

## 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, SEPTEMBER 9, 2009

**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](http://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 COUNCIL MEMBERS**

**MIKE NICHOLS, MAYOR**

**THOMAS M. CAMPBELL, DEPUTY MAYOR  
LESA HEEBNER, COUNCILMEMBER  
JOE G. KELLEJIAN, COUNCILMEMBER  
DAVID W. ROBERTS, 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 4/0/1 (Absent: Nichols)**

**PROCLAMATIONS:**

1. Emergency Preparedness Week

**PRESENTATIONS:**

(Ceremonial items that do not contain in-depth discussion and no action/direction.)

1. North County Transit District Mobility Plan

**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. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

**COMMUNITY ANNOUNCEMENTS:**

**COMMENTARY:**

**A. CONSENT CALENDAR: (Action Items)**

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker 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 Consent Calendar items removed by the P-Ublic will be discussed immediately after approval of the Consent Calendar.

**A.1. Waive the reading of Ordinances.**

Recommendation: That the City Council

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Nichols)**

**A.2. Minutes of the City Council.**

Recommendation: That the City Council

1. Approve the Minutes of the Regular and Special (Closed) City Council meeting held April 23, 2008, Special Meetings held December 9, 2008, and Regular and Special (Closed) December 10, 2009.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Nichols)**

**A.3. Register Of Demands. (File 0300-30)**

Recommendation: That the City Council

1. Ratify the list of demands for August 1 - 21, 2009.

[Item A.3. Report \(Click here\)](#)

**COUNCIL ACTION: Approved 4/0/1 (Absent: Nichols)**

**A.4. Animal Control Services Contract. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2009-103 authorizing the City Manager to sign a contractual agreement with San Diego County for the delivery of Animal Control Services in the amount of \$74,103.

[Item A.4. Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 4/0/1 (Absent: Nichols)**

**A.5. Fletcher Cove Park Railing/Fence Replacement. (File 400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2009-101:

- a. Authorizing the City Council to accept as complete the Fletcher Cove Park Cable Railing/Fence Replacement Project, Bid No. 2009-01, constructed by Harris Steel Fence Company, Inc.
- b. Authorizing the City Clerk to file a Notice of Completion.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Nichols)**

**A.6. Monthly Investment Report. (File 0350-45)**

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Reports for the month of June 2009.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Nichols)**

**A.7. EsGil Corporation Agreement Amendment for building and construction plan review and inspection services. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2009-107:
  - a. Authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with EsGil Corporation to extend the agreement for the time period of July 1, 2009 to October 31, 2009.
  - b. Authorizing the City Manager to extend the agreement up to one additional year, at the City's option.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Nichols)**

**A.8. Amendment to City Manager's Employment Agreement. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2009-090 authorizing the Mayor to execute the Second Amendment to the Employment Agreement between the City of Solana Beach and David Ott.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Nichols)**

**C. STAFF REPORTS:  
Submit speaker slips to the City Clerk.**

*Submit speaker slips to the City Clerk*

**C.1. SANDAG 2050 Regional Growth Forecast Update. (File 0150-55)**

Recommendation: That the City Council

1. Discuss and provide direction as appropriate.

[Item C.1. Report \(click here\)](#)

**NOTE: The City Council shall not begin a new agenda item after 10:30 p.m. unless approved by a unanimous vote of all members present. (SBMC 2.04.070)**

**B. PUBLIC HEARINGS:**

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 designees 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 timer light on the Council Dais.

**B.1. Notice of Availability and Public Hearing - Adoption of Draft Local Coastal Program (LCP) Land Use Plan (LUP). (File 0610-12)**

Recommendation: That the City Council

1. Report Council disclosures.
2. Conduct the Public Hearing: Open the public hearing, Receive public testimony, Close the public hearing.
3. Adopt Resolution 2009-054 adopting the Revised Draft LCP LUP
4. Direct the City Manager to resubmit the Revised Draft LUP to the California Coastal Commission for certification as soon as practicable.
5. Authorize staff and consultant to continue coordinating with the citizens' group, the Council Ad Hoc Committee and the Coastal Commission staff to resubmit and reinitiate the CCC review process for the timely processing of the City's LCP LUP.

[Item B.1. Report \(click here\)](#)

**COUNCIL ACTION: Approved 4/0/1 to close the public hearing. (Absent: Nichols)**

**COUNCIL ACTION: Approved 4/0/1 (Absent: Nichols)**

**B.2. Minor Subdivision (SUB), Development Review Permit (DRP), and Structure Development Permit (SDP) Request at 823 Vera Street, Applicants: Kettering and Davis, Case# 17-08-24. (File 0600-40)**

Recommendation: That the City Council

B.2.a. Report City Council disclosures;

B.2.b. Conduct the Public hearing: Open the Public Hearing, Receive Public Testimony, Close the Public Hearing;

B.2.c. Finding the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and

B.2.d. If the City Council makes the requisite findings and approves the project, adopt Resolution 2009-093 conditionally approving a DRP, SUB and the administrative issuance of an SOP for the project to construct four new three-story, multiple-family residences at 823 Vera Street.

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

**COUNCIL ACTION: Approved 4/0/1 to keep the public hearing open, continue the hearing to October 14th, and provide direction to staff to discuss with applicant a clear understanding of the law and options to resolve the matter. (Absent: Nichols)**

**C. STAFF REPORTS continued:**

*Submit speaker slips to the City Clerk*

**C.2. Sanitary Sewer Maintenance Plan. (File 0400-10) This item was not heard and will be adjourned to the next meeting.**

Recommendation: That the City Council

1. Adopt Resolution 2009-104

a. Authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Affordable Drain Services dba,

Affordable Pipeline Services, Inc. in the amount of \$23,400 to increase the linear feet of annual sewer maintenance from 205,000 feet to 250,000 feet per year and to extend the term of the agreement to June 30, 2010.

- b. Authorizing the City Treasurer to amend the Fiscal Year 2009-2010 Adopted Budget.

2. Adopt Resolution 2009-105

- a. Authorizing the City Manager to execute a Professional Services Agreement with RBF Consulting in an amount not to exceed \$35,700 to review the closed circuit television (CCTV) information associated with the City sanitary sewer pipeline system and prepare a report related to the findings making specific recommendations for each of the sewer lines identified in the report as needing urgent repair.
- b. Authorizing the City Treasurer to amend the Fiscal Year 2009-2010 Adopted Budget.

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

**WORKPLAN COMMENTS:**

(Adopted June 24, 2009)

**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:**

**Regional Committees: (outside agencies)**

- a. City Selection Committee - Roberts (meets twice a year).
- b. County Service Area 17 - Campbell, Nichols (alternate).
- c. Escondido Creek Watershed Authority - Nichols, Roberts (alternate).
- d. League of Ca. Cities' San Diego County Executive Committee - Roberts, Kellejian (alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee - Roberts, Kellejian (alternate).
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) - Kellejian, Roberts (alternate).
- g. North County Dispatch JPA- Nichols, Campbell (alternate).
- h. North County Transit District - Roberts, Heebner (alternate).
- i. Regional Solid Waste Association (RSWA) - Nichols, Kellejian (alternate).
- j. SANDAG - Heebner (Primary), Roberts (1st alternate), Nichols (2nd alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee - Kellejian, Roberts (alternate).
- l. San Dieguito River Valley JPA- Roberts, Nichols (alternate).
- m. San Elijo JPA- Campbell, Roberts (both primary members) (no alternates).

- n. 22nd Agricultural District Association Community Relations Committee - Campbell, Roberts.

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

- a. Business Liaison Committee - Roberts, Campbell.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. 1-5 Construction Committee - Heebner, Roberts.
- d. Public Arts Committee - Roberts, Nichols.
- e. School Relations Committee - Roberts, Campbell.

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires December 9, 2009.
- b. Development Review - Nichols, Heebner. Expires November 18, 2009.
- c. Environmental Sustainability - Roberts, Heebner. Expires December 9, 2009.
- d. Fletcher Cove - Campbell, Heebner. Expires November 18, 2009.
- e. La Colonia Park Needs Assessment - Nichols, Heebner. Expires May 26, 2010.
- f. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 10, 2010 or at the California Coastal Commission adoption.
- g. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires 1-13-2010
- h. View Assessment - Nichols, Heebner. Expires August 25, 2010

**ADJOURN:**