

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, June 13, 2012

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach,
California and Teleconference Location (Roberts)
4300 Wilson Blvd., Suite 250, Arlington, Virginia

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 6:04 p.m.

CLOSED SESSION REPORT: (when applicable)

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

FLAG SALUTE:

APPROVAL OF AGENDA:

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

PROCLAMATIONS/CERTIFICATES:

1. American Public Work Association - Fletcher Cove Community Center Project
2. Dump the Pump
3. Red Shoe Day

PRESENTATIONS:

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

1. Regional Beach Sand Project II
2. Community Garden

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.

Doug Harwood stated that he was a licensed realtor who dealt with bluff properties, and that he had an obligation to counsel his clients on elements of proper disclosure with buying/selling homes. He stated that he had concerns about the Land Use Plan (LUP), he had to disclose to buyers that a seawall permit could not be renewed in less than 20 years, that if it was not renewed a buyer may have to remove the seawall at their expense which would lower their property value, and that a lender may not want to lend a 30 year loan on a property that may only have a seawall for 18 years. He stated that once 50% of alterations had been done on the property over time, that there could be no more remodeling, he agreed with Commissioner McClure regarding who came up with the 50% figure and that if the footprint of the home remained the same it was not within purview of the Commission to reach into interior of homes because it would not affect the bluffs. He stated that the Coastal Commission had over reached, that the City had to regain control of this local issue, that the LUP should reflect the needs of the community, and that it should allow people to buy and sell coastal bluff homes with transparency. He stated that this issue should be placed on the next agenda.

Chris Hamilton stated that he reviewed the Land Use Plan (LUP), that it was bad for the City and the bluff top owners, the City was at risk of losing 1 billion dollars of property value, and that it would be a hit on the tax base. He stated that owners would lose

property, that as erosion continued on the bluffs home owners would lose homes, the City would have infrastructure issues on the street, he had already seen caves that reached the street, and that the City would lose funds from sand replenishment if funds did not come in from the seawalls. He stated that owners would lose sandy beaches, and that the seawalls provided safe beaches. He stated that the Coastal Commission was not considering local issues, that they rejected everything that had been worked out locally, that he was sued jointly with the City, he had no choice to build a seawall because his property was at risk, and that he did not want to sue the Coastal Commission, but as chairman of BCC he had no choice but to sue them.

Jim Caccavo asked that the LUP be placed on the next agenda for discussion and revision, that he lived on the bluffs because he loved the beach, and that money had to be put into bluffs to protect homes. He stated that people who lived in a fire track area where fires occurred had firemen to protect their property, that bluff owners were not afforded that same protection, and that they had to pay for the bluffs themselves. He stated that bluff top owners loved the ocean and wanted safe beaches, that it came down to property rights, that he was not going to sit back quietly and have his rights taken away, and that the Supreme Court ruled in favor of property rights. He stated that property could not be taken away without adequate compensation, that a regulatory body could not place restrictions on property that would render it to be useless, and that it was called inverse condemnation. He stated that the Coastal Commission's rendition of the LUP violated the 5th amendment, violated rights, and that something had to be done about it.

Gary Graber stated that he lived on Pacific Avenue and requested that the land use issue be placed on the agenda as soon as possible. He stated that it was important to have a community discussion on the issue of the changes that had been made by the Coastal Commission, that there had never been an opportunity to discuss the plan since it had been transformed by the Coastal Commission, and that it was the duty of the Council to protect the property rights of all the citizens.

Ann Baker stated that she lived on Pacific Avenue and encouraged Council to immediately address the Land Use Plan (LUP). She stated that some members of Council had worked with citizens for years on the plan, that the Coastal Commission had brought the plan back to the City in the past with over 100 changes, and that days before the Coastal Commission meetings they would come up with additional changes. She stated that she had spoken to attorneys who stated that what the Coastal Commission had done was illegal, that the community thought the plan that was approved was good, that the Coastal Commission wanted the people to give into them, and she urged Council to address the issue.

Tom Ryan stated that he had lived on South Sierra for 40 years, that there was a stairway built there in 1972, that in 1978 the residents applied to the County to repair

the stairway and that the residents had told the County that they would repair and maintain the stairs. He stated that when the LUP came to Council he had asked about the repair of the stairway, that he was assured by the City that the LUP would allow for the stairway to be repaired as long as it was in the same footprint, and that the Coastal Commission has erased that commitment in the revised document. He stated that he would like to see that issue resolved, and that the new document provided that private stairways would be phased out and major repairs would not be allowed.

Seymour Phillips stated that he had lived on South Sierra for 22 years and that he would hate to see property values go into the tank, and that community members were concerned about how the plan was handled. He stated that there needed to be public participation on the issue, that the Coastal Commission's proposal should be rejected, and that there should be a public hearing on the issue on the LUP version that was approved by Council and supported by the community.

Bob DiSimone stated that he was a business owner, homeowner, and resident of the City, and that his home was on the bluff. He stated that when he had purchased the home he planned on putting up a seawall and removing the concrete on the bluff, that now it did not make financial sense to do so, that the seawall could be removed in 20 years, and that the Land Use issue should be placed on the Council docket as soon as possible.

Tom DiNoto stated that he lived on Pacific Avenue, that he had attended the March 7th Coastal Commission meeting and provided testimony, and that he was disappointed with the Coastal Commission's lack of consideration for the majority of the speakers. He stated 8 out of 10 residents voiced opposition to the Coastal Commission's revisions to the LUP, that those who were at the meeting in support of the plan were not residents of the City, and that the issue should be placed on the next Council agenda. He stated that the Coastal Commission's plan should be rejected, that their approach rendered the resident's property un-buildable and un-repairable, that Chairman Zimmer stated that all of the homes on the bluff now became non-conforming structures, and that the rationale for not allowing more than 50% re-construction was the point of the discussion. He stated that Council had the opportunity to reject the plan and re-submit the plan to be reflective of citizens and protect property rights.

Terry Petty stated that he lived on Pacific Avenue and that his family had purchased the property in 1951, he had seen a lot of construction around the area, that he echoed the support of the other citizens, the Coastal Commission had made revisions to the Council approved LUP, and that the citizens and not the Coastal Commission could decide what was best for the City. He stated that the plan by the Coastal Commission should be rejected.

David Winkler stated that he lived on Pacific Avenue, and that he had been involved in this issue since 2004, he had seen innumerable drafts of the LUP document, many issues in document that had been worked on by community members had stayed intact

until the March 7th Coastal Commission meeting, that Coastal approved the document with a couple of changes and in doing so violated the Supreme Court and Appellate Court law, and that they had intruded on the rights of the citizens. He stated that there had already been litigations on issues that had been revised by the Commission, that there were many provisions in the document that were not legal, and that he asked Council to reject the LUP with reinstatement of previous language that the Council had already approved. He stated that the ocean front property owners were acting very reasonably, this issue could be resolved expeditiously and inexpensively, and he urged the Council to place the item on the next agenda.

Bill Gifford stated that he lived at Seascape Sur, which were 188 units on the bluff, he requested that the LUP to be placed on the next agenda, stated that it had been 3 months since the Coastal Commission had approved the landscape plan, there was no public forum, he wanted to attend more meetings on this issue, and that the LUP that was approved by the Council had been dramatically changed by the Coastal Commission. He stated that the plan affected citizens and bluff top residents, that the residents of Seascape Sur relied on the Coastal Commission and BBC, and that he supported both organizations.

Diane Garber stated that she lived on Pacific Avenue and that for many years the community had worked on an Land Use Plan to meet everyone's needs, that the Council and Staff should be commended for their work on the LUP, a balanced plan was achieved and that Coastal staff had introduced an alternative plan and substituted in their ideas, that the community had not had time to process the inclusions and had 10 days to address 150 changes made by Commission before the document was adopted. She stated that many people were unaware of the changes to the plan, she was dismayed that she was shut out of the process, and she urged Council to stand up for the community and place the LUP on the docket as soon as possible. She stated that the LUP modified by Coastal should be rejected and the plan that was approved by the City should be taken back to the Coastal Commission. She stated that there had not been any sand placed in front of her bluff area, that all the sand had gone to Fletcher Cove Beach, even though they had contributed to the sand replenishment funds.

Jean Louis Coquereau stated that he had heard that there was a potential resolution regarding the study of a Community Choice Aggregation that could lead to the creation of a local energy district, and stated that he supported the resolution. He stated that he supported it because the business model for it would be a co-op, that he was a member of a San Diego group that was working on an initiative to make San Diego a sustainable destination, and that this resolution would help with the initiative.

Lane Sharman stated that he supported the study which was proposed to be funded by the private sector. He read a letter by Danielle Levy, owner of the Solana Beach UPS Store, stating that she supported the Community Choice Aggregation. He stated that there would be experts speaking on the issue at the San Diego Energy Foundation.

Torgen Johnson thanked Council for their interest and work on the San Onofre issue. He stated that on June 18th the Nuclear Regulatory Commission (NRC) would be having an inspection status report meeting to provide an update on the steam generator 2 ruptures, that the plan was for the plant would stay shut down until August, and that Edison wanted to start reactor 2 as soon as possible. He stated that in Japan when the cooling systems failed they had considered evacuating people between 120-160 miles of the power plant, that Solana Beach was 30 miles from the San Onofre plant, and that the Independent Systems Operator (ISO) which organized the distribution of power in California stated that there was enough power without San Onofre to provide through the peak loads of the summer. He stated that there would be a presentation by Edison on this issue at the Del Mar Council meeting on June 18th.

Gerri Retman stated that a few years ago Ruby Edman had called her regarding complaints of the Fiesta Del Sol and that the City coordinated a meeting with the community and the Chamber to discuss making the Fiesta more of a community event. She stated that last year the Chamber had incorporated the community's input and that people felt that it was a great event but that this year she worked in a booth at the Fiesta and noticed a giant ride blocking the view of the ocean, many people had expressed complaints about the food and vendors, and that it was not representative of the community as it had been the previous year. She stated that Council should suggest that the Chamber review the previous suggestions made by the community and incorporate those suggestions into next year's event.

COUNCIL COMMUNITY ANNOUNCEMENTS:

COUNCIL COMMENTARY:

A. CONSENT CALENDAR: (Action Items) (A.1. - A.8.)

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 Kellejian. **Motion carried unanimously.**

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

Recommendation: That the City Council

1. Ratify the list of demands for May 5 - May 18, 2012.

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

A.3. 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 Campbell. **Motion carried unanimously.**

A.4. Community Development Department Agreements. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-074 authorizing the City Manager to execute a professional services agreement with Harvey Meyerhoff Consulting Group.
2. Adopt Resolution 2012-076 authorizing the City Manager to execute a professional services agreement with Marlowe & Company.
3. Adopt Resolution 2012-078 authorizing the City Manager to execute a professional services agreement with Kramer Firm, Inc.

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

A.5. Municipal Improvements Districts Benefit (MID) Fees. (File 0495-20)

Recommendation: That the City Council

1. Approve Resolution 2012-079, setting the Benefit Charges for MID No. 9C, Santa Fe Hills at \$232.10 per unit for FY 2012-13.

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

2. Approve Resolution 2012-080, setting the Benefit Charges for MID No. 9E, Isla Verde at \$68.74 per unit for FY 2012-13.

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

3. Approve Resolution 2012-081, setting the Benefit Charges for MID No. 9H, San Elijo Hills # 2 at \$289.58 per unit for FY 2012-13.

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

4. Approve Resolution 2012-082, setting the Benefit Charges for MID No. 33, Highway 101/Railroad Right-of-Way at \$3.12 per unit for FY 2012-13.

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

A.6. Summit Environmental Group Professional Services Agreement Amendment. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-077 approving and authorizing the City Manager to execute an amendment to the Professional Services Agreement with Summit Environmental Group in the amount of \$4,400.

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

A.7. Emergency Storm Drain Repair on Highland Drive Notice of Completion. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-073:
 - a. Authorizing the City Council to accept as complete the Emergency Storm Drain Repairs on Highland Drive performed by LCI Backhoe Services.
 - b. Authorizing the City Clerk to file a Notice of Completion.

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

A.8. Second Loan Agreement to the Successor Agency for payment of the Enforceable Obligations. (File 0400-10)

Recommendation: That the City Council, in the capacity of the Successor Agency:

1. Adopt Resolution 2012-086 approving the Second Loan Agreement between the City and the Successor Agency to the Solana Beach Redevelopment Agency.
2. Adopt Resolution SA-005 approving the Second Loan Agreement between the City and the Successor Agency to the Solana Beach Redevelopment Agency subject to the ratification of the Oversight Board.

MOTION: Moved by Heebner and seconded by Campbell. **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.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. Introduction (1st Reading) of Ordinance 438 relating to the Annual Sewer Service Charge for Fiscal Year 2012-13. (File 1040-70)

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. Introduce Ordinance 438 amending Section 14.08.060 of Chapter 14.08 of the Solana Beach Municipal Code Relating to Annual Sewer Service Charge of \$574 per Equivalent Dwelling Unit (EDU) and Adopt by Reference by the City of Solana Beach.

David Ott, City Manager, introduced the item.

Marie Berkuti presented a powerpoint (on file) reviewing the matter.

Mayor Kellejian opened the public hearing.

Angela Ivey, City Clerk, stated that three protests were received.

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

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

B.2. Five-Year Regional Transportation Improvement Program (RTIP) for Fiscal Years 2013 through 2017. (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 2012-071 approving the TransNet Local Street Improvement Program list of projects for Fiscal Years 2013 through 2017

David Ott, City Manager, introduced the item.

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

Council and Staff discussed the missing gap of Lomas Santa Fe to Masolan and whether it could be added to the project, that it could be reviewed for the next amendment to the project with the necessary budget requirements and may fall under street calming, and to provide a quarterly update of the project.

Councilmember Nichols and Johanna Canlas, City Attorney, discussed disclosure on SB09 and that, for the record, he would not be voting on that part of the item.

Mayor Kellejian opened the public hearing.

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

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

Mayor Kellejian recessed the meeting at 7:52 p.m. for a break and reconvened at 8:00 p.m.

B.3. Development Review Permit and Structure Development Permit for 455 E. Cliff Street, Applicants: Donald Davis and Lesa Heebner, Case # 17-12-06. (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 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 2012-072 conditionally approving a DRP and an administrative SDP for an interior remodel and a 894 square footage addition to the existing two-story, single-family residence at 455 E. Cliff Street.

Councilmember Heebner recused herself from the item because she was the project applicant.

David Ott, City Manager, introduced the item.

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

Council and Staff discussed that no changes were being made to the property that increased the non-conformity issues of the property and that the project did not meet the requirements for a landscape plan.

Council reported their disclosures.

Mayor Kellejian opened the public hearing.

Lesa Heebner, applicant, stated that she did not have a presentation but was available for questions.

John Murk (time donated by Kristin Murk) stated that he examined the project drawings, that he asked staff questions regarding the drainage requirements of the project and was told that the drainage was handled with the building permit stage, and that with his for his own project he was told that drainage was handled at the Structural Development Permit (SDP) stage and and that it took him 6 months to resolve this issue. He stated that he reviewed the additional project drawings and found 12 items that were requested of his project that were not requested of this project, that there was no mention of parking and driveway on the drawings, he was required to show every story pole and height and to compute the area of the hallway between the bedroom and master bathroom, and that each issue had stopped the project. He stated that the project was stopped due to lack of the letters "msl" on the drawing to indicate above sea level, that his project required color photos and this project did not, that he had sent a list of the 12 items to the City Manager. He stated that he wanted the City Manager to answer as to why each of the items were required for his project and not this project, and requested that this project be delayed so he could be provided with answers as to why his project was treated differently.

Lesa Heebner, applicant, requested that Staff responded to the speaker's comments.

David Ott, City Manager, stated that he had not received the list of 12 items from the speaker for review at this time.

Council and Staff discussed that each project was discussed based on its own merits, that they had no knowledge of the speaker's project, and that Council had to determine whether or not the project satisfied the required findings under the Municipal Code and could not compare to another project that was not being presented at this time.

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

Council discussed that a storm water management plan was addressed in the resolution, that one unusual aspect of the project was that one portion of the project, the "peak," was about 3 feet over 25 feet requirement, that the project was legally non-conforming, and that if the peak area was affected that it would degrade the appearance of the project.

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

C. STAFF REPORTS: (C.1. - C.6.)
Submit speaker slips to the City Clerk

C.1. General Plan Phase I Update. (File 0400-10)

Recommendation: That the City Council

1. Receive the report regarding Phase 1 of the General Plan Update.

David Ott, City Manager, introduced the item.

Wende Protzman, Community Development Dir., introduced the consultant.

Chris Morrow, PDC, presented a powerpoint (on file).

Council, Consultant, and Staff discussion ensued regarding the survey results were obtained from 76 respondents, that a comparison to other cities included Escondido receiving 7 respondents and National City receiving 85 respondents, who provided feedback at their meeting, and that more input could be received.

Discussion continued regarding any ways to obtain a better response result, that there could be various reasons for the response numbers including the community could be confident in local government in this area, that not even 10% is reached in larger populated cities, that the next workshop would be focused on goals and objectives, and that there would be reports coming to Council to review the input, participate, and give further direction.

Discussion continued regarding how those who had already commented were tracked or could they comment again, that additional input was encouraged to provide a cross reference of information and issues, and to meet with the Ad Hoc prior to drafting the elements for more input.

Gerri Retman stated that she did not get a survey.

David Ott, City Manager, stated that it was in the form of a City e-blast and that it had been down some and said that once it was up and running again that there would be a monthly update and would seek further input.

C.2. 2012 Asphalt Concrete Repair Bid . (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-075
 - a. Awarding a construction contract for the 2012 Asphalt and Concrete Repair Project, Bid No. 2012-04, in the amount of \$534,728, to ATP General Engineering Contractors.
 - b. Approving an amount of \$48,652 for construction contingency.
 - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
 - d. Authorizing the transfer of \$150,000 from Gas Tax Reserves into the project account.

- e. Authorizing the transfer of \$7,000 from the Engineering Professional Services Account into the project account.
- f. Authorizing the transfer of \$7,000 from the Streets Professional Services Account into the project account.
- g. Authorizing the City Treasurer to amend the FY 2011-12 Adopted Budget accordingly.

David Ott, City Manager, introduced the item.

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

Council and Staff discussed that there were issues reported by area businesses, that Staff had carefully inventoried the sidewalks and that most were the responsibility of the property owners, that some repairs would include ADA updates, some issues were not in the City but in Del Mar's jurisdiction since the City's jurisdictional boundary started at the right-of-way line, which was approximately 5 ft. behind the curb line, and that he had talked to the Del Mar Public Works Director and that they were performing a survey of the boundaries.

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

C.3. Chamber of Commerce Visitor Center Agreement. (File 0400-10)

Recommendation: That the City Council

1. Authorize the City Manager to execute the agreement between the City and the Solana Beach Chamber of Commerce on behalf of the City, and
2. Adopt Resolution 2012-087, authorizing funding in the amount of \$15,000 with the Solana Beach Chamber of Commerce for operation of the Visitor Center.

David Ott, City Manager, introduced the item. He stated that since 1999 the City had provided funding annually in the amount of \$15,000 to the Chamber of Commerce for the operation of the Visitor's Center, and the Chamber had requested modifications to the previous agreement.

Wende Protzman, Director of Administrative Services /Community Development Director, presented a power point (on file). She stated that several changes were being proposed to the agreement regarding the visitor's center's days of operation, hours and location.

Carolyn Cohen, President of the Solana Beach Chamber of Commerce, stated that the

Chamber was the oldest civic organization in the City, gave the background on visitor serving activities provided by the Chamber, that information was provided to visitors at two locations including the kiosk at the train station and the Chamber's office on Plaza St., and that the majority of visitors came during the fair and race season. She stated that the office had 10-20 visitors per day, they found the office through the internet or a search on their phones, that the cost about \$50,000 a year to provide information and referral services, that they had received \$17,000 in revenue last year, and that \$15,000 of it was from the City. She stated that in addition to the contribution from the City the Chamber spent more than \$35,000 annually in visitor serving activities, that they had begun to make use of technology, upgraded their website, and were looking into additional technical capabilities. She reviewed the Chamber's proposed schedule changes to visitor center hours, days, and location during the summer and off-seasons. She stated that they would use funds saved from not staffing the kiosk during the off-season to more effectively serve businesses and visitors to the City, they were in the process of re-designing the office to better welcome and service visitors, they had installed a touch screen so visitors could browse City information, and that they were also going to install 4 other touch screens in hotels and timeshares in time for fair and race season. She stated that a smart phone app had also been released and was in the testing phase.

Council and Ms. Cohen discussed that all businesses were represented on the website regardless if they were a member of the Chamber of Commerce, that the visitor information center would sit empty for 9 months during the year and some days they received no visitors, more people used the Chamber's office, that the kiosk should stay open past labor day if the races continued beyond labor day, that the Chamber had provided financials to the City regarding how funds would be allocated, that there would be a dedicated staff person at the Chamber office for serving visitors, and that funds were used for "visitor serving activities" which included staff salaries, printing materials, etc.

Council and Staff discussion ensued regarding that North County Transit District (NCTD) ownership of the land where the visitor's center was located and the Chamber owned the kiosk structure, that any potential renting of the structure space by the Chamber would have to be negotiated with NCTD, the visitor's center should be opened for Memorial Day and until the end of the race season, that the phone app should include interesting historical details about the City, and that the Chamber should be allowed to decide if it was feasible to remain open during the Fiesta Del Sol.

MOTION: Moved by Heebner and seconded by Campbell with modified days of operations. **Motion carried unanimously.**

C.4. Parks and Recreation Commission Appointment. (File 0120-20)

Recommendation: That the City Council

1. Make one appointment to the vacant position on the Parks and Recreation Commission with a term expiration date of January 2013.

David Ott, City Manager, introduced the item.

Councilmember Nichols said that he would nominate Lynn Salsberg.

MOTION: Moved by Nichols and seconded by Campbell to appoint Lynn Salsberg.
Motion carried unanimously.

C.5. League of California Cities 2012 Annual Business Meeting. (File 0140-10)

Recommendation: That the City Council

1. Appoint Deputy Mayor Roberts, voting delegate, and Mayor Kellejian, 1st alternate delegate, for the 2012 Annual Business Meeting of the League of California Cities Annual Conference being held September 5-7, 2012 or provide alternative direction.
2. Direct the City Clerk to attest to the appointments and submit the Official Voting Form to the League of California Cities.

David Ott, City Manager, introduced the item.

Council and Staff discussed adding the City Manager as a 3rd alternate.

MOTION: Moved by Nichols and seconded by Campbell to approve and adding David Ott as a 2nd alternative. **Motion carried unanimously.**

Deputy Mayor Roberts left the meeting at 9:40p.m.

COUNCIL COMMITTEE REPORTS:

Council reported committee activity.

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)

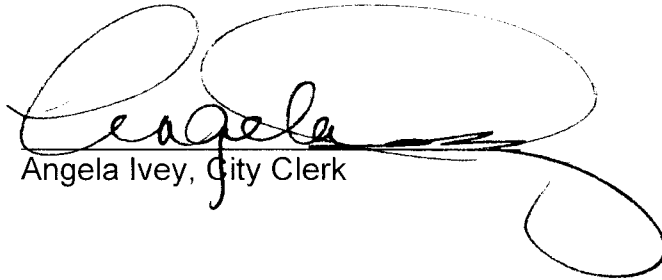
- a. Business Liaison Committee - Roberts, Campbell.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. I-5 Construction Committee - Heebner, Roberts.
- d. Parks and Recreation Committee - Heebner, Nichols
- e. Public Arts Committee - Roberts, Nichols.
- f. School Relations 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 7, 2013 or at the California Coastal Commission adoption.
- j. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires January 10, 2013
- k. View Assessment - Nichols, Heebner. Expires October 21, 2012

ADJOURN:

Mayor Kellejian adjourned the meeting at 9:50 p.m.



Angela Ivey, City Clerk

Approved: August 22, 2012