

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, JULY 13, 2011

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 COUNCIL MEMBERS

LESA HEEBNER, MAYOR

JOE G. KELLEJIAN, DEPUTY MAYOR
DAVID W. ROBERTS, COUNCILMEMBER
MIKE NICHOLS, COUNCILMEMBER
THOMAS M. CAMPBELL, 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:

CLOSED SESSION REPORT: (when applicable)

FLAG SALUTE:

APPROVAL OF AGENDA:

COUNCIL ACTION: Approved 4/0

PROCLAMATIONS: None

PRESENTATIONS: None

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

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.

COMMUNITY ANNOUNCEMENTS:

COMMENTARY:

A. CONSENT CALENDAR: (Action Items) (A.1. -A.14.)

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 April 13, 2011 and April 27, 2011.

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 May 28 - June 16, 2011.
[Item A.3. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.4. Conflict of interest Code Update (File 0460-05).

Recommendation: That the City Council

1. Adopt Resolution 2011-095 updating the local Conflict of Interest Code.
[Item A.4. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.5. Re-establish Two Ad Hoc Committees: General Plan Update & the Fire Department Management Governance and Organizational Evaluation Ad Hoc Committee. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2011-103 re-establishing the General Plan Update Ad Hoc Committee to expire on July 12, 2012.

2. Adopt Resolution 2011-104 re-establishing the Fire Department Management Governance and Organizational Evaluation Ad Hoc Committee to expire on July 12, 2012.
3. Re-appoint two existing members (General Plan: Campbell, Nichols) (Fire Department Management Governance and Organizational Evaluation: Kellejian, Roberts).

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

COUNCIL ACTION: Approved 5/0

A.6. Award Marine View Avenue Improvements Construction Contract, Bid No. 2011-02. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-097:
 - a. Awarding the construction contract to Pal General Engineering Inc., in the amount of \$288,442 for the Marine View Avenue Improvements, Bid No. 2011-02.
 - b. Approving an amount of \$43,558 for construction contingency.
 - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
 - d. Approving a professional services agreement with TerraCosta Consulting Group, not to exceed \$18,530, for construction support services that include materials testing, special geotechnical observation and preparation of as-builts.
 - e. Authorizing the City Manager to execute the professional services agreement on behalf of the City.]
 - f. Appropriating \$419,000 from TransNet Undesignated Reserves 228-3200 into Budget Unit 228-9357-6510-6530, Project Number 9357.00-6661.

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

COUNCIL ACTION: Approved 5/0

A.7. Animal Control Services Contract. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-094, authorizing the City Manager to execute Attachment B to the agreement with San Diego County for the delivery of Animal Control Services for the 2011-2012 Fiscal Year.

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

COUNCIL ACTION: Approved 5/0

A.8. Chamber of Commerce Visitor Center Agreement. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-092:
 - a. Authorizing the City Manager to execute the agreement between the City and the Solana Beach Chamber of Commerce on behalf of the City, and
 - b. Authorizing the City to pay \$15,000 to the Solana Beach Chamber of Commerce for the period of July 1, 2011 thru June 30, 2012 for the operation of the Visitor Center.

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

COUNCIL ACTION: Approved 5/0

A.9. Status Report on Major Fiscal Year 2010-2011 Capital Improvement Projects. (File 0810-05)

Recommendation: That the City Council

1. Receive report from Staff.

[Item A.9. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.10. 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 March and April.

[Item A.10. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.11. League of California Cities 2011 Annual Business Meeting Voting Delegates. (File 0140-10)

Recommendation: That the City Council

1. Appoint Councilmember Roberts as the voting delegate, Deputy Mayor Kellejian as 1st alternate delegate, and Mayor Heebner as 2nd alternate delegate, for the 2011 Annual Business Meeting of the League of California Cities Annual Conference being held September 21-23, 2011.
2. Direct the City Clerk to attest to the appointments and submit the Official Voting Form to the League of California Cities.

[Item A.11. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0 approved as per the supplemental report appointing Kellejian as designated voter and the City Manager as the alternate.

A.12. Amendment to the Debt Service Reserve Forward Delivery Agreement for Association of Bay Area Governments (ABAG) Issued Bonds. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-112 approving the form and authorizing execution of an Amendment to that Certain Debt Service Reserve Forward Delivery Agreement, dated as of January 10, 2002, in connection with the issuance by the Association of Bay Area Governments of its \$14,355,000 Lease Revenue Bonds (California Capital Projects) Series 2001-2.

[Item A.12. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.13. Fiscal Year 2010-2011 Supplemental Law Enforcement State Funding (SLESF) Grant also known as the COPS Grant. (File 0390-34)

Recommendation: That the City Council

1. Adopt Resolution 2011-113 approving the proposed expenditure plan for the SLESF (COPS) grant funds for FY 2010/11.

[Item A.13. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.14. Consideration of Council Policy Ensuring Timely Repayment to the Sanitation Fund. (File 0410-90)

Recommendation: That the City Council

1. Adopt Resolution 2011-111 adopting a new Council Policy as it relates to the timely repayment of Sanitation Fund loan.

[Item A.14. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

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: (8.1. - 8.5.)

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. Fiscal Year (FY) 2011-12 Solid Waste Rate Increase for EDCO Waste and Recycling Services. (File 1030-15)

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. Following the Public Hearing, adopt Resolution 2011-107 approving EDCO's rate review request increasing residential solid waste and recycling rates for FY 2011-12 in accordance with the Franchise Agreement.

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

COUNCIL ACTION: Approved 4/0/1 to close the public hearing. (Recuse: Kellejian.)

COUNCIL ACTION: Approved 4/0/1 (Recuse: Kellejian.)

B.2. Fiscal Year (FY) 2011-12 Solid Waste Rate Increase for Coast Waste Management, Inc.. (File 1030-15)

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. Following the Public Hearing, adopt Resolution 2011-108 approving CWM's rate review request increasing residential solid waste and recycling rates for FY 2011-12 in accordance with the Franchise Agreement.

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

COUNCIL ACTION: Approved 4/0/1 to close the public hearing. (Recuse: Kellejian.)

COUNCIL ACTION: Approved 4/0/1 (Recuse: Kellejian.)

B.3. Conditional Use Permit (CUP), Development Review Permit (DRP), and Structure Development Permit (SDP) at 225 Stevens Avenue. (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 CUP, ORP and administratively issue a SOP. Therefore, Staff recommends that the 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 2011-106 conditionally approving a CUP, ORP and an administrative SOP to locate a flower kiosk, office use, a religious facility and preschool in the existing building, construct interior tenant improvements to facilitate the new uses, construct a new elevator tower and to reconfigure the existing parking lots and landscaping at 225 Stevens Avenue, Solana Beach.

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

COUNCIL ACTION: Approved 4/0/1 to close the public hearing. (Recuse: Nichols.)

COUNCIL ACTION: Approved 4/0/1 with modifications read by the City Attorney. (Recuse: Nichols.)

B.4. Development Review Permit (DRP) at 326 South Nardo Avenue, Case # 17-11-04, Applicants: Rob and Tanya Schliff. (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 ORP. Therefore, Staff recommends that the City Council:

1. Report Council disclosures;
2. Conduct the Public hearing: Open the Public Hearing; Report Council disclosures; 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 2011-109 conditionally approving a DRP for a new one story, single-family residence of 6,787 square feet including the garage and basement area at 326 South Nardo Avenue.

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

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

COUNCIL ACTION: Approved 5/0 approved on the condition of the certification by the City Manager of the property's accurate square footage.

B.5. Adoption of the Fiscal Year (FY) 2011-2012 Annual Sewer Service Charge and Placement of Delinquent Fiscal Year 2006-2007 Sewer Service Charges on the Property Tax Rolls. (File 1040-70)

Recommendation: That the City Council

1. Adopt Resolution 2011-114:
 - a. Approving the FY 2011-2012 Annual Sewer Service Charge at \$560 per Equivalent Dwelling Unit (EDU).
 - b. Approving the placement of \$255,775 in delinquent sewer service charges for FY 2006-2007 on the San Diego County property tax rolls for FY 2011-2012.

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

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS: (C.1.)

Submit speaker slips to the City Clerk

C.1. 22nd District Agricultural Association Community Relations Committee Update on Discussions with the City of Del Mar Regarding the Sale of the Del Mar Fairgrounds. (File 0150-85)

Recommendation: That the City Council

1. Discuss the item and provide direction to the 22nd District Agricultural Association Community Relations Ad Hoc Committee as necessary.

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

WORKPLAN COMMENTS:

(Adopted June 23, 2010)

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, 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 - Heebner, 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.
- f. Parks and Recreation Committee - Heebner, Nichols

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires December 7, 2011.
- b. City's 25th Anniversary - Heebner, Kellejian. Expires July 13, 2011.
- c. Development Review - Nichols, Heebner. Expires November 16, 2011.
- d. Environmental Sustainability - Roberts, Heebner. Expires December 7, 2011.
- e. Fire Department Management Governance-Kellejian,Roberts. Expires July 13, 2011.

- f. Fiscal Sustainability - Campbell, Roberts. Expires June 28, 2012.
- g. Fletcher Cove - Campbell, Heebner. Expires November 16, 2011.
- h. General Plan - Campbell, Nichols. Expires July 13, 2011.
- i. La Colonia Park - Nichols, Heebner. Expires May 10, 2012.
- j. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 8, 2012 or at the California Coastal Commission adoption.
- k. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires January 11, 2012
- l. View Assessment - Nichols, Heebner. Expires August 22, 2011

ADJOURN: