

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

JOINT **REGULAR** MEETING

**MINUTES**

**WEDNESDAY, JANUARY 28, 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.

**CALL TO ORDER AND ROLL CALL:**

**Present:** Nichols, Campbell, Heebner, Kellejian, and Roberts.

**Absent:** None.

**Also Present:** David Ott, City Manager  
Johanna Canlas, City Attorney  
Leticia Fallone, Deputy City Clerk  
Angela Ivey, City Clerk  
Wende Protzman, Dir Admin. Serv/Deputy City Mgr  
Dennis Coleman, Finance Director  
Tina Christiansen, Community Dev. Dir.  
Mo Sammak, City Engineer/Public Works Dir.

**FLAG SALUTE:**

Tom Golich led the flag salute.

**APPROVAL OF AGENDA:**

**MOTION:** Moved by Roberts and seconded by Heebner to approve except B.1. which would be removed from the agenda. **Motion carried unanimously.**

**PROCLAMATIONS:**

**PRESENTATIONS:**

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

1. Smart Meter Mass Deployment 2009 Schedule - This item was not heard.
2. Solana Beach Forcemain Award

Mo Sammak, City Engineer, introduced the item.

Steve Derring, Dudek, said he was the engineer for the Sewer Master Plan project and worked with Chandra Collure who was the City Engineer of the project. He said there was a lot of public outreach and support for the project and that the bids came in competitively. He stated that the California Water Environmental Association awarded plaques to Chandra Collure, the City, and San Elijo Joint Power Authority. He presented the plaques to the Mayor and to Chandra Collure.

Mayor Nichols accepted and thanked him and thanked former City Engineer Chandra Collure.

Chandra Collure, former City Engineer, said that it was a very complex project and they had a specific window to complete it, that the bids came in very well, that it was done on time and was pleased that awards were received.

Mayor Nichols thanked Chandra Collure and Dan Goldberg with the rest of the Engineering staff.

**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.

Tom Golich said that he watched a new sidewalk area fixed up and thanked the City for the update where one could not watch waves since the vegetation was removed.

**COMMUNITY ANNOUNCEMENTS:**

Council made community announcements.

**COMMENTARY:**

Council reported 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 public 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.

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

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

Recommendation: That the City Council

1. Approve the Minutes of the Closed and Regular City Council meetings held May 28, 2008.

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

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

Recommendation: That the City Council

1. Ratify the list of demands for December 1 - December 19, 2008 and December 20, 2008 - January 2, 2009

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

**A.5. Accept Sewer Repairs Project and Authorize a Notice of Completion. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2009-013:
  - a. Authorizing the City Council to accept as complete the Sewer Repairs Project, Bid No. 2008-03, constructed by Jose Pereira Engineering & Mechanical, Inc.
  - b. Authorizing the City Clerk to file a Notice of Completion.
  - c. Unit 459-9438-6510-6530 Project Number 9438-6661) to the project account for the basketball court reconstruction project (Budget Unit 459-9438-6510-6530 Project Number 9438.03-6661).

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

**A.6. Re-Appropriate Funds to Eden Gardens Pump Station Project Account. (File 0330-30)**

Recommendation: That the City Council

1. Adopt Resolution 2009-012 authorizing:
  - a. Appropriation of \$50,000 from Sanitation Fund Undesignated Reserves (509-3200) to the Eden Gardens Pump Station project account (509-9824-6510-6530, Project No. 9824-6661.
  - b. The City Treasurer to amend the Fiscal Year 2008/2009 Budget accordingly.

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

**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. Request for a Development Review Permit at 130 South Granados, Applicant: Tim and Ann McCormick, Case: 17-08-17. (File 0600-40)**

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. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
4. Adopt Resolution 2009-011 conditionally approving a Development Review Permit for the project to construct a new single-family residence at 130 South Granados Avenue.

This item was pulled from the agenda at the request of the applicant.

**C. STAFF REPORTS:**

**Submit speaker slips to the City Clerk.**

*Submit speaker slips to the City Clerk*

**C.1. 2009 Annual Citizen Commission Appointments. (File 0120-05)**

Recommendation: That the City Council

Council discussed applicants.

1. Appoint 3 members to the Budget and Finance Commission for a

two year term until January 2011.

**MOTION:** Moved by Heebner and seconded by Roberts to appoint Gordon Johns, Michael Whitton and Anthony Craig. **Motion carried unanimously.**

2. Appoint 4 members to the Parks and Recreation Commission for a two year term until January 2011.

**MOTION:** Moved by Roberts and seconded by Heebner to appoint Victoria Cypherd, Forrest Wright, Courtney Boulle and Kristin Boline. **Motion carried unanimously.**

3. Appoint 3 members to the Public Arts Advisory Commission for a two year term until January 2011.

**MOTION:** Moved by Roberts and seconded by Nichols to appoint Allen Moffson, Katie Pelisek and Sharon Klein. **Motion carried unanimously.**

4. Appoint 4 members to the Public Safety Commission for a two year term until January 2011.

**MOTION:** Moved by Roberts and seconded by Heebner to appoint David Bittar, Thomas Alexander, Vickie Driver, and Peggy Martin. **Motion carried unanimously.**

5. Appoint 3 members to the View Assessment Commission for a two year term until January 2011.

**MOTION:** Moved by Nichols and seconded by Roberts to appoint Bruce Berend, Jack Hegenauer, and Jewel Edson. **Motion carried unanimously.**

## **C.2. Memorandum of Understanding with SANDAG for the Regional Beach Sand Project #2 (File 0400-10)**

Recommendation: That the City Council

1. Adopt the Resolution 2009-005 authorizing the City Manager to sign the attached MOU, or one that is substantially similar, indicating continuing financial support in the second Regional Beach Sand Project and approve the appropriation of \$15,400 from the City's beach sand related TOT funds for payment to SANDAG upon receipt of their invoice.

2. Direct staff to continue to work collaboratively with the SANDAG Shoreline Preservation Working Group staff members to plan for the implementation of the second Regional Beach Sand Project.

David Ott, City Manager, introduced the item.

Leslea Meyerhoff, consultant, presented a powerpoint.

Council and Staff discussed Transient Occupancy Tax and their dedicated funds.

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

**C.3. Annual Report for the Redevelopment Agency for the Year Ended June 30, 2008. (File 0115-20)**

Recommendation: That the City Council and Board of Directors:

1. Accept and file the report.

David Ott, City Manager, introduced the item.

Dennis Coleman, Finance Director, reviewed the Redevelopment Agency (RDA) annual report.

Council and Staff discussion ensued regarding whether the report was reviewed by someone other than the Finance Director, how long it took for the RDA to reimburse the City, whether the City's general fund received interest from the RDA, whether there were enough funds in the RDA account to avoid borrowing funds from the City, and whether draft financial statements were sufficient to file the report to the State Controller.

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

**A.4. Award Construction Contract for the City Hall Parking Lot Modifications, Bid No. 2008-16. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2009-010
  - a. Awarding the bid submitted by Palm Engineering Construction Company, Inc., in the amount of \$69,880.00 for the City Hall Parking Lot Modifications, Bid No. 2008-16.

- b. Approving an amount of \$8,282 for construction contingency.
- c. Authorizing the City Manager to execute the construction contract on behalf of the City.

David Ott, City Manager, introduced the item. He stated that the City Hall parking lot was identified as a high priority project to meet Americans with Disabilities Act (ADA) requirements.

Councilmember Campbell stated that the project should be deferred until after the fiscal sustainability workshop, that there were a lot of other priority projects to consider, and that all issues should be reviewed at the workshop.

Council and City Manager discussion ensued regarding ADA requirements, that the City had to conform to certain regulations, that the City had to show progress and good faith on the project, and that there were funds set aside for ADA projects.

Johanna Canlas, City Attorney, stated that ADA was a federal law, that the City had identified ADA needs in the City, and that she would review deadlines in a confidential memo to Council.

Mo Sammak, City Engineer/Director of Public Works, stated that the project would redesign the parking lot configuration, that additional parking spaces would be gained, and that the two handicap parking spaces at the back of the parking lot would be moved to the front of the lot.

Council discussion ensued regarding delaying the item, that other City financials issues should be reviewed, and that there was not a lot of leeway with completing required ADA work so it should not be delayed.

**MOTION:** Moved by Campbell and seconded by Heebner to delay the item until a future agenda. **Motion carried unanimously.**

**WORKPLAN COMMENTS:**

(Adopted June 25, 2008)

**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 compensation and reimbursements.



**COUNCIL COMMITTEE REPORTS:**

Council reported on Council Committees.

**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. I-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 June 10, 2009.
- f. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 12, 2009 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 26, 2009

**ADJOURN:**

Mayor Nichols adjourned the meeting at 7:26 p.m.



Angela Ivey, City Clerk  
Approved: October 14, 2009