

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

JOINT **REGULAR** MEETING

**MINUTES**

**6:00 P.M.  
WEDNESDAY, JUNE 23, 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:**

Mayor Campbell called the meeting to order at 6:04 p.m.

**FLAG SALUTE:**

Jim Nelson led the flag salute.

**APPROVAL OF AGENDA:**

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

**PROCLAMATIONS:**

**PRESENTATIONS:**

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

2. Civic & Historical Society

Carol Childs, President, and Jim Nelson, presented a \$15,000 donation to Mayor Campbell for the Solana Beach Community Foundation to aid the Fletcher Cove Community Project. She explained that funds were raised from the proceeds

from Jim Nelson's two books and that they were still for sale and encouraged donations for the renovation project.

Mayor Campbell said, on the behalf of Council, that the donation was appreciated and an example of good work by the Civic and Historical Society.

#### 1. I-5 Expansion Project

Arturo Jacoba, Caltrans Project Manager I-5 North Coast Corridor Project, presented a powerpoint. He stated that the Draft Environmental Report (DEIR) was completed and would be released the first week of July, that the document would be available for viewing on the Caltrans website, that there would be community meetings, and that there would be a ninety day review period. He reviewed specific details and showed diagrams of various design options for the North Coast Corridor project.

Council and the Consultant discussed whether the notices regarding the DEIR would be sent to everyone in the City, that the first three alternative design did not have any full right-of-way impacts in the City, that there would be no full property takes in the first three design options, that there would be property impacts with the design options with barriers, that the DEIR was about 1,000 pages not including all the technical studies, that property impacts would be addressed in the document, that the proposed soundwalls were addressed in the DEIR, that not every property would be receiving a soundwall, that there would be transparent soundwalls to not impede views, that work would begin in the City in about two months, that property owners could view on-line whether they would be impacted by the project, that two notices would be sent to impacted properties, that there would be a public meeting in the City, that all comments would be compiled and then a recommendation would be made to the SANDAG Board of Directors, and that all local libraries and cities would receive a copy of the DEIR.

#### **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.

Blayne Hartman said that he had built a new house recently, that Staff did help

him, that he had went green and got 40kw a day, and collected water from the washing machine to recycle. He said that he was now ready to build a garage that was approved and ran into the FAR restriction which only allow him to build a tiny 2 car garage that would not fit his pick up truck, that Staff did work with him but said it would not fit with the restriction, that he was told he could apply for a variance for that purpose, that he built his house down and the basement is spread out over the lot so he does not qualify, and that he asked Council if there was any way to look at it for him or others in the future when houses are built down like this and end up with this penalty.

Council discussion ensued regarding that fact that Council could not discuss the item because it was not an agenda item, asked the City Manager to review and prepare a short memo, and to include if anything was different than approved and the stumbling block definition of basement, and how much was buried.

David Carroll, President, Chamber of Commerce, announced the Relay for Life, that they had met goals because of the impact of participants, that it was a 24 hour event that required that a team member be walking at all times, that cancer was on a decline due to new treatments, and that anyone could sign up online.

### **COMMUNITY ANNOUNCEMENTS:**

Council made community announcements.

### **COMMENTARY:**

Council reported commentary.

#### **A. CONSENT CALENDAR: (Action Items) (A.1. - A.13.)**

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 City Council meeting held March 3, 2010.

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

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

Recommendation: That the City Council

1. Ratify the list of demands for May 22 - June 4, 2010.

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

**A.4. Security Agreement for Fiscal Year 2010-2011. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2010-070
  - a. Awarding an agreement to Rancho Santa Fe Security, in an amount not to exceed \$40,000 for monthly and as needed security services and restroom lock up services in Fiscal Year 2010-2011.
  - b. Authorizing the City Manager to execute the agreement with Rancho Santa Fe Security on behalf of the City.
  - c. Authorizing the City Manager to extend the agreement for up to three additional years, at the City's option.
  - d. Approving an appropriation of \$40,000 from undesignated reserves for Fiscal Year 2010-2011 to fund the security service program allocating ninety percent (90%) to the Parks Professional Service Budget (001-6500-6560-6530) and ten percent (10%) to the Facilities Budget (001-6500-6570-6530).

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

**A.5. Status Report on Major FY 2009/2010 Capital Improvement Projects. (File 0810-05)**

Recommendation: That the City Council

1. Receive report.

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

**A.6. Adoption of the Fiscal Year (FY) Municipal Improvements Districts Benefit (MID) Fees. (File 0495-20)**

Recommendation: That the City Council

1. Approve Resolution 2010-075, setting the Benefit Charges for MID No. 9C, Santa Fe Hills at \$232.10 per unit for FY 2010-11.

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

2. Approve Resolution 2010-076, setting the Benefit Charges for MID No. 9E, Isla Verde at \$68.74 per unit for FY 2010-11.

**MOTION:** Moved by Campbell and seconded by Heebner. **Motion carried 4/0/1** (Recuse: Roberts.)

3. Approve Resolution 2010-077, setting the Benefit Charges for MID No. 9H, San Elijo Hills # 2 at \$289.58.10 per unit for FY 2010-11.

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

4. Approve Resolution 2010-078, setting the Benefit Charges for MID No. 33, Highway 101/Railroad Right-of-Way at \$3.12 per unit for FY 2010-11.

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

**A.7. Adoption of the Fiscal Year 2010-11 Fire Benefit Fee. (File 0390-23)**

Recommendation: That the City Council

1. Set the Fiscal Year 2010-11 Fire Benefit Fee at \$10.00 per unit, and
2. Adopt Resolution 2010-071 setting the Fee for levying on the tax roll.

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

**A.8. Annual Solid Waste Rate Review. (File 1030-15)**

Recommendation: That the City Council

1. Receive report and freeze the residential and commercial solid waste and recycling rates for Fiscal Year 2010/2011.

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

**A.9. Fiscal Year 2010-11 Appropriations Limit. (File 0330-60)**

Recommendation: That the City Council

1. Adopt Resolution 2010-073, establishing the 2010-11 Appropriations Limit in accordance with Article XIII B of the California Constitution and Government Code Section 7910.

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

**A.10. Animal Control Services Contract. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2010-067, authorizing the City Manager to execute the agreement with San Diego County for the delivery of Animal Control Services.

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

**A.11. Amendment to City Attorney Agreement with McDougal, Love, Eckis, Boehmer & Foley. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2010-072 authorizing the Mayor to execute the Second Amendment to the Agreement between the City of Solana, Solana Beach Redevelopment Agency, and Solana Beach Public Finance Authority and McDougal, Love, Eckis, Boehmer & Foley.

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

**A.12. Award construction contract for Castro Street Improvements Phase 2 and Appropriate Funding. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2010-069
  - a. Awarding the construction contract to Koch-Armstrong General Engineering, in the amount of \$23,694 for the Castro Street Improvements Phase 2, Bid No. 2010-01.
  - b. Approving an amount of \$574 for construction contingency.
  - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - d. Appropriating \$24,268 from CDBG Undesignated Reserves 240-3200 into Budget Unit 240-9380-6510-6530, Project Number 9380.05-6661
  - e. Authorizing the City Treasurer to amend the Fiscal Year 2009/2010 Budget accordingly.

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

**A.13. Xerox Machine Lease (File 0190-50)**

Recommendation: That the City Council

1. Adopt Resolution 2010-080 authorizing the City Manager to enter into a contract with Xerox Corporation for a 60 month term.

This item was pulled from the agenda.

**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.4.)**

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. Adoption of the Redevelopment Agency (RDA) FY 2010-11 Budget. (File 0115-20)**

Recommendation: That the City Council

1. Adopt Resolution RDA 039 approving a budget for Fiscal Year 2010-11.

David Ott, City Manager, introduced the item.

Dennis Coleman, Finance Dir., reviewed the RDA budget.

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

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

**B.2. Adoption of Fiscal Year 2010-11 Budget and Workplan. (File 0330-30 and 0410-08)**



Recommendation: That the City Council

1. Adopt Resolution 2010-081 approving a budget for Fiscal Year 2010-11.
2. Adopt proposed Fiscal Year 2010-11 Workplan.

David Ott, City Manager, introduced the item.

Dennis Coleman, Finance Dir., presented a powerpoint reviewing the budget.

Mayor Campbell opened the public hearing.

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

Council and Staff discussion ensued regarding use of reserves in the past and that it had not been done in the past, that the City had been careful about utilizing reserves and were not usually used for ongoing expenses but for one-time items such as the funding designated for the EIR review of the Del Mar Fairgrounds, that it would not be healthy to continue to use reserves for expenditures on an ongoing basis, that since Proposition L did not pass there would be impact to the City, to make sure and keep all alternatives on the table, that the City would have to cut services after this year because it could not keep dipping into reserves, that the City had declared a fiscal emergency and it would have to come up with a solution.

Council and Staff continued discussion regarding the cigarette butt enforcement day and the use of the Sheriff department's time, to consider changing it to an education day instead of enforcement day, that Captain Fowler was agreeable to do an enforcement day in combination with educational, that the idea was to address smoking in the course of their regular day of duty, that past discussions had been to join the Sheriff and volunteers to hand out information throughout an education day and then write tickets if it was necessary due to continued non-compliance, to consider specific attention to smoking at Fletcher Cove, to continue the request with the City Manager to bring back a detailed plan to propose for discussion.

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

**MOTION:** Moved by Roberts and seconded by Heebner to approve the Workplan and the Budget. **Motion carried unanimously.**

**B.3. Solana Beach Lighting District Assessment for Fiscal Year 2010/2011. (File 0497-30)**

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, receive public testimony and close the public hearing.
2. Adopt Resolution 2010-084 confirming the Engineer's Report, diagram and assessment; providing for the levy of the annual assessment in the Solana Beach Lighting District; and ordering the transmission of charges to the County Auditor for collection.

David Ott, City Manager, introduced the item stating that the amount of the assessment will be the same as prior years.

Mayor Campbell opened the public hearing.

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

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

**B.4. Solana Beach Coastal Rail Trail Maintenance District for Fiscal Year 2010/2011. (File 0495-20)**

Recommendation: That the City Council

1. Open the public hearing, receive public testimony and close the public hearing.
2. Adopt Resolution 2010-082 amending and/or approving the Engineer's Report regarding the Coastal Rail Trail Maintenance District.
3. Adopt Resolution 2010-083, ordering the levy and collection of the annual assessments regarding the Coastal Rail Trail Maintenance District for Fiscal Year 2010/2011.

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

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

**unanimously.**

**C. STAFF REPORTS: (C.1. - C.2.)**

*Submit speaker slips to the City Clerk*

**C.1. Proposed Revisions and Introduction (1st Reading) of Ordinance 420 - Election Code. (File 0430-10)**

Recommendation: That the City Council

1. Review proposed changes and provide any additional direction for amending the Solana Beach Election Code.
2. Introduce Ordinance 420 amending Solana Beach Municipal Code 2.24 regarding Elections.

David Ott, City Manager, introduced the item.

Council and Staff discussed modifying language referring to candidate as an individual, added a reference to 2.24.040F "to themselves" to provide reference to who they would be giving contributions, changed the reference in 2.24.050B from the time of contracting to the time the contract is executed, and amended 2.24.00C allowing 60 days to obtain missing information by adding an additional 15 days to turn the funds into the City if the information is not obtained, totalling 75 days from receipt.

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

**C.2. Fletcher Cove Community Center Project. (File 0730-00)**

Recommendation: That the City Council

1. Provide direction to Staff to complete the tasks necessary to obtain a CCC (Ca. Coastal Commission) permit for the project and return to Council as soon as it is feasible for a public hearing and Council consideration for adoption of the MND (Mitigated Negative Declaration) for the project; and
2. Direct Staff to return to Council for the award of contracts for construction of Phase I and II of the project as soon as it is feasible to do so.

David Ott, City Manager, introduced the item.

Tina Christiansen, Community Development Dir., presented a powerpoint (added to the record on file) to review Phase II.

Steve Dalton, consultant, continued the powerpoint, reviewing the design of the building which included 6 ft. wide french doors, proposed materials are fiber cement which are more durable for weather ability, and stated they may reach Gold LEED qualifications, that LED lighting would be used, and low flow toilets would be installed.

Tina Christiansen, continued, and stated that Phase III was still in the conceptual stage and that Staff would be involved in completing tasks necessary to obtain Coastal Commission approval.

Council, Staff, and Consultant discussed that fact that it was on the Consent calendar for the Coastal Commission approaching agenda, that Coastal staff had presented it for approval, that the flooring was donated, that the metal roof would have an insulation from the interior for noise purposes, and the parking needs and ADA requirements.

**MOTION:** Moved by Heebner and seconded by Kellejian. **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 reported disclosures.

**COUNCIL COMMITTEE REPORTS:**

Council reported committee activity.

**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)**

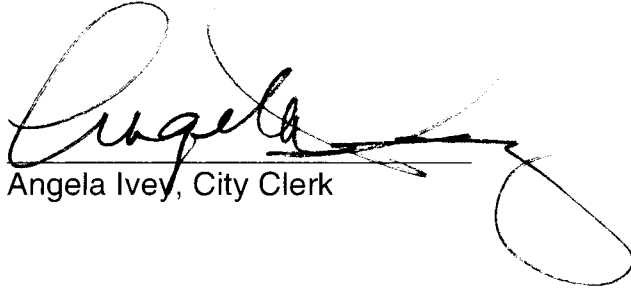
- a. Business Liaison Committee - Roberts, Campbell.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. I-5 Construction Committee - Heebner, Roberts.
- d. Public Arts Committee - Roberts, Nichols.
- e. School Relations Committee - Roberts, Campbell.

**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 11, 2011.
- 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 - Heebner, Nichols. Expires 1-12-2011
- h. View Assessment - Nichols, Heebner. Expires August 25, 2010

**ADJOURN:**

Mayor Campbell adjourned the meeting at 8:44 p.m.

A handwritten signature in black ink, appearing to read "Angela", with a long, sweeping horizontal stroke extending to the right and a large loop at the end.

Angela Ivey, City Clerk

Approved: January 12, 2011