

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

JOINT **SPECIAL** MEETING

**MINUTES**

**WEDNESDAY, NOVEMBER 18, 2009  
6:00 P.M.**

**SPECIAL**

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  
Angela Ivey, City Clerk  
Dennis Coleman, Finance Director  
Wende Protzman, Dir. Admin. Serv./Deputy City Mgr  
Tina Christiansen, Community Dev. Dir.  
Mo Sammak, City Engineer/Public Works Dir.

Johanna Canlas, City Attorney, stated that there was no action to report for Closed Session.

**FLAG SALUTE:**

David Ott, City Manager, led the flag salute.

**APPROVAL OF AGENDA:**

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

**PROCLAMATIONS:**

**PRESENTATIONS:**1. State of the Beach 2009

Greg Herrin, Coastal Frontiers, presented a powerpoint reviewing the state of the City's beach. He reviewed the monitoring and conclusions.

**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.

Helen Neilsen Eckfield stated that the Council should pass a resolution to send a letter to the 22nd District Agriculture Association stating that the train stop at the Fairgrounds should be a priority, that the train stop should be completed prior to increasing the length of the racing season, that the train stop should require mitigation against the increased carbon footprint that would be created in the area, and that the traffic should be a concern of the City. She stated that the Race Track Leasing Commission should make negotiate with the consessionaires to pay six million dollars for the train stop since they made nearly one million dollars per day during the racing season, that it would increase the consessionaires' revenues, and that the proposed EIR for the project at the Fairgrounds was coming soon.

Richard Eckfield stated that there would be building at the Fairgrounds and that his concern was regarding the train stop, that there would be two additional weeks of racing at the track, that there would be no reduction in train service to the City, and that Amtrack would only stop at the Fairgrounds during racing season.

Council discussion ensued regarding what other cities in the County had done regarding the Del Mar Fairgrounds EIR.

Michele Morgans stated that she had a project before the View Assessment Committee and that the process was flawed, that it took over two months to get before the Committee, that her project was not approved, that she was subjected to a lecture from a Committee member, that the Committee stated that the project would be approved if the roof deck were removed from the plans, and that the

process needed to be fixed.

Mayor Nichols responded that Ad Hoc Committee was reviewing the process.

Lane Sharman provided an update on the Encinas Power Plant, that Council should pass a resolution to send a letter to the California Energy Commission (CEC) objecting to the plant, that if the Encinas plant was created there would be a large carbon footprint, and that everyone should speak out against the plant. He stated that the plant was a fossil fueled based natural gas plant, that there were solutions for creating an energy model that did not involve fossil fuel, and that there was additional information on the Encinas Power Plant on the California Energy Commission website.

Council and Mrs. Sharman discussed the letter Council wrote to the City of Carlsbad stating objections about the power plant, that since it was approved to go forward that this Council should speak before the Commissioner and write a letter directly to the California Energy Commission since this City would be charged with some of those emissions.

#### **COMMUNITY ANNOUNCEMENTS:**

Council made 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 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 Roberts and seconded by Heebner. **Motion carried unanimously.**

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

Recommendation: That the City Council

1. Approve the Minutes of the Special and Regular City Council meetings held April 8, 2009.

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

**A.3. Add No-Parking Zone on Castro Street. (File 0870-40)**

Recommendation: That the City Council

1. Adopt Resolution 2009-132:
  - a. Prohibiting parking on the south side of Castro Street for a distance of 60 feet along the sharp curve, as shown on the exhibit presented at the November 18, 2009 Council meeting.
  - b. Authorizing the City Engineer to install signs and/or paint the curb red as necessary to implement these restrictions.

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

**A.4. Re-establish the Fletcher Cove and Development Review Council Ad Hoc Committees. (File 0410-45)**

Recommendation: That the City Council

1. Adopt Resolution 2009-136 re-establishing the Fletcher Cove Ad Hoc Committee until November 17, 2010; and
2. Adopt Resolution 2009-137 re-establishing the Development Review Ad Hoc Committee until November 17, 2010; and
3. Appoint two existing Councilmembers (Fletcher Cove: Campbell, Heebner and Development Review: Nichols, Heebner) OR appoint two new Councilmembers to serve on the Committees.

**MOTION:** Moved by Roberts and seconded by Heebner. **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. Minor Subdivision Approval, Development Review Permit, and Structure Development Permit at 209 East Cliff Street, Applicants: Louis Schooler and Alice Jacobson, Case # 17-07-22. (File 0600-40)**

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a SUB, DRP and administratively issue a SDP. Therefore, Staff recommends 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. If the City Council makes the requisite findings and approves the project, adopt Resolution 2009-082 conditionally approving a SUB, DRP and an administrative SDP for the project to construct two attached two-story, single-family dwelling units for private ownership on a commonly owned lot at 209 East Cliff Street.

This item was removed from the agenda.

**C. STAFF REPORTS:**

*Submit speaker slips to the City Clerk*

**C.1. Fiscal Year 2009-10 Community Grant Program Requests. (File 0330-25)**

Recommendation: That the City Council

1. Receive presentation from the grant recipients.

David Ott, City Manager, introduced the item.

Dennis Coleman, Finance Manager, presented a powerpoint reviewing the criteria, the requests,

**Assistance League of Rancho San Diego**

Wendy Morris said that they assist low income families financially provide tutor programs, buy new school clothes for children and shop with the families, qualify by the free or reduced lunch program, that this was their first year to request funding from Soalan Beach, that they have a resale shop in Encinitas, that they perform fundraisers and seek grants but these were difficult economic times, and that clothes were important for school children and studies had shown that inappropriately dressed school children were at a disadvantage and did better in school when their esteem was built by feeling better about themselves in the way they dressed.

Council and the speaker discussed that the 45% number of Solana Beach students qualified was obtained from the online website.

**Boys & Girls Club**

Keith Padgett said that they served in increasing number of children every year, that last year they collaborated with the City to open a new area at La Colonia and served 50 kids a day, that they provided specialty camps last year, that because of economics that they could not include the La Colonia kids in the summer camps and the cost was \$225 per child so they were requesting \$5,000.

**Buddy Bowl**

Lisa Marcolangalo and Regina Connell said that they were proposing a garden near the kindergarten room at Skyline Elementary, that they wanted to improve the area and involved community members to plant a working garden, that it would include some iron work in shape of waves, and that children would benefit from experiencing the cycle of life and that their was a study proving that

gardening helped them intellectually.

Council and presenters discussed the garden at Solana Vista, that they would experience the growing of the vegetables, to create an area to store the gardening tools and supplies, and to provide the dimensions of the garden to the Finance Director for Council's information.

#### Community Resource Center

Loren Pause, executive director, said that they transform the Del Mar Fairground to a shopping area for families, that in the last three weeks they had that added 100 families to the waiting list, that last year they served 350 families in Solana Beach and signed them up based on need, that they reach them through the head start program and the churches in Solana Beach, and that everyone had to show proof of residency in the area.

Council and the presented discussed whether there was a way to ensure that funds were spent in Solana Beach, that Marshalls had been used that she had no problem spending in the community, and that some grocers worked with her on deal and special arrangements but it depended on the demand.

#### Girls on the Run San Diego

Cathy Prestonise introduced a teacher, parent, participant, Board Member and resident of the program and said that they had Solana Beach girls for 3 seasons, that it was a character based curriculum, including emotional health, proper nutrition, being part of a team, and how to give back to the community. She said that they pick a project and implement it, that the funds are used for direct cost or funding scholarships and not for used for overhead of the program, that they serve 8-12, that they see self esteem improve when girls are active in sports are more successful in life and become an asset to the community.

Council and presenters discussed direct costs that included the fee to the national organization, t-shirts, water, healthy snacks for each lesson, entry fee for the 5k they run at the end of the session, medals, and they do not like to turn girls away based on the ability to pay or not.

#### Hanna Fenichel Center of Child Development

Laura Dahan and Heather Dinsmore said that they were requesting funds for pre-school safety and Highway 101 beautification. They said that they wanted to build 8 ft. high cynder block wall to protect the area from oncoming traffic, that they spoke with Anita Edman who said it may be a potential for artists to commission the wall for a mural, that it was a 45 ft. x 8 ft. stucco wall that would give children safety, that about 100 children attended from 80 families, and that they would like to landscape the area as well.

Council and the presented discussed the wall on the property and whether they

had looked into permits and that they said they were told they could build up to a 16 ft. wall, that it was a pre-school first so no admission requirements so first come first serve, and that it was a non-profit organization.

#### Helen Woodward Animal Center

The representative said their proposal was for critter camp scholarships to offer children the opportunity to interact to learn respect and compassion for animals and help animal welfare, that it would benefit 20-40 students at a cost of about \$250 per student per week, and that they serve 1200 students at a time.

#### Kids Korp USA

Robin Chappelow said that they engaged about 200,000 youth in community service and currently had 6,000 members involved, that they work with 250 agencies all over San Diego County, that they were seeking funding for summer volunteer camps, that Solana Beach had helped the last few years with these camps which were focused on the low income ethnically diverse children of Eden Gardens, that this would be fourth year providing camps for this area, and that they teach children about environmental challenges of the community.

Council and Kids Korp discussed their budget, that it was specific to Solana Beach campers, that their largest cost was the bus, that a line item for scholarships were \$245 each but did not show the transportation costs that was being requested, and whether it was for one week only, and to provide the information to the Finance Director.

#### Kiwanis Club of Greater Encinitas

Morris Pike said that they served Solana Beach in many ways and hoped to expand their service in the City, that they had placed a treasure chest full of books in all Solana Beach schools, that they were given a large ambulance that they use to hold thousands of books and they send it to Solana Beach schools each month and ask the teachers to choose 10 new and 10 used books, and that they support a teacher of the month program with a gift for their contribution.

#### North Coast Repertory

Katherine Byrd said that they were asking for funding to purchase the rights of shows and production costs for their theatre school, that they would like to focus on a show about the history of Solana Beach, that children participate in the show, and that it would be an annual program.

#### Project Turnaround

Janet Jannsen and Nidea Abney said that their request was for the implementation of a new and innovative program that supports developmentally disabled adults, the participants would be making qualify craft products that would be sold, that they rely on federal assistance, that this would provide a way for them to support themselves, that it built their self esteem, that a



minimum of 35 people would be from Solana Beach, and that the bulk of their funds were provided by donations by parents and fundraising.

San Diego Tennis Council  
No one answered when called.

David Ott, City Manager, said that they could not make it and that there was a letter in the blue folder.

Silver Age Yoga Community Outreach

Frank Isaac said that their program was designed for senior health issues and was done so with the collaboration of geriatric scientists, that it had been in practice for six years as free classes, that there were no injuries from their classes history, and that they would like to bring it to Solana Beach.

Council and Mr. Issac discussion ensued regarding their need for a place to have their classes, that they seek senior centers for locations, that the funds were sought for the cost of teachers that charged \$40-50 hour and marketing, and that the class would take place a minimum of once a week.

Solana Beach Sing Along

Lynn Salsberg stated that the request was for a gift for music, that it would be used for funds for replacing some and printing additional song books and for piano tuning, that more people would value their sing along.

Council and Ms. Salsberg discussed the request was only for \$1,000 for song books and that there was a City budget item to tune the piano.

Solana Beach Little League

Brian Prudent said that they appreciate the participation in the past, that it made a difference in the fields, that they had 400 boys and girls that participate, that they were asking for assistance in four areas including replacing grass, extending some concrete pads for the bull pins for more safety, improving the dirt areas, and to place screens over the dug outs for some protection of extensive sun exposure.

Solana Beach Soccer Club

Jeff Mason and Joe, volunteer board members, said that they appreciated the support last year that they did get matched and worked with the school district to make substantial improvements at Solana vista, that they installed new irrigation system and sod, and that their request would be used to grade the field at Skyline and place 5,000 drought resistance sod, change out the sprinkler heads for efficiency, that they would obtain a match of the funds, that it benefited the kids of the school other than the club, that they are working with the Solana Beach Little League to ensure that they are not overlapping and meeting both

needs, and that the changes in the irrigation it reduced the water usage for the school district,

#### Tender Loving Canines

Sally Montruccio, training director, said that she was a resident of the City, that the program was to train dogs for service for autism, that there were many requests that they could not meet, that they were initiating train the trainer program to help train dogs, and that their biggest need was a place to run the 10 day event of training,

Council and Ms. Montruccio discussed the amount of space needed that was similar to the size of the Chambers, that they could work outdoors, whether the City could explore some options among its facilities, liability issues, that the funds were requested to underwrite the program, that they really needed the space, to contact American Assets who owned Vons Center that had a rental space, and that she is going all the way to Oceanside but could use a place closer to airport, and that if they could obtain a place locally that business could be brought to the City.

#### The Egoscue Foundation

The representative said that it was for the patch initiative which was an obstacle course that stacked away, that they wanted to place it at the Boys and Girls Club for use of children, that all children were more equal in the potential for their success regardless of their size and fitness, that he trained cronic pain in his businesses, that this program had been used in many schools around the country, and that it had shown to increase the brain neurotransmitters of children.

Council and the representative discussed that the request was a permanent donation of equipment to Girls and Boys who had agreed to have it placed there, that it broke down and stacked in the corner and they would assemble and disassemble as needed, and that it would greatly benefit kids who had pain from carrying backpacks.

### **C.2. Proposed Revenue Enhancement Action to Partially Address Long-Term Financial Sustainability. (File 0390-90)**

Recommendation: That the City Council

1. Receive the report, determine if the business tax model is acceptable and if it is provide direction on a preferred public election vote date.

David Ott, City Manager, introduced the item. He stated that Council directed staff to review some protection for smaller businesses. He presented a

powerpoint reviewing an altered business tax model showing tiered plans and reviewing examples.

Council and Staff discussed how landscapers would fall into the reporting categories and report accurately and that the revenue was heavily weighted in the first few tiers.

Peter House stated that he was a resident and President of the Highway 101 Village Association, stated that the problem was the whole community's problem, that they wanted something simple, submitted a letter to the blue folder and he read it which stated that the business community had two concerns of hurting businesses nearly on the verge of closing and simple for the business community and the City to administer, that this proposal met what they asked for to protect small businesses and provided simplicity, that it was signed by about two dozen businesses, that once this was passed that the business community would be paying what others pay in property tax, that it would mean a healthy business community, and encouraged all citizens to shop locally.

David Ott, City Manager, continued his presentation and recommendations and reviewed costs of future potential elections.

Councilmember Kellejian stated that he wrestled with issuing a tax, that he was glad to see a signed letter of support from primarily business leaders in the community, that there had been a change of some of those initially against the tax, and asked how does the formula compared to neighboring communities.

David Ott, City Manager, responded stating that Del Mar brings in over \$200,000 with about three times less businesses than Solana Beach and that only three cities in the County were without a form of business tax and that Encinitas was one of them.

Deputy Mayor Campbell said that the tax was becoming more clear, that it spoke to addressing equality and fairness, that most business owners would find this proposal more palatable, some owners would be upset that it was being done at all, that he would support it for a June election, and that it could be tweaked in future, if needed.

Councilmember Kellejian and City Manager Ott discussed a letter received from a home based business and confirmed that they would be paying less with the tax than they were now paying with the initial fee.

**MOTION:** Moved by Heebner and seconded by Campbell to approve and proceed and return with information for calling a June election. **Motion carried unanimously.**

**C.3. Fiscal Year 2009-10 First Quarter Financial Report. (File 0330-30)**

Recommendation: That the City Council

1. Accept and file the attached Quarterly Financial Report for the first quarter of the fiscal year 2009-10.

David Ott, City Manager, introduced the item and presented a powerpoint reviewing the City's revenues and costs to date and the budget issues.

Council and Staff discussed the property tax short of \$104,000 from the prior year and that currently the City expected to get its entire property tax sales and was projecting that in the budget.

**C.4. Del Mar Shores Beach Access Stairway. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2009-055:
  - a. Accepting the preliminary design plan submitted by Noble Consultants, Inc.
  - b. Authorizing the City Engineer to submit a Coastal Development Permit application to the California Coastal Commission.

David Ott, City Manager, introduced the item.

Mo Sammak, City Engineer, presented a powerpoint.

Council and Staff discussed the timeline and that it would take about six months to build but that it would not begin until fall 2011 due to summer.

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

**C.5. Greenhouse Gas Baseline Emissions Inventory. (File 0230-25)**

Recommendation: That the City Council

1. Accept Greenhouse Gas Emissions Inventory developed by ICLEI and direct Staff to begin developing the Climate Action Plan.

David Ott, City Manager, introduced the item.

Danny King, Management Analyst, presented a powerpoint.

Brian Holland, ECLI, continued the powerpoint reviewing the ICLEI mission which was to serve local government to address climate change.

Dan King, Management Analyst, continued the powerpoint reviewing conclusions and the City's efforts to AB32 compliance.

Steve Goetsch said that it was an amazing report, that the City had only 50% emissions from card on the freeway in the area and that in New York they had 80% from the buildings.

Lane Sharman stated there were innovative ideas, that there was not enough solar efforts to offset the impact of electricity, that it was a move forward in the right direction, that the City should have Jack lead workshops or a Council meeting to focus on this which would be the next logical step.

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

**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)**

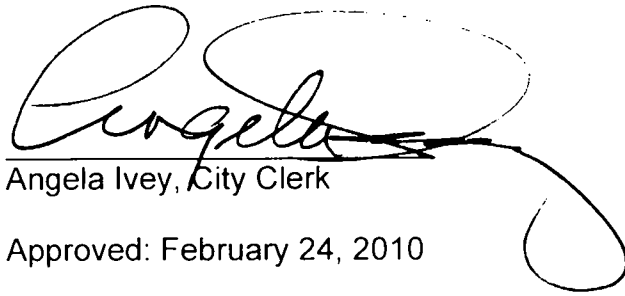
- a. Business Liaison Committee - Roberts, Campbell.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. I-5 Construction Committee - Heebner, Roberts.
- d. Public Arts Committee - Roberts, Nichols.
- e. School Relations Committee - Roberts, Campbell.

**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 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 - Nichols, Heebner. Expires January 13, 2010.
- h. View Assessment - Nichols, Heebner. Expires August 25, 2010

**ADJOURN:**

Mayor Nichols adjourned the meeting at 9:35 p.m.



Angela Ivey, City Clerk

Approved: February 24, 2010