

SOLANA BEACH CITY COUNCIL
REDEVELOPMENT AGENCY AND PUBLIC FINANCING AUTHORITY

JOINT **REGULAR** MEETING

MINUTES

6:00 P.M.
WEDNESDAY, FEBRUARY 10, 2010

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

Absent: None.

Also Present: David Ott, City Manager
Johanna Canlas, City Attorney
Lisa Foster, 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.

Mayor Campbell called the meeting to order at 6:00 p.m.

FLAG SALUTE:

Mayor Campbell led the flag salute.

APPROVAL OF AGENDA:

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

unanimously.

PRESENTATIONS:

Danny King, Management Analyst, stated that the City's new website was developed free of charge, that the current website was hacked, he reviewed features of the new website, and stated that the new website was powered by renewable energy.

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:

Mayor Campbell presented a proclamation to Candy Shuman, Co-Founder of Spay and Neuter Action Project, for SNAP (Spay Neuter Action Project), honoring the 16th annual Spay Day.

COMMUNITY ANNOUNCEMENTS:

Council made community announcements.

COMMENTARY:

Council made commentary reports.

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 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 Kellejian. **Motion carried unanimously.**

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).

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

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

Recommendation: That the City Council

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

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

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.

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

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.

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

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.

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

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.

MOTION: Moved by Roberts and seconded by Kellejian. **Motion carried 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 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 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 SDP. 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 SDP for a square footage addition and a remodel at 427 Barbara Avenue.

Steve Dalton, Applicant representative, stated that they were bringing the front door a half level down, addressed the steepness of the drive was a safety issue and that the drive needed to be regraded, that the code stated that adverse affects should be mitigated, and that it did not appear to be a two story house from the street view.

Council and Applicant's representative discussion ensued regarding the Applicant's willingness to remove trees near the neighbors house, that the material of the wall would be concrete with a stucco finish, that there were no outstanding issues with neighbors, that the steep drive and drainage issues presented safety issues, and that the area would be open under the entry bridge with a potential rain-through deck with a head height of about 5 ft.

MOTION: Moved by Roberts and seconded by Heebner to close the public hearing. **Motion carried unanimously.**

Councilmember Nichols stated that he supported the project but that he would vote against it only for the reason that the height of the wall was not further explored in order to prevent an exemption, which he thought could have been dealt with in an alternative way. He said that this caused Council to solve the issue for the Applicants, that Council had to take this Applicant's word for it that all issues with the neighbors had been solved even though they were not present, and that since alternative options should have been explored to deal with the potential issue in order to prevent the need for the exemption.

David Ott, City Manager, stated that the railing would have been required anyway with the two levels causing a greater drop down in the case that someone would fall from that area onto another property since just off the PL.

Councilmember Nichols stated that the alternatives were not explored and that the wall would be seen from any other skewed angle of this house other than the front.

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

David Ott, introduced the item.

Corey Johnson, Associate Planner, presented a Powerpoint.

Council and Staff discussion ensued regarding the height of the project, and that the project was below 16 ft. in height and did not require story poles.

Johanna Canlas, City Attorney, responded to inquiries regarding a comment letter that was received on the project. She stated that a similar request had been before Council, that there was a two party private agreement by the applicant and neighbor, that the City had not been notified regarding whether the parties attempted to negotiate on their own, that the project did not require View Assessment procedures since the project was below the 16 ft. height trigger.

Mayor Campbell opened the public hearing.

Council disclosed their familiarity with the project.

Bob Scott, RGS Planning and Land Use Solutions, representing the Applicant, presented a powerpoint. He reviewed the design parameters of the project, stated that the project was compatible with the surrounding area, and stated that the project was consistent with City ordinances.

Council and Applicant representative discussed the garage entrance and confirmed that there were not any discussions with Mr. Shaw regarding view issues.

Council and City Attorney discussion ensued regarding Council's authority to

restrict vegetation height since the City did not have a view and vegetation ordinance, that Council could impose vegetation height limitations on the project but that there would be no ability to enforce the limitations, and this issue was typically negotiated between private parties.

Norman Shaw stated that the project appeared compatible, that most of his concerns had been eliminated, that his only concern were the top two pepper trees if and when they matured, that he would like the trees removed, that he was concerned about future planting which could potentially affect his view of the cove, and that a private view corridor easement agreement could solve the problem.

Mr. Scott stated that the Applicant would be removing the trees, that they were located on the northern lot, and that he was not open to any formal view restrictions on the property.

MOTION: Moved by Heebner and seconded by Roberts to close the public hearing. **Motion carried unanimously.**

Council discussion ensued regarding that without a view and vegetation ordinance there could not be a vegetation restriction on the project, that future view issues would be subject to the good neighbor policy, that community compatibility was important, that the bulk and mass was not apparent, whether the applicants could negotiate a private agreement on their own, and that restricting vegetation was an enforcement issue.

MOTION: Moved by Heebner and seconded by Roberts to re-open the public hearing. **Motion carried unanimously.**

John Grimstad stated that Council was over-reaching their boundaries, that he would remove the trees on the northern lot, and that he would allow Mr. Shaw to review the landscape plans.

Council discussion ensued regarding allowing both parties to come to resolution on their own.

MOTION: Moved by Nichols and seconded by 0 to close the public hearing. **Motion carried unanimously.**

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

Mayor Campbell recessed the meeting for a break at 7:40 p.m. and reconvened at 7:25 p.m.

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.

David Ott, City Manager, introduced the item.

Dennis Coleman, Finance Director, presented a powerpoint reviewing the budget including actions of consideration, the potential use of undesignated reserves, use of designated reserves for contingencies, decreases in operational expenditures which would include materials and supplies, and areas that require negotiations of furlough, salaries, and benefits, as well as layoffs, postponing the General Plan update and Local Coastal Plan and the consideration of a ballot measure for recovering lost revenue.

David Ott, City Manager, said that Staff had continued to look at areas to reduce costs, that significant cuts had been made, that he was in the process of consolidating some responsibility of another position even though the work had not gone away, and that the City had one of the lowest staffing compared to other cities.

Council and City Manager discussed projected savings to date would total about \$35,000, that the City had funded asset replacement in 2008/09 at mid-year as a correction, that Staff would return with further recommendations, that reserves would be used if not alternative was determined to meet the deficit, that one consideration would be a reduction of Transnet from a future project, the downturn of sales tax and TOT (Transient Occupancy Tax), a potential Green Chamber of Commerce Car Free Vacation to enhance the community revenue, whether the General Plan could be postponed given the Local Coastal Plan and the Highway 101 Plan and the SB375 requirements, that the General Plan ultimately could cost \$1.2 million, whether some future options for alternative revenue would be revisited, that only two revenue options were eventually focused on after numerous meetings, that the basic General Plan costs in the next year would cost approximately \$30,000-40,000,

Deputy Mayor Heebner stated that she would opt for reserves since the General Plan issues were significant issues due to the SB375, that there were other priority projects that could not be postponed, and that she would like to prevent a reduction in services to the community which would be the result of

implemented furloughs.

Mayor Campbell stated that a mindset needed to be set for the next year or so, that there were some projects in the pipeline that need to be brought into fruition, that it would not be ideal to pull out of the LCP (Local Coastal Plan) process at this time and not complete it with all the investment made so far, that cutting positions to make up the deficit at this time was not a good idea, to utilize reserves at this time, to ask Staff to continue to try to reduce the deficit in any additional ways including service levels, staffing, compensation, and operations, and to continue funding asset replacement for this cycle.

Councilmember Kellejian stated that he agreed with continuing the LCP (Local Coastal Plan), that several years ago he experienced delay and the letting go of completed studies and losing the investment that had been made in those projects, and that he felt strong about the General Plan update especially due to SB375.

David Ott, City Manager, stated that the most extensive elements were Land Use, Traffic, and Environmental, as well as other elements that would be expiring. He said that the City would be prioritizing the project.

Councilmember Kellejian stated the City took actions in the past when times were dire which included six years without raising employee salaries, eliminating broadcasting of meetings, discontinuing funding to community groups, and that there would be more difficult realities to face in the future.

David Ott, City Manager, stated that the City had already implemented reductions in those areas by freezing all Staff raises and benefits.

Mayor Campbell asked about the budgeted funds for the General Plan until June 2010. Staff confirmed that there was approximately \$215,000 which would not all be spent by year-end and that some funds would roll over to next year for the project and that the RFP (Request for Proposal) would be issued in the next month.

Councilmember Nichols said that postponing the General Plan project for 3-4 months might be a consideration, that funds should be kept in the Highway 101 project and not be used from Transnet funds, that he was not interested in going into staffing and materials, open to ways to raise revenues, and that reserves were there for a reason so he supported using them this time.

Councilmember Roberts stated that he did not want stop the LCP, that news at the San Dieguito River Valley was that San Diego had not funded their 36% of the member contribution towards the Park, that he supported the General Plan discussion, that he slightly disagreed on using reserves, that he was not sure the

City had bottomed out and that Staff needed to look at everything before going to reserves, and complimented Staff for many actions taken to reduce costs.

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.

David Ott, City Manager, presented a powerpoint reviewing questions that came up at the last meeting and had been addressed in a final ordinance.

Peter House stated that the ordinance presented did meet the compromise as closely as possible to what the group of businesses had recently worked towards.

Councilmember Roberts complimented Staff for bringing back what was requested and motioned to approve the recommendation.

Councilmember Nichols asked for a change in the motion, that the goal to increase revenue would be met with the extra tier addressing the higher revenue businesses, that it would not affect those business owners that signed the compromise, and that it would not change the vote since most of those who agreed they were in the lower tiers.

Councilmember Kellejian said that he would not support the next additional tier specifically since the supporters who originally signed did not support it.

Deputy Mayor Heebner said that she had given it a lot of thought, that smaller shops were feeling they were carrying the burden so adding the sixth tier would be more fair, and that she had changed her mind to support the sixth tier.

Councilmember Roberts said that the sixth tier would only apply to eight businesses and maybe raise \$3,000, asked the City Manager to confirm the amount, and specifically that the Business Liaison Committee did not support it since they wanted it simple.

David Ott, City Manager, said that 8 businesses were in the higher tier grossing \$5 million or above, that the difference would be approximately \$30,000 and that he believed a realistic forecast might be 50% resulting in \$12-15,000.

Mayor Campbell said that he was always in favor of the additional tier, that he would always favor apportionment to save money, that everyone should have that right, that the Council was now at a stalemate so the 4/5 required vote would not be reached since everyone was set on not compromising, that he did not think it would make a difference in the final public vote, that he thought the sixth tier makes it more fair, and that he would rather discuss a compromise.

Councilmember Roberts said that compromising was done at the last meeting and reached consensus for the five tiers based on the public's input.

Councilmember Nichols said that a sixth tier was not going to be more difficult, that those businesses would be paying approximately \$400 more a year and that those in the lower tiers would appreciate this higher tier paying a higher amount.

Mayor Campbell stated that this was an important decision to reach consensus to result in a unanimous vote. He asked each Councilmember to report their final decision in order to consider whether a vote should be taken.

Deputy Mayor Heebner said that \$12-15,000 is not much and that she did not think the vote would be lost in the business community.

David Ott, City Manager, stated that it was not an exact science since human behavior determines how people will choose to report.

Councilmember Kellejian said that the last meeting resulted in a 5/0 vote for 5 tiers, that he would not support what the business community did not support, to consider taking it back to the 23 people to see if there was new agreement, and that a representative had told Council that they had an agreement.

Mayor Campbell said that he did not believe that only 23 people who signed a petition were all necessarily representative of the entire community, even though they contributed to the process.

Councilmember Roberts said he agreed with Councilmember Kellejian, that Council provided direction for five tiers, that he came up with only a \$3,000 difference of those 8 businesses who would not apportion, and that those 8 businesses would pay \$400 more equalling.

David Ott, City Manager, said that it was \$500 more but only for those 8 businesses and then the 36 other businesses that may apportion would add to the numbers, so the numbers are unknown, and that is why he used 50% as an

estimate.

Councilmember Nichols said that he would like a support for a 5/0 to consider to bring back once more and to contact those 23 people for their input.

Mayor Campbell said that either motioners could withdraw or he would call the vote. Councilmember Roberts, as the motioner, said he wanted to proceed with the vote.

MOTION: Moved by Roberts and seconded by Kellejian to approve the five tier model. **Motion failed 2/3** (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.

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

David Ott, City Manager, introduced the item. He stated that traffic was an important issue for the City, and that he and the City Engineer had met with residents to discuss traffic concerns.

Mo Sammak, Public Works Director, presented a powerpoint. He stated that there were three proposed traffic calming striping projects in the City, that concerns were received from residents about traffic speed on South Cedros Avenue, the second project was Stevens Avenue to Via De La Valle, and the third project was on Las Banderas Drive, as well as some proposed miscellaneous striping around the City.

Matt Kuehnert stated that he had expressed concerns in the past regarding traffic issues, that he had worked with City Staff, and thanked Council for their response to residents concerns.

Andy Meyer stated that he walked a lot in the City and that traffic speeds on South Cedros were dangerous, that City Staff was responsive to residents concerns, and that he supported the traffic calming striping projects.

Council and Staff discussion ensued regarding traffic speeds on North Cedros, that the projects brought quality of life as well as safety issues, whether striping could be provided in the model of cross bars that would be more visible, and whether "yield to crosser" signs would be replaced at certain areas in the City.

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

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.

Mayor Campbell stated that followed the last meeting he realized that the proper procedure was not followed. He said that Councilmember Kellejian was entitled to an appointment subject to the ratification of the Council majority. He said that what took place was a vote to place four people on the View Assessment Commission which negated Councilmember Kellejian's right to continue to make his nomination and that it was not intentional. He apologized to Councilmember Kellejian and the people it affected.

Johanna Canlas, City Attorney, presented a powerpoint regarding policies and procedures regarding appointments, explaining that if Council determined that a flaw in the process was made that it would require a reconsideration by Council by formal action.

Mayor Campbell stated that he had a conflict since Pat Coad was a client of his, even though he did not think either of them would be enriched in this matter since it was a volunteer position, but the Political Reform Act interpretation that if it was foreseeable that the applicant could financially benefit as a result of his participating in the process. Therefore, it was the City Attorney's opinion that he should not participate, if the reconsideration was made, but it would not preclude him from participating in the discussion of the potential flaw.

Mayor Campbell stated that he thought it was clear that a mistake was made.

Johanna Canlas, City Attorney, stated that Mayor Campbell's prior participation did not nullify the prior action since it was not a 1090 issue.

Deputy Mayor Heebner stated that a flaw had occurred and that it should be done over. She asked for a motion to reconsider the prior consideration.

Councilmember Roberts stated that he tried to point out the issue at the meeting and that now the reconsideration would result in someone being kicked off.

Johanna Canlas, City Attorney, stated that Council was voting on whether they wanted to reconsider the item.

Councilmember Roberts stated that Councilmember Kellejian could then nominate anyone he wanted, who had applied, which may result in kicking off someone who Council had just appointed last week, and that he did not want to kick off Pat Coad.

Deputy Mayor Heebner stated that it seemed like if Council admitted that it was a flaw that Council had to vote to reconsider.

Councilmember Kellejian stated that since the last meeting he had agonized over this issue and what happened had not happened in the 18 years he had served or in the history of the Council. He said he had a discussion with Pat Coad, who he had known for years, and that she was qualified but he had nominated someone else based on their application and recommendations.

Councilmember Roberts stated that he could not support it since it would be kicking off someone from the last meeting's action appointment.

MOTION: Moved by Heebner and seconded by Kellejian to reconsider the item.
Motion carried 3/1/1 (Noes: Roberts. Recuse: Campbell.)

Deputy Mayor Heebner said that they now could nullify and start over.

Councilmember Kellejian asked what was wrong with his original nomination of Paul Bishop.

Deputy Mayor Heebner she had no problem with Paul Bishop, that he needed experience and a lot of knowledge, that he just moved to the City a few years ago, that he had not worked on the View Assessment Commission (VAC) before, that the VAC had many issues going one, and that Ms. Coad had worked on it before.

Councilmember Kellejian stated that Mr. Bishop had experience with architecture, that he had worked for a City in that capacity, and asked to allow him to have his nomination.

MOTION: Moved by Kellejian and seconded by Heebner to rescind and nullify the prior action / appointments. **Motion carried 3/1/1** (Noes: Roberts. Recuse: Campbell.)

Mayor Campbell asked Councilmember Kellejian if he wanted to make a nomination.

Councilmember Kellejian nominated Paul Bishop.

Pat Coad, applicant, said she respected Councilmember Kellejian's to make his nomination, that she felt that an architecture degree alone did not qualify someone, that she had studied architecture, that she had served on the VAC in the past as well as her husband who was an architect, and that her background in education working with families and dealing with their children brought her the ability to reach compromise.

Councilmember Kellejian stated that he nominated Paul Bishop because he had 37 years of experience as well as review of his application and input from members of the community.

MOTION: Moved by Kellejian and seconded by Roberts to approve Kellejian's nomination/appointment of Paul Bishop. **Motion carried 3/2** (Noes: Heebner, Nichols.)

MOTION: Moved by Campbell and seconded by Heebner to approve Campbell's nomination / appointment of David Zito. **Motion carried unanimously.**

MOTION: Moved by Heebner and seconded by Kellejian to appoint Pat Coad by Council at large. **Motion carried 4/0/1** (Recuse: Campbell.)

MOTION: Moved by Nichols and seconded by Heebner to appoint John Scales by Council at large. **Motion carried unanimously.**

Mayor Campbell left the meeting at 9:40 p.m.

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 reported disclosures.

COUNCIL COMMITTEE REPORTS:

Council reported committee activity.

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.

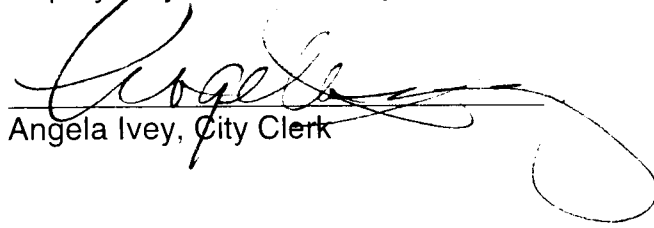
Ad Hoc Committees: (All Primary Members) (Temporary Committees)

- a. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires December 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:

Deputy Mayor Heebner adjourned the meeting at 9:45 p.m.



Angela Ivey, City Clerk

Approved: September 22, 2010