

**CITY OF SOLANA BEACH**  
SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY,  
PUBLIC FINANCING AUTHORITY, & HOUSING AUTHORITY

JOINT **REGULAR** MEETING

# MINUTES

**6:00 P.M.**

**Wednesday, February 8, 2012**

CITY COUNCIL CHAMBERS  
635 S. HIGHWAY 101,  
SOLANA BEACH, CALIFORNIA

**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)**

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

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

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

**PRESENTATIONS:**

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

1. 2012 San Diego Regional Quality of Life Dashboard

Anne Tartre, Equinox Center, Executive Director, presented a powerpoint (on file) reviewing findings, that the focus was on quality of life issues including transportation, energy, water, and land use, that they wanted to plan for growth in a smart way by working the local level of leadership, and to consider some targets and goals for your general plan update.

Council and Staff discussion ensued regarding that 65% of greenhouse gases in Solana Beach came from freeway, that other sister cities did not have as high of concentration due to the size of city that did not disperse along a large amount of land, lot size, etc.

**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.

None

**COMMUNITY ANNOUNCEMENTS:**

**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 Heebner. **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 September 28 and October 12, 2011.

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

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

Recommendation: That the City Council

1. Ratify the register of demands December 31, 2011 - January 13, 2012.

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

**A.4. Report on Changes made to the General Fund Adopted Budget for Fiscal Year 2011-2012. (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 Roberts and seconded by Heebner. **Motion carried unanimously.**

**A.5. Energy Efficiency and Conservation Block Grant (EECBG) Phase 2 Small City and County Grant Program. (File 0390-34)**

Recommendation: That the City Council

1. Adopt Resolution 2012-020:
  - a. Authorizing the submittal of an application to the California Energy Commission's EECBG Phase 2 Program for funds to execute the proposed project described as follows: LED Street Light Project - This project includes the purchase and installation of LED fixtures for 524 City-owned street lights to replace existing high pressure sodium, low pressure sodium and mercury vapor lamps throughout the City.
  - b. Authorizing the City Manager to accept a grant award up to the amount of this application for \$275,000.

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

**A.6. Initial Study/Environmental Checklist and Negative Declaration for the City of Solana Beach Municipal Code Amendment - Plastic Bag Use Reduction Ordinance. (File 0230-55)**

Recommendation: That the City Council

1. Approve the release of the draft Initial Study/Environmental Checklist and Negative Declaration for a 30-day public review and comment period, and
2. File appropriate CEQA notices with the San Diego County Clerk and the Governor's Office of Planning and Research to formally initiate the required public review period on the draft Initial Study/Environmental Checklist and Negative Declaration.

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

**A.7. Re-establish the Local Coastal Plan Ad Hoc Committee (File 0410-48)**

Recommendation: That the City Council

1. Adopt Resolution 2012-016 re-establishing the Local Coastal Plan

Ad Hoc Committee until February 7, 2013 or until the California Coastal Commission's adoption of the Solana Beach Local Coastal Plan.

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

**A.8. Compliance with AB 936. (File 0115-30)**

Recommendation: That the City Council/Board of Directors:

1. Adopt Resolution 2012-025 making a declaration with respect to loan, advance or indebtedness forgiveness in compliance with Health and Safety Code section 33354.8.
2. Adopt Resolution SA-001 making a declaration with respect to loan, advance or indebtedness forgiveness in compliance with Health and Safety Code section 33354.8.

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

**A.9. Environmental Legal Counsel Services. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2012-024 approving and authorizing the City Manager to execute an agreement with Hogan Law APC.

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

**A.10. Staff Funding To Fill City Clerk Positions. (File 0560-40)**

Recommendation: That the City Council

1. Adopt Resolution 2012-022 ratifying expenditures to Apple One for temporary staffing coverage in the amount of \$34,500.

**MOTION:** Moved by Roberts and seconded by Heebner. **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. Conditional Use Permit (CUP) and Structure Development Permit (SDP) for 990 Highland Drive, Applicants: AT&T Mobility, Case # 17-11-22. (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 2012-015 conditionally approving a CUP to modify an existing Wireless Communications Facility on an existing commercial structure at 990 Highland Drive, Solana Beach.

David Ott, City Manager, introduced the item. Corey Johnson, Assistant Planner, presented a powerpoint (on file) reviewing the project.

Mayor Kellejian opened the public hearing.

Council and Staff discussed the fact that vendors coming to service equipment at the site would not require additional parking since it would be looked at as a temporary use, that the parking was limited at this building and that parking continued down the hill on the public street, that the use did provide revenue to the owner of the building, that the policy stated that all other equipment had to be maxed out in order to add new equipment, that any condition placed on the project would have to establish a nexus, and that there was a timing issue for the application.

Daniel Goldman, Applicant, Telecom Consultant, said that he had no formal presentation, that the Staff presentation was comprehensive, that there should be no increase in traffic because there was already an existing AT&T facility that had been there for 15 years with 12 antennas, that typical routine maintenance was performed every 4-6 weeks by wireless carriers, that they were not staying for any duration of time, that they were required to notify the City of any antenna change outs, and that the CUP would not result in additional traffic.

Council, Staff, and Applicant discussed the concern with maintenance visits creating additional parking or traffic issues at the already congested area, that any potential increase in use should be evaluated by Staff, that 12 existing antennas would be removed and new ones would be placed in their spot bringing them up to current technical standards, and that there were 3 vendors currently with equipment on this site.

Jonathan Cramer, Independent Consultant, said that he only worked for cities, that the project was to deploy a new band of services, that the work was a 1-for-1 replacement of equipment, that typical service for vendors are about every 6 weeks lasting about 2 hours, that there should not be any impact due to the change of the antennas and that much maintenance and monitoring is done remotely, and that there were approximately 3-4 other vendors.

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

Council disclosed their familiarity with the project area.

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

**B.2. Approve an Amendment to SANDAG'S 2010 Regional Transportation Improvement Program. (File 0840-30)**

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 2012-009 approving the following amendments to the SANDAG 2010 Regional Transportation Improvement Program (RTIP) of projects for Fiscal Years 2011 through 2015:

David Ott, City Manager, introduced the item.

Mo Sammak, Public Works Director, presented a powerpoint (on file) reviewing the proposed amendments to the RTIP list and funding.

Mayor Kellejian opened the public hearing. Council disclosed their familiarity with the project.

Council and Staff discussion ensued regarding to consider using any left over funds to fill more pot holes, and confirmed that it was the 2012 RTIP list.

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

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

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

**C.1. Intersection Improvements and Lomas Santa Fe Drive Sidewalk.**  
**(File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2012-010:
  - a. Approving the El Viento at Granados Realignment Project plans and the Lomas Santa Fe Drive Sidewalk Improvement plans and authorizing the City Engineer to advertise for construction bids.
  - b. Authorize a reimbursement agreement between the City and Santa Fe Irrigation District for the construction of a 10-inch water pipeline improvement in El Viento.

Councilmember Nichols recused himself from the item for reasons of living within 500 ft of the project and disclosed that he had involvement with the development



of the drawings with Staff.

David Ott, City Manager, introduced the item stating that this item had been an issue for awhile, that the goal is to realign the road with some grading, and Staff found an opportunity to create a pocket park at some point in the future.

Mo Sammak, Public Works Director, presented a powerpoint (on file) reviewing the proposed project.

David Ott, City Manager, stated that the concrete swale along south side of El Viento had been some concern for residents, that it needed to be determined if the water flow would be a problem, and asked for some latitude to allow him to look at the area more closely.

Mo Sammak, Public Works Director, continued the powerpoint.

David Ott, City Manager, stated that the water flow ran to the south side of El Viento and might require concrete in that area as opposed to asphalt.

Council and Staff discussed that there were many kids who took the route from Glenmont to El Viento to get to school, that safety was a priority, whether the surrounding area was private property, that the bike lane would be increased and not decreased, the vehicle lanes would be narrowed, there would be no retaining wall, that private properties would be responsible for maintaining vegetation, and that Code Enforcement would enforce the vegetation maintenance.

Discussion continued regarding giving the City Manager latitude to make further analysis, that erosion control would be built into the project, the possibility and potential of having public groups or individuals adopt the pocket park so that it was not too bare, that the pocket park would require some thought because it would be a great enhancement to the area, that further review of the possibility of using decomposed granite on Glenmont, different types of vegetation that could be used, and that the City would hydroseed if it was possible.

Karl Rudnick (time donated by Christine Schlender) said that he was with Solana Beach Bicycle and Pedestrian Advisory Committee presented a powerpoint (on file) reviewing some suggestions, that they endorsed the sidewalk, and that this area needed improvement.

Tim Coughlin thanked Staff and Council for time spent at his house to review the project and issues, the need for a permanent surface, that it would change pedestrian traffic, that it would be better for kids traveling, concrete was necessary and anything less would waste money, and that if the City decided on a budget for the pocket park that would take on raising funds.

Council and Staff discussed public safety, specifically on the intersection across the street where there was an issue of increased liability, that there would be a subtle reflector to warn motorists, that there was a three-way stop sign, there would be an additional bike lane for rider safety, and that sharrows might not be the best design here.

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

Mayor Kellejian recessed the meeting at 8:12 p.m. and reconvened at 8:18 p.m.

**C.2. Fletcher Cove Community Center Phase III Improvements. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2012-017 approving the design of the site work for the Fletcher Cove Community Center, Phase III Improvements.

David Ott, City Manager, introduced the item.

Mo Sammak, Public Works Director, presented a powerpoint (on file).

David Ott, City Manager, said there was a correction to the Staff Report regarding the estimated value of the improvements which was \$33,000.

Peter House said he was Co-Chair of the Solana Beach Community Foundation and presented a powerpoint (on file). He said that he would be happy to provide the resources to complete the project.

Council, Staff, and Mr. House discussed whether naming opportunities of the tables or benches would be allowed, that Peter House would probably donate the plants if someone else planted them, that there could be an independent area for the disposal of hot from the BBQ sites, to consider naming tiles on the wall instead of tables, whether there would be some open grass area to put out a blanket, that there was no water for irrigation of the site which was prohibited by the Coastal Commission within 100 ft. of the bluff, that if there were tiles that it be offered by a lottery system to make it fair and at a reduced price, and that BBQ locations would create more maintenance.

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

**C.3. Adopt (Second Reading) Ordinance 434 - Dogs in City Parks.**

**(File 0740-20)**

Recommendation: That the City Council

1. Adopt (2nd reading) Ordinance 434 revising Solana Beach Municipal Code Section 11.12.020 X relating to leashed dogs in Parks.

**MOTION:** Moved by Roberts and seconded by Nichols. **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. (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, stated that there was nothing new to report.

**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)' subcommittees' or outside appointments made by the League.
- 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); subcommittees; or outside appointments made by SANDAG.
- 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)**

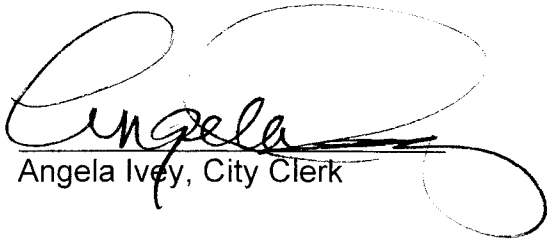
- a. Business Liaison Committee - Roberts, Campbell.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. I-5 Construction Committee - Heebner, Roberts.
- d. Parks and Recreation Committee - Heebner, Nichols
- e. Public Arts Committee - Roberts, Nichols.
- f. School Relations 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 9:05 p.m.



Angela Ivey, City Clerk

Approved: April 25, 2012