

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

JOINT **REGULAR** MEETING

MINUTES

6:00 P.M.
Wednesday, January 25, 2012

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

Absent: None.

Also Present: David Ott, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk
Wende Protzman, Deputy City Mgr/Community
Development Dir.
Mo Sammak, City Engineer/Public Works Dir.
Marie Berkuti, Finance Manager
Dan King, Sr. Management Analyst

Mayor Kellejian called the meeting to order at 6:00 p.m.

CLOSED SESSION REPORT: (when applicable)

No reportable action.

FLAG SALUTE:

APPROVAL OF AGENDA:

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

PRESENTATIONS:

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

1. Red Light Cameras

Deputy MacDonald presented a powerpoint (on file) reviewing the history of red light cameras, statistics, and a study done in 2006.

Captain Sarro noted that the cameras were working to reduce collisions and that there were still some tickets. She presented a video displaying several red light violations including one that resulted in a collision and stated that the violations were life threatening.

Council and Captain Sarro discussed that the program was very worthwhile, that the videos showed why the City had the program, the Staff had contacted the court regarding billings and hoped to have an answer soon. that each court was different, that each violation was videotaped, every person who was issued a ticket had the ability to review the evidence, that the Sheriff issued the same type of ticket as if they watched the person run the red light live, that it was a resource intensive process to review tickets, and that running red lights were one of the most dangerous violations.

Council and Captain Sarro discussed further that the reason for running the red light was usually no obvious on the video tape, that cell phones were one of the biggest contributors to traffic incidents, and that her office would be cracking down on cell phone use while driving in the next month.

Councilmember Nichols wanted to make sure that the report would be on the City website, and asked how the reduction of collisions is in Solana Beach versus other Cities.

Captain Sarro stated that comparatively the City was fairly consistent with other cities, and that it was her experience tha red light cameras typically resulted in a reduction of collisions in intersections but that that it did not necessarily result in a decrease in tickets.

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 stated that he was glad to see that affordable housing would take place, asked that the Council or City Manager attend their Board Meeting to provide a background and time frame on what was planned. He stated that he wanted to let the residents know about construction plans as a convenience for them and so that they could take care of business and know what was going on.

COMMUNITY ANNOUNCEMENTS:

COMMENTARY:

A. CONSENT CALENDAR: (Action Items) (A.1. - A.7.)

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

A.2. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held May 25, June 29, and August 24, 2011.

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

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

Recommendation: That the City Council

1. Ratify the list of demands for December 17 - 30, 2011.

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

A.4. General Fund Adopted Budget for Fiscal Year 2011-12 Changes. (File 0330-30)

Recommendation: That the City Council

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

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

A.5. Project Status Update: USACE Solana Beach-Encinitas Shoreline Project. (File 0840-10)

Recommendation: That the City Council

1. Receive the Report.

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

A.6. Third Amended Enforceable Obligations Payment Schedule of the Solana Beach Redevelopment Agency. (File 0115-20)

Recommendation: That the City Council

1. Adopt Resolution RDA 055 amending the enforceable obligation to the agency.

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

A.7. La Colonia Park and Community Center Improvement Project Final Design Agreement Amendment with Van Dyke Landscape Architects. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-018:

- a. Authorizing the City Manager to amend a Professional Services Agreement with Van Dyke Landscape Architects for completion of the final design plans, preparation of bid/construction documents and providing construction support services for the La Colonia Park and Community Center Improvement Project.

MOTION: Moved by Heebner and seconded by Nichols. **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: None

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.

C. STAFF REPORTS: (C.1. - C.9.)

Submit speaker slips to the City Clerk

C.1. Fiscal Year 2010-11 Comprehensive Annual Financial Report (CAFR) (File 0310-22)

Recommendation: That the City Council

1. Accept and file the City of Solana Beach Comprehensive Annual Financial Report (CAFR) for the fiscal year July 1, 2010 - June 30, 2011.
2. Accept and file the Independent Accountants' Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets letter.
3. Accept and file the Independent Accountants' Letter disclosing on their responsibilities under U. S. Generally Accepted Accounting Standards SAS No. 114

David Ott, City Manager introduced the item.

Marie Berkuti, Finance Manager, presented a powerpoint (on file) reviewing the report.

Council and Staff discussed how the payoff of PERS side fund was being designated in the reports, that the GASB regulated how the 17% rainy day reserve fund had to go be classified under unassigned rather than assigned because there was no resolution designating it, that the public will be confused looking through the financial statements because they are too involved, that GASB required that only specific action by the Council be assigned, that it was difficult to understand and that the City's financials should be more clear to understand, that implications of making assignments by resolution and could not be undone without a new resolution, and that it appeared that the City had no unassigned reserves and was \$300,000 in the hole.

Ken Poon, consultant, presented a powerpoint (on file) discussing their audit process, and stating specific figures in regards to the City's audit.

Council, Staff, and Consultant discussed being more user friendly in how the reports are put together, the accounting methodology, the requirements of the consulting firm, the oversight duties of Council, the absence of the table of contents in the financial statement despite the mention of it in the independent auditors report, that the CAFR has a table of contents which is not part of the audit, that the auditor report needs to be more specific to the financial reports to help figure out what has been audited and what has not been audited, that GASB has changed the presentation of the City's reserve section and made it harder to understand, that the City practices accrual accounting but that the presentation is misleading, that refinancing and prepaying a loan should not be counted as a liability on one report, that the City is within range of tax revenues to cost of service ratio, and that once the pension fund designations are resolved it will

adjust those ratios a bit.

Council decided to defer the action and return to a future date once some of these issues have been reviewed.

C.2. 2012 Annual Citizen Commission Appointments. (File 0120-05)

Recommendation: That the City Council

Nichole Selby-Thomas said that she was a current member of the Public Arts Advisory Commission, that she was interested in continuing her service, that she thought that art was vital to the community, she had participated in events and projects and eight gallery shows, and that she was looking forward to expanding temporary art.

Tara Gordon said that she hoped she would be reappointed and that she loved the Commission.

David Reis said that he was interested in serving to on the Public Safety Commission, that he was a resident and not a homeowner and was happy about the crack down on cell phone usage by the Sheriff's department.

Allie Dixon said that she had served six years now, that when she first applied she wanted to put up entrance monuments, reviewed where the temporary art monuments are placed, that she had a temporary art piece in her yard for a year that was now placed in a public spot, review the programs that the Commission is involved in, enjoy serving and would like to continue.

1. Appoint two (2) members to the Budget and Finance Commission for a two year term until January 2014:
 - a. Two nominated/appointed by individual Councilmembers (Campbell, Nichols).

MOTION: Moved by Nichols and seconded by Campbell to appoint Jeff Anderman (Nichols' appointment) **Motion carried unanimously.**

MOTION: Moved by Campbell and seconded by Roberts to appoint Craig Nelson (Campbell's appointment). **Motion carried unanimously.**

2. Appoint three (3) members to the Parks and Recreation Commission for a two year term until January 2014:
 - a. All nominated/appointed by Council-at-large.

Councilmember Heebner said she would like to nominate Lynne Troung. Deputy

Mayor Roberts stated that he would suggest adding Joy Brinker and Susan Mcearchen.

MOTION: Moved by Heebner and seconded by Campbell to appoint Lynne Truong, Joy Brinker, and Suan McEachern (all Council-at-large appointments) **Motion carried unanimously.**

3. Appoint four (4) members to the Public Arts Advisory Commission for a two year term until January 2014:
 - a. All nominated/appointed by Council-at-large.

MOTION: Moved by Roberts and seconded by Heebner to appoint Nicole Selby-Thomas, Tara Gordon, Mike Swanson, and Allie Dixon (all Council-at-large appointments). **Motion carried unanimously.**

4. Appoint two (2) members to the Public Safety Commission for a two year term until January 2014:
 - a. One nominated/appointed by individual Councilmembers (Campbell).
 - b. One nominated/appointed by Council-at-large.

MOTION: Moved by Campbell and seconded by Heebner to appoint David Reis (Campbell's appointment). **Motion carried unanimously.**

MOTION: Moved by Kellejian and seconded by Campbell to appoint Kristi Day (Council-at-large appointment). **Motion carried unanimously.**

5. Appoint four (4) members to the View Assessment Commission for a two year term until January 2014:
 - a. Two nominated/appointed by individual Councilmembers (Campbell, Kellejian).
 - b. Two nominated/appointed by Council-at-large.

MOTION: Moved by Kellejian and seconded by Campbell to appoint Paul Bishop (Kellejian's appointment). **Motion carried unanimously.**

MOTION: Moved by Campbell and seconded by Heebner to appoint David Zito (Campbell's appointment). **Motion carried unanimously.**

Councilmember Heebner nominated Pat Coad.

MOTION: Moved by Heebner and seconded by Roberts to appoint Pat Coad (Council-at-large appointment). **Motion carried 4/0/1** (Recuse: Campbell.)

Councilmember Nichols nominated John Scales.

MOTION: Moved by Nichols and seconded by Heebner to appoint John Scales (Council-at-large appointment). **Motion carried unanimously.**

Mayor Kellejian recessed the meeting at 7:30 p.m. and reconvened the meeting at 7:36 p.m.

C.3. Mid-Year Fiscal Year 2010-11 Budget Amendments. (File 0330-30)

Recommendation: That the City Council

1. Adopt Resolution 2012-021 revising appropriations in the Fiscal Year 2011-12 Budget.
2. Adopt Resolution RDA-056 revising appropriations in the Fiscal Year 2011-12 Budget.

David Ott, City Manager, introduced the item and said that he was pleased with where the City was at currently with revenues flat.

Marie Berkuti, Finance Manager, presented a PowerPoint (on file) reviewing mid-year adjustments.

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

C.4. Reclassification of Positions and Modification of the City's 2011/12 Salary and Compensation Plan Accordingly. (File 0510-40)

Recommendation: That the City Council

1. Adopt Resolution 2012-014 amending the FY 2011/12 Salary and Classification Plan to:
 - a. Include the reclassification of the Finance Manager from mid-management to a senior management classification and adjust the Management/Executive Salary Schedule (Schedule 1) accordingly.
 - b. Establish and add a temporary Fire Prevention Specialist classification to the Part-Time/Seasonal Temporary Salary Schedule (Schedule 6) and authorize a temporary full-time

Fire Prevention Specialist position through FY 2011/12.

David Ott, City Manager, introduced the item reviewing Staff changes, that the Finance Director has submitted a resignation, that he had evaluated that position the last several months and the department was working in a different arrangement, he and Marie, Finance Manager, had taken on more responsibilities, that the department would increase administrative staff, and that some Finance operations had been reorganized, that he was pleased with Marie's work, and that he had assigned the position of Treasurer over to her, that he would retain oversight, and this arrangement would provide ongoing savings. He said that a Fire Prevention Specialist was being proposed due to needs that were brought to his attention, that it would include Fire Plan review and Fire Inspections, an evaluation over 12 months, and to meet other needs in weed abatement.

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

C.5. Council Boards/Committees/Commissions Review. (File 0150-85)

Recommendation: That the City Council

1. Appoint the City Selection Committee 2012 annual term.
2. Review all remaining positions and either
 - a. Take no action, leaving all appointments as is. OR
 - b. Make new appointments, as needed.

Councilmember Nichols stated that attending the Escondido Watershed was difficult for him since the schedule had changed from meeting quarterly to meeting monthly, that they wanted him to also serve on a subcommittee, and that Danny King, Staff, had attended when he could.

Council discussed alternating Council attendance on the committee, that sometimes the committee may not have enough to have a quorum so attendance was important, that Danny King could continue to attend, and to let Council know if it became an issue for him to attend on their behalf occasionally.

Councilmember Heebner said that it worked well that Roberts was the City Selection Committee appointment since he was attending for the League, when the meetings take place, and proposed that Roberts continue as the appointment.

MOTION: Moved by Heebner and seconded by Campbell to re-appoint Roberts as the Primary, and appoint Kellejian as an alternate, to the City Selection Committee. **Motion carried unanimously.**

C.6. Introduce (First Reading) Ordinance No. 434 Allowing Leashed Dogs in City Parks (File 0740-20)

Recommendation: That the City Council

1. Introduce Ordinance 434 revising Solana Beach Municipal Code Section 11.12.020 X relating to leashed dogs in Parks.

David Ott, City Manager, introduced the item and said that the signage restricting dogs and the reality that dogs were being walked in public areas conflicted, that the restriction of dogs had not been enforced but that Staff would begin enforcement if desired, and that Council may want to review this rule and make it more consistent with what was happening and not being enforced.

Council and Staff discussion ensued regarding that fact that the various signage at Fletcher Cove was not consistent, that there were dog bag dispensers on the Coastal Rail Trail, that enforcement would still take place on unleashed dogs especially at events, that at times certain restrictions are suspended for the purpose of an event like Paws in the Park, that the City would still have the ability to change rules for certain situations to not allow dogs but there would have to be justification for it.

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

C.7. Amendment to First Amended and Restated Exclusive Right to Negotiate and Predevelopment Loan Agreement (South Sierra Avenue Development). (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-019 authorizing the City Manager to execute the Amendment to the First Amended and Restated Exclusive Right to Negotiate and Predevelopment Loan Agreement with Hitzke Development Corporation.

Johanna Canlas, introduced the item and said that this amendment was needed since the City owned parking lot on 500 block of S. Sierra was working with a third party in response to the now dissolved Redevelopment Agency who was no longer a party. She said that it did not bind the City to approve discretionary

permits or convey the property or obligate the developer to any other costs than the prior agreement's terms.

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

C.8. Annual Report for the Redevelopment Agency for the Year Ended June 30, 2011. (File 0115-20)

Recommendation: That the City Council

1. Accept and file report.

David Ott, City Manager, introduced the item.

Marie Berkuti, Finance Manager, presented a powerpoint (on file).

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

C.9. 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.

Councilmember Heebner said that she had confirmed with the Governor's office that Solana Beach would like to nominate Jack Hegenaur to the Fairboard appointments, that Del Mar stated that they were more impacted by the grounds than Solana Beach, that they had already sent letters recommending their City's recommended individuals, that two Councilmembers (Hilliard and Synott) were going to Sacramento often to participate in the legislative committee.

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:

Council reported on committee activity.

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

- a. City Selection Committee - Roberts (meets twice a year).
- b. County Service Area 17 - Campbell, Nichols (alternate).
- c. Escondido Creek Watershed Authority - Nichols, Roberts (alternate).
- d. League of Ca. Cities' San Diego County Executive Committee - Roberts, Kellejian (alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee - Roberts, Kellejian (alternate).
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) - Kellejian, Roberts (alternate).
- g. North County Dispatch JPA - Nichols, Campbell (alternate).
- h. North County Transit District - Roberts, 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)

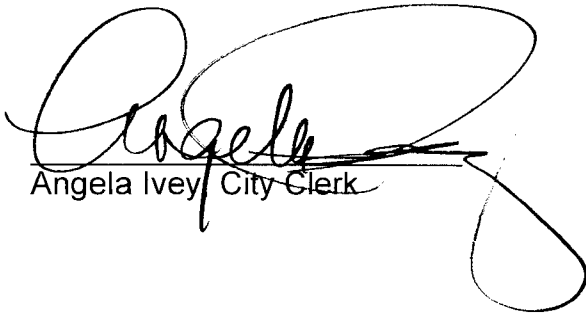
- a. Business Liaison Committee - Roberts, Campbell.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. I-5 Construction Committee - Heebner, Roberts.
- d. Parks and Recreation Committee - Heebner, Nichols
- e. Public Arts Committee - Roberts, Nichols.
- f. School Relations 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 November 15, 2012.
- c. Environmental Sustainability - Roberts, Heebner. Expires December 6, 2012.
- d. Fire Department Management Governance-Kellejian,Roberts. Expires July 12, 2012.
- e. Fiscal Sustainability - Campbell, Roberts. Expires June 28, 2012.
- f. Fletcher Cove - Campbell, Heebner. Expires May 9, 2012.
- g. General Plan - Campbell, Nichols. Expires July 12, 2012.
- h. La Colonia Park - Nichols, Heebner. Expires May 10, 2012.
- i. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 8, 2012 or at the California Coastal Commission adoption.
- j. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires January 11, 2012
- k. View Assessment - Nichols, Heebner. Expires February 23, 2012

ADJOURN:

Mayor Kellejian adjourned the meeting at 8:35 p.m.



Angela Ivey City Clerk

Approved: April 25, 2012