shrubs.

Tina Christiansen, Community Development Dir., said that it was not a requirement as far as a code enforcement issue, however, the Council could require the removal of plants in the right-of-way as a condition of project for parking.

Elaine Dellinger, applicant, stated that her goal was for the project to not impact the area as much as recent projects had done, that they intended to ask the workman to delay the noise to closer to 8:00 a.m., and that she planned to have the workers use her driveway and lot as much as possible to limit their parking on the street.

Council, staff, applicant and architect discussed the type of fencing which would be wrought iron, that they had not yet decided on landscaping, would create some parking in clearing from shrubbery, that the driveway would enlarge, clearing more area for parking access for the workmen, trimming the area abutting the stop sign, removing some junipers along the area, and utilizing

shrubs to deter people climbing the fence which had been an issue in the past.

MOTION: Moved by Nichols and seconded by Kellejian to close the public hearing. **Motion carried 4/0/1** (Absent: Campbell.)

Council discussion ensued regarding clearing some areas to open up for more parking, trimming some shrubs to clear the stop sign area, and street sign issues for public safety.

MOTION: Moved by Roberts and seconded by Kellejian to reopen the public hearing. **Motion carried 4/0/1** (Absent: Campbell.)

Council discussed with the applicants the clearing of the stop sign area, and more room on the telephone pole area for the mail man, opening their gate for their visitors limiting parking on the street, and the use of the gate for safety at night and deterring walk-ins.

MOTION: Moved by Roberts and seconded by Kellejian to approve adding a condition to clear shrubs on Canyon Place at least 2 ft. from edge of asphalt and maintain clearance. **Motion carried 4/0/1** (Absent: Campbell.)

MOTION: Moved by Roberts and seconded by Kellejian to close the public hearing. **Motion carried 4/0/1** (Absent: Campbell.)

**9. SANDAG'S 2006 Regional Transportation Improvement Program.
(File 0840-30)**

Recommendation: That the City Council

- A. Adopt Resolution 2008-061 approving the inclusion of the two projects to complete the Coastal Rail Trail at the Cliff Street Bridge and the Highway 101 Streetscape and Traffic Calming Project in SANDAG's 2006 Regional Transportation Improvement Program (RTIP) of projects for Fiscal Years 2006 through 2011.

Mayor Kellejian recessed the meeting for break at 7:40 p.m. and reconvened the meeting at 7:58 p.m.

David Ott, City Manager, introduced the item.

Council discussed the redesignation of funds and that funds must be used in order to qualify for more funding.

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

4/0/1 (Absent: Campbell.)

STAFF REPORTS: (Item 10-15)

Submit speaker slips to the City Clerk.

10. Escondido Creek and San Elijo Lagoon Watershed Preservation Area. (File 0400-10)

Recommendation: That the City Council

- A. Adopt Resolution 2008-059 authorizing the City Manager to execute, on behalf of the City, the Memorandum of Understanding for the Escondido Creek and San Elijo Lagoon Watershed Preservation Area.

David Ott, City Manager, introduced the item.

Councilmember Nichols explained that there are groups that had been participating on the Watercreek Preservation but were not listed on the agreement so it is being expanded to include them in the group.

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

4/0/1 (Absent: Campbell.)

11. SANDAG's Regional Energy Strategy. (File 0150-55) THIS ITEM WILL BE CONTINUED TO APRIL 9, 2008.

Recommendation: That the City Council

- A. Provide direction to Councilmember Lesa Heebner, Sandag Representative, on the City's position regarding the proposals for Goal 5 of the RES.

This item was continued to April 9, 2008.

12. Cox Communication Petition. (File 1000-10)

Recommendation: That the City Council

- A. Authorize the City Manager to send a letter to the Federal Communications Commission (FCC) in support of Cox's Petition for Determination of Effective Competition.

David Ott, City Manager, introduced the item.

Joe Gabaldon, Cox Communications, said that various cities are supporting their petition including other North County Cities in their service area.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried 4/0/1** (Absent: Campbell.)

13. Annual Sewer Charges for FY 2008-09. (File 1000-00)

Recommendation: That the City Council

- A. Set a public hearing date on May 14, 2008 pursuant to Proposition 218 to consider an increase in the annual sewer charge not to exceed \$534 per EDU.

David Ott, Cit Manger, introduced the item.

Dennis Coleman, Finance Director, said that 2006 Kennedy Jenks study providing guidance on the various rate increases to keep with the sanitation district funding program.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried 4/0/1** (Absent: Campbell.)

14. Public Art Donation. (File 0910-45)

A. Adopt Resolution 2008-062:

1. Approve the Public Arts Advisory Commission's recommendation to accept Mr. Peter House and Mrs. Carol Childs' offer to donate a bronze gull sculpture into the City's permanent art collection.
2. Refer installation of the gull sculpture to the Public Arts Standing Committee with direction to work with the PAAC and the donor to develop installation options.

David Ott, City Manager, introduced the item.

Allie Dixon stated that she was a member of the Public Arts Advisory Commission and supported the donation.

Dennis Higgins said that the Public Arts Advisory Commission supported the donation.

Council discussed support for the donation, considering placement at the community center on Fletcher Cove, and asking the Public Arts Advisory Commission to review and recommend a location.

MOTION: Moved by Kellejian and seconded by Roberts to approve and refer to the Public Art Advisory Commission and the Public Art Council Ad Hoc Committee for consideration for possible placement at Fletcher Cove. **Motion carried 4/0/1** (Absent: Campbell.)

15. Council Policy No. 16 Revisions to include Monthly Vehicle Allowance for Councilmembers. (File 0410-90)

- A. Adopt Resolution 2008-42 revising City Council Policy No. 16 and establishing a monthly vehicle allowance for Councilmembers to cover the costs of operating, maintaining, and insuring a private vehicle incurred as "actual and necessary" in the performance of their official duties.

David Ott, City Manager, introduced the item.

Johanna Canlas, City Attorney, reviewed the policy to include vehicle allowance for Councilmember's travel for City business.

Council and staff discussed allowance ranges of other cities.

Mayor Kellejian stated that some Council may utilize that much travel allowance and some may not, that he would like to consider a lower amount, and that his vehicle is a company vehicle so he would not be accepting the allowance.

Johanna Canlas, City Attorney, said that it would be up to each individual Councilmember to opt out if they chose to and that they may opt to utilize the mileage reimbursement instead.

Councilmember Nichols said that the cost covers gas, maintenance, and insurance, and that he did not think it was excessive and that the proposed amount was in the lower 1/3 of other cities in the County.

Deputy Mayor Roberts said that he initiated the agenda item, that they drive a lot in their public service, and that he thought it was a low allowance.

Councilmember Heebner said that she supported the allowance and did not think it was excessive.

MOTION: Moved by Heebner and seconded by Roberts . **Motion carried 3/1/1** (Noes: Kellejian. Absent: Campbell.)

ORDINANCE INTRODUCTION: 1st Reading NONE

Submit speaker slips to the City Clerk.

ORDINANCE ADOPTION: 2nd Reading (Item 16)

Submit speaker slips to the City Clerk.

16. Solana Beach Regional Transportation Congestion Improvement Plan (RTCIP) Ordinance Adoption. (File 0840-30)

- A. Adopt Ordinance No. 383 adopting a Transportation Uniform Mitigation Fee Program for the purpose of defraying cost of constructing Planned Regional Transportation Facilities.

Johanna Canlas, City Attorney, read the Ordinance title.

MOTION: Moved by Roberts and seconded by Heebner . **Motion carried 4/0/1** (Absent: Campbell.)

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 disclosed reimbursements.

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. 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 8:25 p.m. in memory of Ann Cook Dixon.


Angela Ivey, City Clerk

Approved: September 10, 2008