

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, DECEMBER 8, 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:

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

1. Retirement recognition

C. STAFF REPORTS: (C.1.)

Submit speaker slips to the City Clerk

C.1. Council Reorganization: New Term Oaths for Council Appointees and Annual Mayor/ Deputy Mayor Designations (File 0150-85)

1. Pursuant to EC 10265, administer oaths to the newly appointed Councilmembers Thomas M. Campbell and Mike Nichols.
2. In accordance with Resolution 96-17, appoint the Mayor and Deputy Mayor for the term of December 8, 2010 to December 14, 2011.
 - a. Nominations for Mayor confirmed by a majority vote.

COUNCIL ACTION: Approved 5/0 to appoint Deputy Mayor Heebner as Mayor.

- b. Nominations for Deputy Mayor confirmed by a majority vote.

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

COUNCIL ACTION: Approved 5/0 to appoint Councilmember Kellejian as Deputy Mayor.

PROCLAMATIONS:

1. "A Day Without a Bag"

COMMUNITY ANNOUNCEMENTS:

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.

COMMENTARY:

A. CONSENT CALENDAR: (Action Items) (A.1.- A.8.)

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. Re-establish Two Ad Hoc Committees: 1) Army Corps of Engineers and Regional Beach Nourishment Ad Hoc and 2) Environmental Sustainability Ad Hoc (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2010-175 re-establishing the Army Corps of Engineers and Regional Beach Nourishment Ad Hoc Committee until December 7, 2011; and
2. Adopt Resolution 2010-176 re-establishing the Environmental Sustainability Ad Hoc Committee until December 7, 2011; and

3. Re-appoint the two existing Councilmembers (Army Corps of Engineers and Regional Beach Nourishment Ad Hoc Committee: Campbell, Kellejian) (Environmental Sustainability Ad Hoc Committee: Heebner, Roberts).

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

COUNCIL ACTION: Approved 5/0

A.3. Fiscal Year (FY) 2009-10 Community Grant Recipient Financial Expenditure Report. (File 0300-25)

Recommendation: That the City Council

1. Accept and file this report.

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

COUNCIL ACTION: Approved 5/0

A.4. Monthly Investment Reports. (File 0350-45)

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Reports for the months of July, August, and September 2010.

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

COUNCIL ACTION: Approved 5/0

A.5. Notice of Completion for the Fletcher Cove Community Center ADA Improvements, Bid No. 2010-02. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-173:
 - a. Authorizing the City Council to accept as complete the Fletcher Cove Community Center ADA Improvement Project, Bid No. 2010-02, constructed by MJC Construction.
 - b. Authorizing the City Clerk to file a Notice of Completion.

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

COUNCIL ACTION: Approved 5/0

A.6. Dataticket Agreement for Citation Processing Services. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-169 authorizing the City Manager to sign a Professional Services Agreement with Dataticket for one year with an option to extend the Agreement for four additional one year periods for an annual amount of \$16,500.

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

COUNCIL ACTION: Approved 5/0

A.7. Reclassification of Public Works Inspector to Assistant Civil Engineer in the Engineering Department. (File 0510-40)

Recommendation: That the City Council

1. Adopt Resolution 2010-160 to reclassify the Public Works Inspector position to Assistant Engineer and to amend Salary Schedule 3 accordingly.

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

COUNCIL ACTION: Approved 5/0

A.8. Professional Services Agreement with Salient Networks for Communications Infrastructure Maintenance Services. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-165 authorizing the City Manager to sign a Professional Services Agreement with Salient Networks, not to exceed \$22,000.

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS: (C.2.- C.5.)

Submit speaker slips to the City Clerk

C.2. Fiscal Year 2010-11 Community Grant Program Awards. (File 0330-25)

Recommendation: That the City Council

1. Select the FY 2010-11 Community Grant recipients and identify an award amount to each recipient.
2. Adopt Resolution 2010-174 authorizing the funding for the selected community grants recipients for financial assistance under the FY 2010-11 Community Grant Program.

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

COUNCIL ACTION: Approved 5/0 to allocate the following grant awards:

Community Resource Ctr. (\$4,000), Kids Korps USA (\$3,000), Reality Changers (\$3,000), and Girls on the Run-San Diego (\$1,200) and amend the Resolution approving a total allocation of \$11,200.

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: (B.1.- B.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 524 Pacific Avenue, Applicants: Dan Wimsatt, Case# 17-10-14. (File 0600-40)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
3. If the Council makes the requisite findings and approves the project, adopt Resolution 2010-170 conditionally approving a DRP and an administrative SOP to demolish the existing residence and construct a new multi-level, single family residence including a partially subterranean garage and basement area at 524 Pacific Avenue.

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

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

COUNCIL ACTION: Approved 5/0

B.2. Fee Schedule - Parking Violation Fine Increase. (File 0390-23)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Adopt Resolution 2010-171 approving the new fee schedule for Parking Violation Enforcement.
[Item B.2. Report \(click here\)](#)

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS: (C.2.- C.5.)
Submit speaker slips to the City Clerk

C.3. Development Review Permit / Structure Development Permit (DRP/SDP) Extension Request, Applicants: Tony and Angie Chen, Case No. 17-08-13. (File 0600-40)

Recommendation: That the City Council

1. Approve the request for an extension to set an expiration date of December 10, 2011 for the approval of 17-08-13 DRP/SDP for the demolition of the existing residence onsite and the construction of a new 5,090 square foot (not including 400 square feet of garage area), two-story residence and a 400 square foot detached guest house at 920 Avocado Place.
[Item C.3. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

C.4. Adopt (2nd Reading) Ordinance 426 - Pertaining to CalPERS Second Tier Retirement Benefits for all Employees. (File 0520-50)

Recommendation: That the City Council

1. Adopt Ordinance 426 to amend the City's CalPERS contract.
[Item C.4. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

C.5. Adopt (2nd Reading) Ordinance 428, Amending Title 15 of the Solana Beach Municipal Code, Adopting the 2010 California Building and Fire Codes, Standards and Administrative Codes. (File 0800-90)

Recommendation: That the City Council

1. Find that this action is exempt from CEQA pursuant to Section 15061(b)(3).

2. Find that pursuant to Health & Safety Code Section 17958.7 that all of the proposed local amendments to the state, fire and building codes are necessary due to local climactic, topographical and geological local conditions.
3. Adopt Ordinance 428 amending SBMC Title 15, "Buildings and Construction."
[Item C.5. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

C.6. 22nd District Agricultural Association Community Relations Committee Update on Discussions with the City of Del Mar Regarding AB 181 and the Sale of the Del Mar Fairgrounds. (File 0150-85) - added 12-3-10 6:15 P-m.

Recommendation: That the City Council

1. Discuss the item and provide direction to 22nd District Agricultural Association Community Relations subcommittee as necessary.
[Item C.6. Report \(click here\)](#)

C.7. Authorizing the City Manager to Retain Consulting Services Regarding the Sale of the Del Mar Fairgrounds - added 12-3-10 6:15 p.m.

Recommendation: That the City Council

1. Adopt Resolution 2010-180 authorizing the City Manager to retain consulting services to advance the City's goals and intentions in Sacramento related to the sale of the Del Mar Fairgrounds, Racetrack, and Horsepark.
[Item C.7. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0 Staff recommendation

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.

WORKPLAN COMMENTS:

(Adopted June 23, 2010)

COUNCIL COMMITTEE REPORTS:

Regional Committees: (outside agencies, appointed by this Council)

- 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. City's 25th Anniversary - Heebner, Kellejian. Expires July 13, 2011.
- c. Development Review - Nichols, Heebner. Expires November 18, 2011.
- d. Environmental Sustainability - Roberts, Heebner. Expires December 8, 2010.
- e. Fire Department Management Governance-Kellejian,Roberts. Expires July 13, 2011.
- f. Fletcher Cove - Campbell, Heebner. Expires November 18, 2011.
- g. General Plan - Campbell, Nichols. Expires July 13, 2011.
- h. La Colonia Park - Nichols, Heebner. Expires May 11, 2011.
- i. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 9, 2011 or at the California Coastal Commission adoption.
- j. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires 1-12-2011
- k. View Assessment - Nichols, Heebner. Expires February 24, 2011

ADJOURN: