

# CITY OF SOLANA BEACH



## 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 SPECIAL MEETING**  
**WEDNESDAY, AUGUST 26, 2009**  
**4:30 P.M.**

CITY COUNCIL CHAMBERS  
635 S. HIGHWAY 101,  
SOLANA BEACH, CALIFORNIA

And

**TELECONFERENCE LOCATION (Councilmember Campbell)**

15 Grindel Ave., Dennis Sport, Massachusetts, 02369

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 at least 48 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 2nd and 4th Wednesdays and are broadcast live on Cox Communications, Channel 19, and Time Warner, Channel 24.

A full City Council agenda packet with all backup information is available at City Hall, the Solana Beach branch of the San Diego County Library, 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 day will be available for public viewing at City Hall and posted online with the agenda.

### **CITY COUNCILMEMBERS**

**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

ANGELA IVEY  
CITY CLERK

**CALL TO ORDER AND ROLL CALL:**

**PUBLIC COMMENT ON CLOSED SESSION ITEMS (ONLY):**

*Report to Council Chambers and submit speaker slips to the City Clerk before the meeting recesses to closed session.*

**CLOSED SESSIONS:**

**1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9 (b) (3) (C)

Claimant: FS Properties, LLC, Myra Chack Fleischer, Esq., Charles A. Fleischer, D.O., Robert A Simon, PhD.

Agency Claimed Against: City of Solana Beach

**2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9 (b)(3)(A)

One (1) potential case.

**3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Pursuant to Government Code section 54956.8

Property: 500 block of South Sierra Avenue

City Negotiator: City Manager David Ott

Negotiating Parties: Ginger Hitzke, President  
Hitzke Development Corp.

Under negotiation: Proposed lease price and terms

**4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9 (b) (3) (B)

One (1) potential case.

Facts and circumstances: Alleged work related injury sustained on April 25, 2006 by then Fire Department employee, Robert Keilholtz.

**5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9(a)

Workers' Compensation Appeals Board Case Numbers: ADJ3169212 and ADJ6583223  
Robert Keilholtz

**6. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code Section 54957

City Manager review.

**ACTION: NO REPORTABLE ACTION.**

**ADJOURN:**

*AFFIDAVIT OF POSTING  
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF SOLANA BEACH*

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the August 26, 2009 Council Meeting as called by City Council, Redevelopment Agency, and the Public Financing Authority of the City of Solana Beach, California, was provided and posted on August 19, 2009 at 3:30 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., August 26, 2009, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk  
City of Solana Beach, CA