

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

JOINT **REGULAR** MEETING

MINUTES

6:00 P.M.
Wednesday, October 12, 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:

Mayor Heebner called the meeting to order at 6:27 p.m.

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.
Marie Berkuti, Finance Manager

CLOSED SESSION REPORT: (when applicable)

Johanna Canlas, City Attorney, stated there was no reportable action.

FLAG SALUTE:

APPROVAL OF AGENDA:

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

PROCLAMATIONS/CERTIFICATES:

1. Santa Fe Christian Schools National Blue Ribbon
2. North Coast Repertory

Mayor Heebner presented proclamations.

PRESENTATIONS:

(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.

Roger Boyd stated that he attended a meeting discussing the preliminary plans for upgrading major streets in the city, stated that a few of the guests were rude but that Staff got their message out to educate and inform, and that the majority of people did not share the disrespectful attitude. He continued, stating that the east side transit circulation preliminary plan should be segmented into two parts, and that the second part should include potential modifications from four lanes to two lanes, sidewalk replacement, and beautification.

Mary Jane Boyd stated that she attended the community meeting, that it was unfortunate some residents chose to be disrespectful and rude, that the speakers at the meeting did not represent her position, that a sidewalk at the west side of Highland is important for safety reasons, that the east end of Lomas Santa Fe is the most unattractive part of the street and has had almost no improvements over the years, that the speed limit there is the highest on the street, and asked that Council moved forward with the project and do whatever necessary to calm the traffic, make the areas safe for pedestrians, and to beautify areas when possible.

Bruce Berend stated that he approved the parking study at the train station, that he found out the study will be done over a period of nine months, and that he hoped the nine months would include the fair and racing season.

COMMUNITY ANNOUNCEMENTS:

Council reported community announcements.

COMMENTARY:

Council reported commentary remarks.

A. CONSENT CALENDAR: (Action Items) (A.1.- A.6.)

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 Nichols and seconded by Roberts. **Motion carried unanimously.**

A.2. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for September 3 - 16, 2011.

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

A.3. Monthly Investment Report. (File 0350-45)

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Report for the month of June.

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

A.4. Budget Amendment Tracking Fiscal Year 2011-12. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the FY 2011-2012 General Fund Adopted Budget.

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

A.5. 3rd Party Consulting Agreement with GeoPacifica, Inc. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-148 authorizing the City Manager to execute a professional service agreement with GeoPacifica, Inc.

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

A.6. Resolution of Denial of a Development Review Permit (DRP), Structure Development Permit (SDP), and Subdivision (SUB) Permit for 823 Vera Street, Applicants: Kettering / Davis, Case # 17-10-13. (File 0600-40)

Recommendation: That the City Council

1. Adopt Resolution 2011-149 denying without prejudice the request for a DRP, SDP, and SUB at 823 Vera Street.

MOTION: Moved by Nichols and seconded by Roberts. **Motion carried 4/1** (Noes: Kellejian.)

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.3.)

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. Extension Request for Modified Development Review Permit (DRP-Mod) and Structure Development Permit (SDP), Applicant: American Assets Trust, Case 17-06-44 (File 0600-40)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Find the application request exempt from the California Environmental Quality Act. The request for an extension of a DRP Mod/SDP is not defined as a project in accordance with the (CEQA)
3. If the City Council makes the requisite findings and approves the extension, adopt Resolution 2011-147 conditionally approving a one year extension for DRP Mod/SDP 17-06-44 at the Solana Beach Corporate Centre.

Councilmember Nichols recused himself due to employer being in a contractual relationship with the applicant. Councilmember Campbell recused himself due to his tenancy within one of the American Assets buildings.

David Ott, City Manager, introduced the item.

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

Mayor Heebner opened public hearing

Council reported disclosures of their familiarity with the project.

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

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

B.2. Emergency Seacave Infill Repairs and Maintenance Project, Conditional Use Permit at 523-525 Pacific Ave., Applicant: Bannasch Family Trust, Case 17-11-13. (File 0610-60)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the Public Hearing; Report Council Disclosures; Receive Public Testimony; Close the Public Hearing.
2. Adopt Resolution 2011-139 approving a Conditional Use Permit, CUP 17-11-13, to allow emergency seacave repairs and maintenance within the coastal bluff below 523-525 Pacific Avenue.

David Ott, City Manager, introduced the item. Leslea Meyerhoff, planning consultant, presented a powerpoint (on file) reviewing the project.

Council and Staff discussion ensued regarding that the application was not accurate and did not have the technically accurate information, that it was filled out by the applicant prior to the analysis, that the City's 3rd party provided the City with the technical review of the project, that the definition of eminent danger was that it posed danger in the next 12 months, that the 3rd party reviewed confirmed imminent danger, and clarified that there were 3 cross sections within the bluff and included 5 sea cave plugs that would be filled.

Walt Crampton, Civil Engineer for the project, reviewed the markings on the slides to indicate what areas would be infilled to complete the repair.

Council asked Mr. Nolton, 3rd party consultant, if using erodible concrete on the exterior area was controversial related to whether it worked.

Jim Nolton, Geopacifica, City's 3rd party review consultant, stated that the erodible concrete was not longer approved because it had shown to not have a long enough life span and that they recommended concrete that could be formed, colored, and textured to last.

Mayor Heebner opened public hearing.

Walt Crampton, applicant representative, Civil Engineer for the project, presented a powerpoint (on file) and stated that the project had a long history, that it was required to maintain the seawall but in deed required that the caves would be maintained, that the property was purchased in 1991, that it took 8 months to process the Mitigated Negative Declaration, that seacave had always been a preferred method of repair/solution rather than larger structures, that the City's definition of emergency is in effect today, and that the applicant had \$110,000 in fees to project this property.

Jim Jaffe said he was a resident and an advisor of the Surfrider Foundation, that he had submitted some comments, that the application was not checked off as an emergency, that the fact that the City was charging a fee was because it had an adverse impact, that the City needed to get a mitigation program in place, that there was a difference between seawalls and maintenance, and that he was ruled as an expert by the court at the first mitigated negative declaration on this project.

David Winkler (additional time donated by Tom Ryan) said that he encouraged Council to approve this project based on facts and current law, that there had been 5 deaths in San Diego County from coastal bluff failures, that he had young family entering caves and envisioned the bluffs coming down on them, caves were as much as 19 ft. deep, that the issue was a public nuisance due to the bluff stability, that maintenance and repair was required by the City and Coastal, that seawalls did have an impact on the beach since they did affect the beach and that was why there was such a large fee for this project, that the deposits being made on projects could be utilized in the near time while Coastal continues to work out the issue, that the staircase step rails were about to fail and that fees could be used for them, that the proposed seawall would be built to correct standards, and encouraged support for the project.

Mr. Crampton used his rebuttal time, stated that the project was on the list of Coastal's condition, was in total compliance with the City's code and the proposed LUP, that the sand project would be bringing sand to the beach, that deposits for these projects would be used for that project, that seacaves were the remains of faulting that predated the San Andres fault system which allowed erosion, that many seacaves were often 60-100 ft. deep, that became a problem as they grow, that when a seacave collapsed everything collapsed, that it put property at risk, and asked Council for support.

Council and Mr. Crampton discussed the fee covering the infills and the repair on the outside, that the infills mimic faults, that covered all areas where concrete would touch face of bluff, that the majority of the infills protected property, seacave 4 and 5 protected Mr. Winkler's property, seacave 1 and 2 protected

residence at 525, and the middle one supported the middle area between properties. Discussion continued regarding deferred maintenance, that the cave was much smaller in 2001 when they asked for maintenance and would have been a smaller project, that there were law suits preventing seawalls.

Mr. Nolton stated that there were contentious views in 2001 including law suits but that once they were completed in 2003/2004 the project would have been smaller than the current proposal.

Johanna Canlas, City Attorney, stated that there was not a condition of approval that was violated from the City, that was no recourse from a condition that they failed on the City's part, that there may have been recourse on the part of the Coastal Commission prompting their request.

Council and Staff discussed that fact that there were not any triggering events, that the 1991 Coastal Commission approval contemplated that additional information would be required, that additional infills would be anticipated and would require new permits, and that the new condition would be to maintain the appearance so it was more proactive.

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

Council discussion ensued regarding the fact that the proposal was consistent with the draft LUP, that it was mandated by the Coastal Commission that the applicant maintain the bluffs, that Council was sympathetic with both sides, that something had to be done to maintain and repair, the question about when a seacave becomes a seawall, that there was a danger, that there had been a problem with lack of repair and maintenance, how deposits could be used in other ways while the fee use was being figured out between Coastal and the City, that there were staircases that need to be fixed, and to try to see how the City could use the funds.

Council and Staff discussion ensued regarding being more preventative to prevent emergencies, that the resolution included specifics on maintenance, to consider adding a time period of 90 days in response to issues requiring maintenance, and striking erodible concrete.

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

Mayor Heebner recessed for a break at 8:00 p.m. and reconvened at 8:07 p.m.

B.3. Conditional Use Permit (CUP) for 200 Marine View Avenue,

Applicant: AT&T Mobility, Case # 17-11-10. (File 0610-60)

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. 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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2011-144 conditionally approving a CUP to modify their existing Wireless Communications Facility. Proposed modifications include a single panel antenna and installing two new panel antennas in Sector C, adding one new panel antenna to Sector B and adding two new panel antennas to Sector A. AT&T also proposes to add 10 remote radio units and three CD surge suppressors behind the panel antennas, a GPS antenna to the existing RF screening and two LTE equipment racks to the existing equipment enclosure at 200 Marine View Avenue.

David Ott, City Manager, introduced the item.

Corey Johnson, Associate Planner, presented a powerpoint (on file) reviewing the proposed project.

Council and Staff discussed the blue folder that contained revised language added in the past referencing that Council approved of the finding of not being detrimental as determined by the FCC, that it was a home based business but without employees and did not perform any business transactions, that it may be considered a rental business, that the community relied on this infrastructure, that the location near a residential zone was troubling even though it was outside of the minimum 29 ft., and that the applicant had to prove that it was the best location, not business transactions.

Council disclosed their familiarity with the project.

MOTION: Moved by Roberts and seconded by Kellejian to close the public

hearing. **Motion carried unanimously.**

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

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

C.1. Community Use of the Fletcher Cove Community Center. (File 0730-20)

Recommendation: That the City Council

1. Receive this report and provide direction to Staff.

David Ott, City Manager, introduced the item and stated that the purpose was to obtain input from public and Council and return with specific recommendations based on the outcome of the discussion.

Bruce Berend stated that he loved the new facility, that it should be available to the citizens who paid for it for the purpose of private special occasions, that if nearby neighbors placed restrictions on usage it would prevent the facility from being used, that he thought that events should be run until ten o'clock, that noise levels should conform to the current codes regarding noise in residential blocks elsewhere in the City, that the majority of citizens should be able to use it without excessive restrictions, and that he thought alcohol should be allowed.

Tom Golich stated that he and his wife had lived in Solana Beach a long time and he served on the Council in the past, that the building had a rich history, that it should be used for what it was intended to be used for, that the center needed to be shared with people of the community and people outside the community, and that a proposed policy would help establish that.

Peter House (additional time donated by Thomas Ryan and Mary Jane Boyd) presented a powerpoint (on file) and stated that many residents had met and identified various concerns including length, noise, size, and frequency of events, that wine and beer should be allowed but require the hiring of security and trained bartenders, that the community center was a valuable resource and could be used for financial gain, and that a six months trial should be implemented.

Carol Childs (additional time donated by Mary Berend and Donna Golich) stated that she was a resident and President of the Civic and Historical Society, that the

community center was an amazing City icon, reviewed the groups and events that had met there in the past, and passed out pictures from an event at the site which included a mariachi band and reception tables. She read a letter from Margaret Schlesinger who was a committee member in the past which mentioned many events in the past, that there were no complaints from the neighbors from events that she had hosted in the past, and urged the Council to draft a policy for the use of small social events which would provide income to the City. Carol Childs then stated that the recent renovations was an extraordinary act and that this asset should welcome the community with open arms.

Jim Nelson (additional time donated by Catherine Nelson) stated that the community center should permit small events, that his daughter got married at a location with a ten o'clock curfew and with inside music only and it worked out well, that he has a problem with no amplified music provision as he doesn't know of any musical groups that don't use amplifiers, that painting classes that used the center had not respected the space that these activities need to be tightly controlled, that inadvertent damage was done, and that the classes should have to sign something stating they will repair any damage.

Craig Williams stated that when he moved here, he played shuffle board with other members of the community, that he proposed to his wife in 1992 outside the community center and got married there, that a friend of his recently tried to get married at the center and was not allowed which he found sad, that he wasn't a fan of amplified music, and that he would like to see his kids married there in the future.

Anna Maria Grace stated that she had hosted parties in the past with beer and wine, that they had cleaned up after themselves, and that the community center should be used as it was used in the past.

Eric Lodge stated that he lived on Marview Lane and that every weekend he could hear one or two amplified bands playing, that the community center should not be more restrictive than the residences around town, and that enforcement issues could be handled through contractual provisions, hefty deposits, and well defined rules.

Dr. Ed Siegel stated that the community center could be more marketable by adding dimmer lights inside, that he would like to put in a new floor someday with his own money, decibel levels were measurable and could be controlled, the center recently received a new piano which was somewhat delicate, and that he would like regulations added regarding who could play it.

Council discussion ensued regarding curfew, frequency of use, noise level, parking, workload and security, meeting use, and alcohol consumption.

Councilmember Roberts stated he would like to see staff bring back a draft policy considering input from the letter, that the center was a remarkable icon and the community should take advantage of it, that he disliked the current chairs and was surprised no one complained about it, that there was no storage space or shelving in the center, that he thought ten o'clock is a good curfew with a thirty minute clean up time, that noise should conform to the City code, that he would like to limit usage of alcohol to the facility which included the patio but not the bluff, that it was banned in the past because the usage spilled over into other areas, that he had concerns about the impact on staff in monitoring it and wanted to know if a local non-profit could pick up managing the center, that he wasn't sure about limiting events, that 6 months was too short of a review time, that he thought the regulations should match up with those in place at La Colonia, that the fee to use the structure for non-profits and for community members should be low, that he wanted wording changed to significant special events, that the lighting was very bright in the center, and that he agreed with wanting to protect the piano.

Councilmember Nichols stated that he was in favor for using the center for special events, that the trial period should maybe be a number of events, not a period of time, since there needs to be enough events to see the impact, alcohol is not permitted at La Colonia and it should be equal at Fletcher Cove, that if the Council is going to look at an alcohol policy, it should look at all community venues and consider type of alcohol, indoor/outdoor use, security, insurance, and noise, that valet parking is a good idea but had to enforce and where would the cars be parked, that catering and security would need to valet park as well, that if public lots were used for the valet parking it might be a Coastal Commission Review item, that private parties taking over a public space closes the space to the public which becomes an issue, that boundaries for private parties so public can still use parts of the space, that staff needs to provide more information about the proposed noise and how to comply with the existing noise ordinance, that a cut off time for events should include clean up time, that all items including trash needed to be removed from the property, that events should be limited to one event per day, that one day break per weekend and holidays are something to look into, that events should be limited to Solana Beach residents or Solana Beach organizations, that the facility is not designed to accommodate caterers, and that the policy needed to include rules for caterers and event security, and that the fee should not just cover wear and tear but should also be a funding source for the City, and that City events should have a priority, that the policy should have a no smoking, no glass, and vendors need to maintain a Solana Beach business certificate, and that the outside lights should have dimmers as well as inside.

Mayor Heebner stated that she agreed with the ten o'clock time limit, that caterers need to have detailed standards, that events should have no impact on City staff during the event, that the noise ordinance levels needs to consider the frequency of events and might need to limit the number of days a week private parties are allowed, that amplified music should be limited to inside, that a Solana Beach resident should be a reference for any parties taking place at the Community Center, that valet parking might be hard to enforce but is important, offered some suggestions for the trial period, discussed the current uses and the parking concerns others are raising, that the difference with alcohol allowance at La Colonia and Fletcher Cove is that La Colonia often has children parties, need to take that into consideration when discussing alcohol regulations, that she liked the ideas of no general admission, fixed start and end times, and limited attendance, that she's not sure about permissions with ABC, that they needed to discuss the cost of use, but that she felt the community center should be used.

Councilmember Campbell state that he agreed with the majority of what's been said, that the primary concern is that the City is not subsidizing users and that there needs to be a full cost recovery and revenue, that a strong enforceable security deposit is required, that he's not sure it makes sense to turn management of facility to a non-profit, that at least initially use should be limited to Solana Beach residents, that capacity is going to limit the types of events there, that there are a lot of things to take into consideration so there is no reason to rush a decision, and that he's concerned about the impact on nearby residents but that it should be used.

Deputy Mayor Kellejian stated that he holds an annual event in rancho Bernardo and has to get a permit for alcohol and gave one to the City Manager for him to look out. It gives a guide as to the things that are allowed. He stated that he's not sure what to do about the noise concerns and would like to hear more suggestions, that the City should consider contracting with a maintenance company that the events are required to hire and pay for after events, that general admission and charging admission to any event doesn't make sense, asked what the difference was between a waiver of liability and insurance, stated that security was another issue but may be taken care of in the ABC application, and questioned whether the City should allow selling products out of community center.

Johanna Canlas, City Attorney, recommended requiring both a waiver of liability and insurance since indemnity did not guarantee that the person had the resources to pay for an offense.

Council decided to bring the topic back for further discussion at a later time.

C.2. Community Development Block Grant Funds Fiscal Year 2012-2013 - Eden Gardens. (File 0400-10)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Adopt Resolution 2011-140:
 - a. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.
 - b. Requesting Fiscal Year 2012-13 Community Development Block Grant Funds for the Eden Gardens Master Plan.
 - c. Finding that all of Fiscal Year 2012-13 CDBG funds, presently estimated at a total of \$48,441, are designated to be used for the continued implementation of the Eden Gardens Master Plan design work and/or subsequent construction, which is anticipated to include curbs, gutters and sidewalks and additional drainage improvements specified in the Master Plan. The primary focus will be to use these funds to construct improvements on Castro and Gonzales Streets. Furthermore, the County is encouraged to advance future years CDBG funding to allow a more cost-effective and less community-impacting implementation.
 - d. Requesting the reallocation of 2010-11 funding in the amount of \$44,155 to fiscal year 2012-13.

David Ott, City Manager, introduced the item.

Wende Protzman, Deputy City Manager, presented a powerpoint (on file).

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

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

C.3. Adopt (2nd Reading) Ordinance 433 related to Development Review Permits. (File 0610-10)

Recommendation: That the City Council

1. Adopt Ordinance 433 revising Solana Beach Municipal Code

Section 17.68.040(B)(1).

Johanna Canlas, City Attorney, stated that the grading requirements were made more specific for clarity.

Sagary Krulce said that the ordinance requiring every 500 ft. modification was an extraordinary hardship, that she had been to the View Assessment Commission which was a drawn out process to have to do every time, that they had excellent assistance from the Council, that considering several projects of only adding 500 sq. ft. is not a lot of sq. footage, that homes were larger on the east of I-5, and that she thought that Council's purpose was to guide growth and development in general.

Darrell Krulce said that intent of a development review permit per the ordinance was to provide for special discretionary consideration, that it would apply to large construction, that it did not seem fitting with the intent of the DRP, that Council would have to approve nearly all projects and that did not seem like the job of the council, that it would be more fair to apply it for any projects approaching 90% of the FAR rather than a flat 500 sq. ft. which meant something different depending on the lot and the house, and urged Council to reject the ordinance.

Mayor Heebner responded that this was the 2nd reading of the ordinance, that the majority of Council felt it was their job to protect community character, that they would see how it worked out, that her own remodel would be affected, and that Council was in the process of an entire DRP review to make it more clear for those building and for Council to apply the rules.

Councilmember Nichols said that the speakers points are well taken, that Council would be working in the next six months on changing those provisions and that his idea was worth considering, and appreciated the comments.

Deputy Mayor Kellejian stated that he would vote against the proposed ordinance, that he thought it would be a financial burden at \$3,000 and a burden for Staff and Council to hear all issues, that it could mean up to 22 additional hearings per year, and that he would rather wait for the criteria was established rather than apply this now with the current financial condition of the City.

Councilmember Roberts said he appreciated the speaker's comments, that he lived on the east side, that property values were maintained because Council had carefully balanced the growth of the City, and that this was putting something in place until the DRP was more thoroughly reviewed and revised.

Johanna Canlas, City Attorney, read the of the Ordinance.

MOTION: Moved by Nichols and seconded by Heebner. **Motion carried 4/1**

(Noes: Kellejian.)

Councilmember Campbell left the meeting at 9:45 p.m.

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.

Mayor Heebner stated that she attended the Community Relations Committee, that they talked about adding two days to the fair, that the City had impacts from the fair, that there was some positives but that most of the City's business district was retail and businesses, that their theme was going to be outerspace.

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 reported that he attended the League's meeting luncheon that was paid for by the City.

WORKPLAN COMMENTS:

(Adopted June 23, 2010)

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 - Heebner, Nichols (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

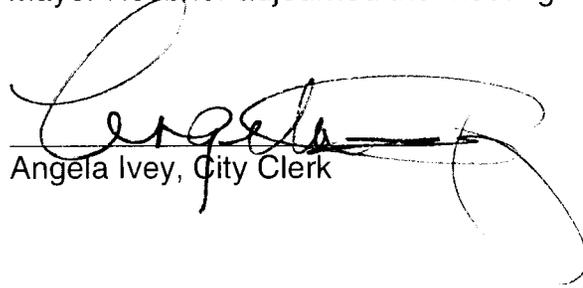
Ad Hoc Committees: (All Primary Members) (Temporary Committees)

- 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 9:55 p.m.



Angela Ivey, City Clerk

Approved: February 8, 2012