

CITY OF SOLANA BEACH
SOLANA BEACH CITY COUNCIL, REDEVELOPMENT AGENCY, PUBLIC FINANCING
AUTHORITY, & HOUSING AUTHORITY

JOINT **REGULAR** MEETING

MINUTES

6:00 P.M.

Wednesday, August 24, 2011

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

Absent: None.

Also Present: David Ott, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk
Wende Protzman, Dir. Admin. Serv./Deputy City Mgr
Mo Sammak, City Engineer/Public Works Dir.

Mayor Heebner called the meeting order at 7:20 p.m.

FLAG SALUTE:

APPROVAL OF AGENDA:

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

PROCLAMATIONS: None at the time of agenda posting

PRESENTATIONS: None at the time of agenda posting

(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.

Paul Davis said that he was a timeshare owner and Director at San Pebbles, that the 2,499 residents were concerned that the proposed affordable housing would affect parking, views, timeshare values, possible foreclosures, the need for additional security which would be costly, and questioned whether affordable housing requirements were constitutional.

Bill Gifford stated that the retail establishments at 500 S. Sierra would face S. Sierra rather than Highway 101, that the development company's last two commercial projects were both empty, and that he was upset that he was unable to ask questions at the recent workshop regarding the project.

Louis Summers said she was a resident on S. Sierra, that the project would have significant negative impact on vehicle access, parking utilization, traffic flow safety, and community design, that these concerns were not considered and studies should had been performed, and that the proposed parking stalls were not size appropriate.

Daniel Peters stated that the 500 S. Sierra project did not fit the space, that the building required trucks to park on the street during loading and unloading, and that a street light might be required to maintain street safety.

Martin Schmidt stated that he opposed the affordable housing project because it would alter the character of the neighborhood, and proposed that a committee be formed to look for alternative solutions.

Robert Randall stated that the story poles for the 500 S. Sierra project were inadequate for judging the scale of the project.

Fay Palestrant stated that affordable housing would cause the personality of the neighborhood to change, that the consequences would be permanent, and that an alternative solution should be found.

Carolyn Cohen said that she was the new President of the Solana Beach Chamber of Commerce, that Jason Smith was the new Vice President, and stated her goals for the Chamber of Commerce.

Mel Green stated his concerns about the cost of building affordable housing, that the S. Sierra lot was a premium lot and valuable as a parking lot, and stated concerns regarding a 50-55 year lease.

Marilyn Jones requested that Council provide additional public meetings for the S. Sierra project to address questions, and stated that there needed to be more information available regarding this and other similar projects.

Mary Leshner said that she attended the meeting last week and heard a lot of pros but did not hear a lot of information regarding construction, that the project would have a serious impact on renters/vacationers, and requested information regarding affordable housing, construction, and parking issues.

Mayor Heebner stated that the Council were looking into having another workshop regarding the S. Sierra project, and that the Council were listening to the complaints. David Ott, City Manager, pointed out there was a link to the project information on the City's home page.

COMMUNITY ANNOUNCEMENTS:

Council announced community activities,

COMMENTARY:

Council reported commentary.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.10.)

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. Memorandum of Understanding (MOU) between the City and the Solana Beach Firefighter's Association. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-129 approving a Memorandum of Understanding (MOU) between the City and the Solana Beach Firefighter's Association, effective July 1, 2011.

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 June 18 - July 28, 2011.

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

A.4. Technical Support Agreement with the City of Del Mar. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-115 authorizing the City Manager to sign an I.T. (Information Technology) support agreement with the City of Del Mar.

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

A.5. Professional Services Agreement with Granicus for Web-Streaming Services. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-116 authorizing the City Manager to sign a new Professional Services Agreement with Granicus for a term of one year.

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

A.6. Asphalt and Concrete Street Repair Project Notice of Completion fy 2010-11. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-117:
 - a. Authorizing the City Council to accept as complete the 2010/2011 Asphalt and Concrete Repair Project, Bid No. 2010-06, performed by PAL General Engineering.
 - b. Authorizing the City Clerk to file a Notice of Completion.

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

A.7. Re-establish the View Assessment Ad Hoc Committee (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2011-125 re-establishing the View Assessment Ad Hoc Committee until February 23, 2012.
2. Re-appoint the two existing Councilmembers (Heebner, Nichols)

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

A.8. Emergency Repair Traffic Signal at Valley and Stevens Avenues (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-123:

- a. Receiving this report that details the specifics of the emergency nature of this project.
- b. Making a finding, based on substantial evidence set forth in this Staff Report, that the emergency did not permit a delay in obtaining Council approval before the work took place and that the action was necessary to respond to the emergency.
- c. Retroactively authorizing the City Manager to approve the traffic signal replacement/repairs at the Stevens Avenue/Valley Avenue intersection, in the amount of \$20,090.
- d. Reversing an appropriation of \$6,809 into the Asset Replacement Fund.
- e. Appropriating \$20,090 into the account set up to expend TransNet II funds for maintenance and non-congestion relief not associated with a specific project.
- f. Authorizing the City Treasurer to amend the Fiscal Year 2010/2011 budget accordingly.

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

A.9. Professional Services Agreement with ICF Jones & Stokes, Inc. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-128 approving the professional service agreement between ICF Jones & Stokes, Inc. and the City of Solana Beach and authorizing the expenditure of \$40,000 from the Principal Planner position.

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

A.10. Acceptance of Electronic Piano/Keyboard Donation for the Fletcher Cove Community Center (File 0160-15)

Recommendation: That the City Council

1. Accept the donation of a new electronic piano/keyboard.

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

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 330 South Rios Ave, Applicants: Mike Haas and Lisa Porter, Case # 17-10-16. (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, Staff recommends 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 City Council makes the requisite findings and approves the project, adopt Resolution 2011-105 conditionally approving a DRP and an administrative SDP to construct a new two-level, single-family residence including a partially subterranean garage on a vacant lot at 330 South Rios Ave.

Deputy Mayor Kellejian recused himself, wife and he own a business within 500 ft of the residence.

David Ott, City Manager, introduced the item.

Greg Hueners, Associate Planner, presented a powerpoint (on file) reviewing the project.

Council and Staff discussed that the project was valid for 24 months but that the permits were never pulled, that there was now a new owner, that Rios Ave. did not have a curb, that Staff advocated only a certain % for driveway purposes, and that they complied with according to the proposal.

Council disclosed their familiarity with the project.

Mayor Heebner opened the public hearing.

MOTION: Moved by Roberts and seconded by Campbell to close the public hearing. **Motion carried 4/0/1** (Recuse: Kellejian.)

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

C. STAFF REPORTS: (C.1. - C.4.)
Submit speaker slips to the City Clerk

C.1. Update to the Financing Plan for SEJPA Demineralization Project. (File 1040-20)

Recommendation: That the City Council

1. Receive report.
2. Authorize Staff to pledge sanitation funds as a secondary revenue source in order for the SEJPA to secure a low-interest construction loan. The Sanitation funds could only be used if SEJPA water revenues and existing reserves were unable to make the loan payments.
3. Provide other direction.

David Ott, City Manager, introduced the item.

Mike Thornton, SEJPA (San Elijo Joint Powers Authority), presented a powerpoint (on file) reviewing the project and funding.

Council, Mr. Thornton, and Jeff Land (Brandis-Tallman) discussion ensued regarding that SEJPA was securing the funding and that agencies would provide backup, however the loan document did not mention the agencies, that the waste water revenue would be pledged if the debt was not met from funds that were already available, that general funds would not be obligated, that if no action was taken that there would be water quality concerns, which included some water that is already salty, and that they would not meet contractual obligations, which would mean that if quality was low enough the program could be issued a cease and assist.

Discussion continued regarding Escondido's involvement which was not direct, that the 4.4% interest rate was good, that the City did not choose to loan the funds because the City had obligated funds to pay off the PERS Side Fund at this time, that the finance team investigated all options, that a proposal for the grant would be to study the flow and design a solution for constant flow of a certain pipe which would be diverted in a low flow condition, and that this program should continue to be revenue positive.

Daniel Powell asked if it was the lowest interest rate and what the differential was.

David Ott, City Manager, responded stating that it was complicated, that when the funds were obligated the City's bonds could be affected and that it could have affect on future work products.

Mr. Land stated that the SEJPA did not have the ability to raise its own rates, that there was no debt service coverage in the loan documents which is why they were asking for the back stop, and that going out to the bond market without a covenant would make it difficult to obtain a rating because it was a fairly unusual situation.

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

C.2. Various Traffic Related Matters (File 0860-63)

Recommendation: That the City Council

3. Adopt Resolution 2011-122 approving the preliminary design of the South Cedros Avenue/Rosa Street intersection improvements and allow the individual property owners to independently move forward with final design and construction of their corner of the intersection.

Deputy Mayor Kellejian recused himself due to his wife's business in the project

area and Councilmember Nichols recused himself due to his employer being located in the project area.

Mo Sammak, Public Works Dir./City Engineer, presented a powerpoint (on file) reviewing the project.

Council and Staff discussed the fact that one space may be lost with the raised median, resulting in a better sidewalk, a better ADA review, and that spaces may be added on the other side when it is done.

Shawn McCloud said that when the overpass was put in place that the movement of pedestrians was contemplated across Cedros as a loop, that they worked with the City Engineer to enhance this process, and had cofounded some of these improvements.

MOTION: Moved by Roberts and seconded by Campbell. **Motion carried 3/0/2** (Recuse: Kellejian,) Nichols.)

1. Adopt Resolution 2011-102 prohibiting parking on the east side of Avocado Place, between Highland Drive and where Avocado Place splits into a loop, and authorizing the City Engineer to install signs and/or paint the curb red as necessary to implement these restrictions.

Mo Sammak, Public Works Dir./City Engineer, continued the powerpoint (on file) reviewing the project.

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

2. Adopt Resolution 2011-118 approving a reconfiguration of southbound Via Mil Cumbres, opposite Las Banderas, to include a right turn only lane and a combination left turn and through lane.

Mo Sammak, Public Works Dir./City Engineer, presented a powerpoint (on file) reviewing the project.

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

4. Adopt Resolution 2011-119 approving the restriping from front-on angle parking stalls to reverse angle (back-in, head-out) parking stalls on the west side of South Sierra Avenue in front of the Post Office and Las Brisas condominiums.

Mo Sammak, Public Works Dir./City Engineer, presented a powerpoint (on file) reviewing the project.

Peter House (time donated by two people, names not clear or confirmed) presented 4 slides (on file) reviewing supporters and opposers to back angled parking, reviewed what other cities had done, how traffic engineers see reverse angle parking as a fad, and stated that spaces would be lost, and reviewed some studies done by other cities with the outcomes that did not support reverse parking.

Councilmember Nichols said that he liked the plan as an individual and a consultant, that it was innovative and progressive and had several benefits, that it had its place, that they asked the public for their opinion and received a lot of feedback including an aging population, that he agreed that it was not as easy as it seemed, that he did not agree with concerns about congestion, that there were mixed camps on cycling advantages, that wider drive lane next to parking stalls could provide more room for the cyclist, that it was intended as an expanded test, that it was not going to work on Highway 101, and that it was not worth spending the funds to do it now.

Deputy Mayor Kellejian said that he had supported the test, that he had concerns about the aging group, that he did see an email from COOSSA late but would like formal feedback from them.

Councilmember Roberts stated that he found positive research around the country and the world for back end parking, that 18 people would not provide their name and could be the same person, that he was not sure there was overwhelming opposition, that a business on 101 was using it and supported it, that SANDAG had a study explaining all the benefits of it and listed all the areas that have it, that Mr. House said San Jose outlawed it but he found online today that it existed there, that he was unclear on the correct information, that he did understand business concerns, that it was the safe thing to do since it was about public safety, that he did not overly favor it, that he could go either way, but he did not want to say it was overwhelming that the public opposed it.

Mayor Heebner said that she was excited about it and liked the progressiveness of it, that it would add to the feel of Solana Beach, that Council asked for input and that no one at the Fiesta was supportive of it, and that she did not support it at this time.

Councilmember Campbell stated that he could go either way, that it was great at first, that there had been some thoughts to consider, not sure who to believe in regards to the public safety on the issue, that it was tough to teach an old dog new tricks, and that he was up in the air.

Councilmember Nichols said that the upcoming Bike Coalition meeting might provide more input to allow Council to consider whether to revisit.

C.3. Establishment and Formation of the Housing Authority of the City of Solana Beach (File 0650-15)

Recommendation: That the City Council

1. Adopt Resolution 2011-124:
 - a. Finding that there is a need for a housing authority in the City of Solana Beach; and
 - b. Authorizing the establishment and formation of the Housing Authority of the City of Solana Beach; and
 - c. Appointing the members of the City Council to serve as the commissioners of the Housing Authority of the City of Solana Beach.

Johanna Canlas, City Attorney, introduced the item.

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

C.4. 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.

David Ott, City Manager, and Mayor Heebner stated that the blue folder contained a letter sent out regarding the City's position and interest in working with the City of Del Mar.

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.

Councilmember Roberts stated that the City funded his annual fee for the monthly League of California Cities' luncheon.

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)

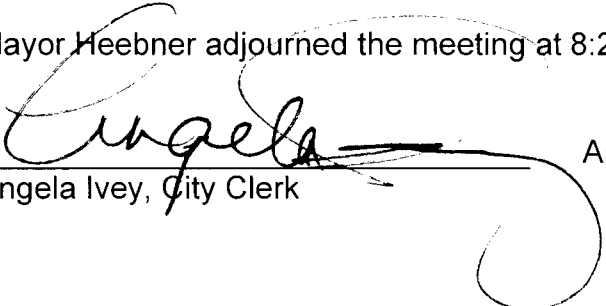
- a. Business Liaison Committee - Roberts, Campbell.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. I-5 Construction Committee - Heebner, Roberts.
- d. Public Arts Committee - Roberts, Nichols.
- e. School Relations Committee - Roberts, Campbell.
- f. Parks and Recreation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

Mayor Heebner adjourned the meeting at 8:22 p.m.



Angela Ivey, City Clerk

Approved: January 25, 2012