

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, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, PUBLIC FINANCING AUTHORITY, & HOUSING AUTHORITY

Joint REGULAR Meeting

Wednesday, December 12, 2012

6:00 P.M.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California

PUBLIC MEETING ACCESS

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live on Cox Communications-Channel 19, Time Warner-Channel 24 (*analog*) or Channel 131 (*digital*), and AT&T U-verse Channel 99. The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's website.

AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is available at City Hall, the Solana Beach Branch Library (157 Stevens Ave.), La Colonia Community Ctr., and online www.cityofsolanabeach.org. Agendas are posted at least 72 hours prior to at least 24 hours prior to special meetings. Writings and documents regarding an agenda of an open session meeting, received after the official posting, and distributed to the Council for consideration, will be made available for public viewing at the same time. In addition, items received at least 1 hour 30 minutes prior to the meeting time will be uploaded online with the courtesy agenda posting. Materials submitted for consideration should be forwarded to the City Clerk's department 858-720-2400. The designated location for viewing public documents is the City Clerk's office at City Hall during normal business hours.

SPEAKERS

Please submit a speaker slip to the City Clerk prior to the meeting, or the announcement of the Section/Item, to provide public comment. Allotted times for speaking are outlined on the speaker's slip for each agenda section: Oral Communications, Consent, Public Hearings and Staff Reports.

AMERICAN DISABILITIES ACT TITLE 2

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. 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 (858) 720-2400 at least 72 hours prior to 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.

CITY COUNCILMEMBERS

Mike Nichols, Mayor

Thomas M. Campbell, Deputy Mayor
David A. Zito, Councilmember

Lesa Heebner,
Councilmember

David Ott
City Manager

Johanna Canlas
City Attorney

Angela Ivey
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.

READING OF ORDINANCES AND RESOLUTIONS:

Pursuant to Solana Beach Municipal Code Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

CALL TO ORDER AND ROLL CALL:**FLAG SALUTE:****APPROVAL OF AGENDA:**

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS: (C.1.).

Submit speaker slips to the City Clerk

C.1. City Council Reorganization: Installment of Elected Officers & Annual Mayor/ Deputy Mayor Designations. (File 0430-20)

Recommendation: That the City Council

1. Installment of Elected Officers

- a. City Clerk administers Oath of Office to Councilmember Elect Lesa Heebner, Councilmember Elect David Zito, and Councilmember Elect Peter Zahn.
- b. City Clerk presentation of official Election Certificates to Councilmember Elect Lesa Heebner, Councilmember Elect David Zito, and Councilmember Elect Peter Zahn.

2. Nominations and Appointment of Annual Mayor and Deputy Mayor

- a. In accordance with Resolution 1996-017, nominate and appoint the 2013 Mayor and Deputy Mayor for the term of December 12, 2012 to December 11, 2013.
 - i. Nominations for Mayor will be accepted, call for the motion to close nominations, and call for the vote.

COUNCIL ACTION: Approved 5/0 to appoint Councilmember Nichols as Mayor.

- ii. The newly appointed Mayor calls for nominations for Deputy Mayor, calls for a motion to close nominations, and calls for the vote.

COUNCIL ACTION: Approved 5/0 to appoint Councilmember Campbell as Deputy Mayor.

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

PROCLAMATIONS/CERTIFICATES:

1. Pam Slater-Price, San Diego County Supervisor

PRESENTATIONS:

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

1. Highway 101 Project Westside Improvement Project Update

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.

COUNCIL COMMUNITY ANNOUNCEMENTS:

COUNCIL COMMENTARY:

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 P-Ublic will be discussed immediately after approval of the Consent Calendar.

A.1. Register of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the above register of demands for November 10-23, 2012.

COUNCIL ACTION: Approved 5/0

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

A.2. General Fund Adopted Budget for Fiscal Year 2012-13 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2012-2013 General Fund Adopted Budget.

COUNCIL ACTION: Approved 5/0

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

A.3. Contract Staff Funding Adjustment Requests and Approval of Professional Services Contract. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution No. 2012-171:
 - a. Ratifying expenditures to Apple One Staffing Agency for temporary staffing coverage for the City Clerk's office in the amount of \$28,000.
 - b. Authorizing the City Manager to execute a Professional Services Agreement with Leticia Fallone in the amount of \$20,000 to provide support services in the City Clerk's office.
 - c. Authorizing the appropriation of \$31,300 into the Motor Vehicle in Lieu revenue account in the General Fund.
 - d. Authorizing the appropriation of \$6,000 to the Temporary/Non-Salary and \$20,000 to the Professional Services expenditure accounts into the City Clerk's General Fund budget.
 - e. Authorizing the appropriation of \$37,000 in salary and benefits into the Finance Department's General Fund budget.
 - f. Authorizing the transfer of \$37,000 from the Asset Replacement Fund - Finance into the General Fund.
 - g. Authorizing the City Treasurer to amend the Fiscal Year 2012/2013 Adopted Budget accordingly.

COUNCIL ACTION: Approved 5/0

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

A.4. Status Report on Major FY 2012-13 Capital Improvement Projects. (File 0810-05)

Recommendation: That the City Council

1. Receive Report from Staff.

COUNCIL ACTION: Approved 5/0

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

A.5. Local Assistance Funding from California Department of Boating & Waterways for the USACE Solana Beach-Encinitas Shoreline Project. (File 0390-34)

Recommendation: That the City Council

1. Adopt Resolution 2012-179 to:

- a. Authorize the City Manager to enter into an amended contract with California Department of Boating and Waterways in the amount of \$94,000 for Fiscal Year 2012-2013.
- b. Utilize these funds to reimburse the City of Encinitas for 50% of the direct costs associated with the preparation of technical studies necessary for completion of the USAGE Project.
- c. Appropriate \$94,000 to Budget Unit, Department of Boating and Waterways - State Grants.
- d. Appropriate \$94,000 to Budget Unit, Project No. 9926-6661.
- e. Authorize the City Treasurer to amend the FY 2012/13 Budget accordingly.

COUNCIL ACTION: Approved 5/0

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

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 (DRP) and Structure Development (SDP) Permits at 134 S. Granados Ave, Applicant: Valba LLC, Case # 17-12-04. (File 0600-40).

Recommendation: 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 SOP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2012-175 conditionally approving a DRP and an administrative SOP to allow for the construction of a 3,926.9 square foot residence and a 143.4 square foot detached accessory structure on a vacant lot at 134 S. Granados Avenue.

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

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

COUNCIL ACTION: Approved 5/0 to keep the public hearing open and set a continued date for January 9, 2013.

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

B.2. Conditional Use Permit (CUP) for a Modification to a Wireless Communications Facility at 105 N. Cedros Applicants: T Mobile USA, Case# 17-12-25 (File 0610-60)

Recommendation: Because the Act mandates that the project be approved, 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. That the City Council adopt Resolution 2012-170 conditionally approving a CUP to modify an existing Wireless Communications Facility located within the existing tower of the Solana Beach Train Station as mandated by the Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

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

COUNCIL ACTION: Approved 5/0 approve the project and direct the City Attorney to write a memo to Council regarding the points of consideration for modifying the City's code on these projects.

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

C. STAFF REPORTS: (C.2. - C.4.)

Submit speaker slips to the City Clerk

C.2. Community Grant Program Awards Fiscal Year 2012-13. (File 0330-25)

Recommendation: That the City Council

1. Select the Fiscal Year 2012-13 Community Grant Program recipients and identify an award amount to each recipient.
2. Adopt Resolution 2012-180 authorizing the funding for the selected community grants recipients for financial assistance under the FY 2012-13 Community Grant Program.

COUNCIL ACTION: Approved 510 to approve the following allocations: Boys & Girls Club of San Dieguito (\$3,380), Community Resources Ctr. (\$5,000), Earl Warren School Parent Teacher Student Assoc (PTSA) (\$1,120), Kids Korps USA (\$1,000), St. James & St. Leo's Medical/Dental (\$2,000), and The Center for Academic & Social Advancement (\$2,500).

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

C.3. General Fund Update for Fiscal Year 2011-12. (File 0330-30)

Recommendation: That the City Council

1. Accept report.

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

C.4. Consideration of Adoption of Fair Political Practices Commission (FPPC) Form 806 Agency Report of Public Official Appointments. (File 0440-40)

Recommendation: That the City Council

1. If desired, adopt Resolution 2012-181, to approve Fair Political Practices Commission Form 806 for posting on the City's web site with the mandated information regarding appointments of Council Members to outside committees, boards, and associations for which compensation is paid.
2. Authorize the City Clerk to update the document as necessary and post it on the City's website as mandated by the FPPC regulation.

COUNCIL ACTION: Approved 510

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

COUNCIL COMMITTEE REPORTS:

Regional Committees: (outside agencies, appointed by this Council)

- a. City Selection Committee (meets twice a year) - Roberts, Kellejian (alternate).

- 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, Nichols (1st alternate), Heebner (2nd alternate)
- i. Regional Solid Waste Association (RSWA) - Nichols, Kellejian (alternate).
- j. SANDAG - Heebner (Primary), Nichols (1st alternate), Roberts (2nd alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee - Kellejian, Roberts (alternate).
- l. San Dieguito River Valley JPA- Heebner, 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. Parks and Recreation Committee - Heebner, Nichols
- e. Public Arts Committee - Roberts, Nichols.
- f. School Relations Committee - Roberts, Nichols.

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires December 6, 2012.
- b. Development Review - Nichols, Heebner. Expires October 23, 2013.
- c. Environmental Sustainability - Roberts, Heebner. Expires December 6, 2012.
- d. Fire Department Management Governance-Kellejian, Roberts. Expires July 10, 2013.
- e. Fiscal Sustainability - Campbell, Roberts. Expires June 12, 2013.
- f. General Plan - Campbell, Nichols. Expires July 10, 2013.
- g. La Colonia Park - Nichols, Heebner. Expires June 12, 2013.
- h. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 7, 2013 or at the California Coastal Commission adoption.
- i. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires January 10, 2013
- j. View Assessment - Nichols, Heebner. Expires June 10, 2013

ADJOURN: