

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 Adjourned** Meeting

WEDNESDAY, FEBRUARY 10, 2010

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 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 COUNCILMEMBERS

THOMAS M. CAMPBELL, MAYOR

**LESA HEEBNER, DEPUTY MAYOR
JOE G. KELLEJIAN, COUNCILMEMBER
DAVID W. ROBERTS, COUNCILMEMBER
MIKE NICHOLS, 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 5/0

PRESENTATIONS:

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.

PROCLAMATIONS:

COMMUNITY ANNOUNCEMENTS:

COMMENTARY:

A. CONSENT CALENDAR: (Action Items) (Items A.1. -A.7.)

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 5/0

A.2. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council meetings held June 10, 2009 (Regular & Special) and September 9, 2009 (Regular & Special).

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

COUNCIL ACTION: Approved 5/0

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

Recommendation: That the City Council

1. Ratify the list of demands for January 9 - 22, 2010.

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

COUNCIL ACTION: Approved 5/0

A.4. Re-establish the Local Coastal Plan Ad Hoc Committee. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2010-020 re-establishing the Local Coastal Plan Ad Hoc Committee until February 9, 2011 or until the California Coastal Commission's adoption of the Solana Beach Local Coastal Plan.

2. Re-appoint the current Councilmembers serving on the committee (Mayor Campbell and Councilmember Roberts) OR appoint two new Councilmembers.

[Item A.4. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.5. Award 2009/2010 Asphalt and Concrete Repair Project, Bid No. 2009-08. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-018

- a. Awarding the construction contract for the 2009/2010 Asphalt and Concrete Repair Project, Bid No. 2009-08, in the amount of \$157,649 to PAL General Engineering, Inc.
- b. Approving an amount of \$24,351 for construction contingency.
- c. Authorizing the City Manager to execute the construction contract on behalf of the City.

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

COUNCIL ACTION: Approved 5/0

A.6. Status Report on Major FY 2009/2010 Capital Improvement Projects. (File 0810-05)

Recommendation: That the City Council

1. Receive report from Staff.

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

COUNCIL ACTION: Approved 5/0

A.7. Resolution of Denial of a Request for Minor Subdivision (SUB), Development Review Permit (DRP) and Structure Development Permit (SDP) for 209 East Cliff Street, Applicants: Louis Schooler and Alice Jacobson, Case# 17-07-22. (File 0600-40)

Recommendation: That the City Council

1. Adopt Resolution 2010-022 denying the request for an application for a Minor Subdivision, Development Review Permit and an Administrative Structure Development Permit for the proposed project at 209 East Cliff Street.

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

COUNCIL ACTION: Approved 3/1/1 (Noes: Kellejian. Recuse: Nichols.)

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: (Items 8.1. - 8.2.)

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. Development Review Permit (DRP) and Structure Development Permit (SDP) for 427 Barbara Avenue, Applicant: Jerry Dwek and Christine Chung, Case # 17-09-12. (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 DRP and administratively issue a SOP. Therefore, 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. If the City Council makes the requisite findings and approves the project, adopt Resolution 2010-017 conditionally approving a DRP and an administrative SOP for a square footage addition and a remodel at 427 Barbara Avenue.

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

COUNCIL ACTION: Approved 5/0 to close the public hearing.

COUNCIL ACTION: Approved 4/1 (Noes: Nichols.)

B.2. Minor Subdivision (SUB) and Development Review Permit (DRP) for 241 South Granados Avenue, Applicants: John and Beverley Grimstad, Case # 17-08-09. (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 and DRP. Therefore, 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. If the City Council makes the requisite findings and approves the project, adopt Resolution 2010-019 conditionally approving a SUB and DRP or the project to subdivide the property into two legal lots and construct a two-story, single-family residence on the northern lot while maintaining the existing residence on the southern lot at 241 South Granados Avenue.

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

COUNCIL ACTION: Approved 5/0 to close the public hearing.

COUNCIL ACTION: Approved 5/0 to re-open the public hearing.

COUNCIL ACTION: Approved 5/0 to close the public hearing.

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS: (Items C.1. - C.5.)

Submit speaker slips to the City Clerk

C.1. Mid-Year 2009/10 Budget Amendments. (File 0330-30)

Recommendation: That the City Council

1. Discuss potential solutions to the projected budget deficit and direct Staff on how to proceed in addressing the deficit.

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

C.2. Calling the Election for the Business Tax Ordinance. (File 0430-20)

Recommendation: That the City Council

1. Adopt Resolution 2010-011 calling the Municipal Special Election, requesting services of the San Diego County Registrar of Voters, and proposing the question and ordinance to be submitted to the voters.
2. Adopt Resolution 2010-012 approving the impartial analysis, arguments and rebuttals.

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

COUNCIL ACTION: Declined 2/3 to approve the five tier model. (Noes: Campbell, Heebner, Nichols.)

C.3. Consultation of Current Solana Beach Elections Code. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-013 appropriating funds and expenditure of up to \$14,999 in the FY 2009-10 budget General Fund reserves to provide for an extensive review of the Solana Beach election code.

[Item C.3. Report \(click here\)](#)

COUNCIL ACTION: Approved 4/1 (Noes: Roberts.)

C.4. Traffic Calming and Striping Project. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-015 approving the following traffic calming locations:
 - a. South Cedros Avenue from Marsolan Avenue to Via de la Valle
 - b. Valley Avenue traffic calming between Via de la Valle and Stevens Avenue
 - c. Las Banderas Drive between San Andres Drive and Lomas Santa Fe Drive; and
2. The following striping project locations:
 - a. Crosswalk on Lomas Santa Fe Drive at the Las Banderas Drive/Via Mil Cumbres intersection
 - b. Mid-block crosswalks on South Sierra Avenue near the Seascapes Beach Access and on South Sierra Avenue near Fletcher Cove Park
 - c. Mid-block crosswalk on Las Banderas Drive near the golf course
 - d. Left turn pocket on eastbound Lomas Santa Fe Drive to easterly Via Mil Cumbres intersection
3. Authorize the City Engineer to advertise for construction bids that combines the above-mentioned traffic calming and striping projects.

[Item C.4. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

C.5. Policies and Regulations regarding Commission Appointments and Reconsideration of View Assessment Commission Appointment (VAC). (File 0120-50)

Recommendation: That the City Council

1. Discuss the item.

2. Move to reconsider VAC appointments.
3. If necessary, move to rescind, repeal, cancel or otherwise nullify the January 27, 2010 VAC appointments.
4. If necessary, appoint four (4) members VAC.
 - a. Four (4) vacancies nominated/appointed. - Two by individual Councilmembers (Campbell and Kellejian) for a two-year term until January 2012. - Two by the council-at-large for a two-year term until January 2012.

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

COUNCIL ACTION: Approved 3/1/1 to reconsider the item. (Noes: Roberts. Recuse: Campbell.)

COUNCIL ACTION: Approved 3/1/1 to rescind and nullify the prior action / appointments. (Noes: Roberts. Recuse: Campbell.)

COUNCIL ACTION: Approved 3/2 (Noes: Heebner, Nichols.)

COUNCIL ACTION: Approved 5/0

COUNCIL ACTION: Approved 4/0/1 to appoint Pat Coad by Council at large. (Recuse: Campbell.)

COUNCIL ACTION: Approved 5/0 to appoint John Scales by Council at large.

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 8, 2010.
- b. Development Review - Nichols, Heebner. Expires November 17, 2010.
- c. Environmental Sustainability - Roberts, Heebner. Expires December 8, 2010.
- d. Fletcher Cove - Campbell, Heebner. Expires November 17, 2010.
- e. La Colonia Park - 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 1-12-2011.
- h. View Assessment - Nichols, Heebner. Expires August 25, 2010

ADJOURN: