

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, November 14, 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 6:04 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 Heebner and seconded by Roberts. **Motion carried unanimously.**

PRESENTATIONS:

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

1. Highway 101 Project Westside Improvement Project Update

Mo Sammak, Director of Public Works, presented a powerpoint (on file) reviewing the status of the project including the decorative concrete samples, median trees, east side median curb, grinding in southbound lanes, and the Estrella storm drain. He spoke about the upcoming construction schedule and a semi-monthly newsletter.

David Ott, City Manager, stated that e-blasts were being sent to those who have signed up.

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.

Steve Ostrow spoke about his concern with the campaign literature that made reference to the Chamber of Commerce as campaign central for several candidates. He noted that the Chamber of Commerce Directors, who should promote the City, put out negative literature which slammed the City Council for the improvements to the Highway 101 Project.

Gerri Retman congratulated the candidate winners and thanked all the voters.

COUNCIL COMMUNITY ANNOUNCEMENTS:

Council presented their announcements.

COUNCIL COMMENTARY:

Council presented their 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 Heebner and seconded by Roberts. **Motion carried unanimously.**

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

Recommendation: That the City Council

1. Ratify the list of demands for September 29, 2012 through October 12, 2012.

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

A.3. 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.

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

A.4. Section 125 Cafeteria Plan/Health Care Flexible Spending Accounts. (File 0520-30)

Recommendation: That the City Council

1. Adopt Resolution 2012-157 approving and authorizing the City Manager to execute the amendment with WageWorks Company in order to comply with regulations set under The Patient Protection and Affordable Care Act for Health Savings Flexible Spending Accounts.

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

A.5. Communications Infrastructure Maintenance Services. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-145 authorizing the City Manager to sign a Professional Services Agreement with Salient Networks with an option to extend for an additional year based on satisfactory past performance.

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

A.6. Fire Station Emergency Alerting Equipment Installation. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-158 authorizing the City Manager to execute a Professional Service Agreement with Teleque?On Fire for the Phase II installation of fire station alerting equipment in the amount of \$14,700.

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

A.7. Stormwater Program Implementation Support. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-161:
 - a. Authorizing the City Manager to amend the Professional Services Agreement with Mikhail Ogawa Engineering to extend service for Fiscal Year 2012/13 in the amount of \$10,000.
 - b. Authorizing the City Manager, at his sole discretion, to extend the Professional Services Agreement with Mikhail Ogawa Engineering for up to three additional years at an amount not to exceed the amount budgeted for the work each year based on satisfactory past performance.

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

A.8. On-Call and As-Needed Traffic Engineering Services. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-163:
 - a. Authorizing the City Manager to approve a PSA with Darnell & Associates for On-Call, As-Needed Traffic Engineering Services for Fiscal Year 2012/13.
 - b. Authorizing the City Manager, at his sole discretion, to extend the PSA with Darnell & Associates for up to two additional years, at the City's option, at an amount not to exceed \$10,000 for the work

each year based on satisfactory past performance.

2. Adopt Resolution 2012-164:

- a. Authorizing the City Manager, to approve a PSA with KOA Corporation for On-Call, As-Needed Traffic Engineering Services for the period of November 15, 2012 through June 30, 2013.
- b. Authorizing the City Manager, at his sole discretion, to extend the PSA with KOA Corporation for up to two additional years, at the City's option, at an amount not to exceed \$10,000 for the work each year based on satisfactory past performance.

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

A.9. On-Call and As-Needed Repair Services. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-160:

- a. Ratifying the amendment previously executed by the City Manager to the Professional Services Agreement with Lalley Construction for On-Call, As-Needed Repair Services for Fiscal Year 2012/13 in the amount of \$14,000.
- b. Authorizing the City Manager, at his discretion, to extend the Professional Services Agreement with Lalley Construction for up to two additional years, at an amount not to exceed the amount budgeted for the work each year based on satisfactory past performance.

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

A.10. National Joint Powers Alliance. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-169 ratifying and approving the agreement between the City and the National Joint Powers Alliance as previously executed by the City Manager.

MOTION: Moved by Heebner and seconded by Roberts. **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.)

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 Permit (DRP) for 612 Glenmont Avenue, Applicant: Tseng-Hua and Shan-Shan Tsiang, Case 17-12-17. (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. Therefore, Staff recommends that the City Council:

1. Conduct the Public hearing: Open the Public Hearing, 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 2012-159 conditionally approving a DRP for an expansion of a single story, single family residence, an addition of a subterranean garage and storage room, and an uncovered deck located at 612 Glenmont Avenue.

David Ott, City Manager, introduced the item.

Christine Rios, Assistant Planner, presented a powerpoint (on file) reviewing the project.

Council and Staff discussed the grading and elevations of the project.

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

Councilmember Campbell stated that regulating privacy between neighbors is not within

the scope of the City Council.

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

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

C. **STAFF REPORTS: (C.1. - C.3.)**
Submit speaker slips to the City Clerk

C.1. **Fiscal Year (FY) 2011-12 Community Grant Recipient Financial Expenditure Report. (File 0330-25)**

Recommendation: That the City Council

1. Accept and file this report.

David Ott, City Manager, introduced the item.

Dan King, Sr. Management Analyst, presented the powerpoint (on file). He displayed the list of grant allocations, recipients, and alternative funding.

Steve Kupps gave a brief overview of several Solana Beach organizations and his partnership with the Programs.

Mayor Kellejian asked about the unused \$1,000 from Clean and Green Organization.

David Ott, City Manager, stated that the money would go back into the General Fund.

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

C.2. **USACE (United States Army Corp Engineers) Solana Beach - Encinitas Shoreline Project. (File 0740-80)**

Recommendation: That the City Council

1. Receive the Report.
2. Authorize the City Manager to release the Draft Integrated Report for a 60-day public review and comment period when the USACE completes the draft report later this month and schedule a public meeting on the Draft Integrated Report in coordination with the USACE and the City of Encinitas.

David Ott, City Manager, introduced the item.

Leslea Meyerhoff, Planning Consultant, presented the powerpoint (on file). She provided information on the purpose and goals of this project, the environmental process, project description, project alternatives, future public meetings, upcoming activities and opportunities for public involvement.

Councilmembers and Staff discussed that the City is not being considered for a five year cycle because of the Coastal Engineer analysis showed the beach fill would remain in place longer than the City of Encinitas.

Jim Jaffe is concerned about the effect the project would have on the surf.

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

C.3. Del Mar Shores Beach Stairway Condition Assessment. (File 0730-20)

Recommendation: That the City Council

1. Adopt Resolution 2012-162:

- a. Receiving this report detailing the specifics of the emergency nature of this project.
- b. Directing Staff to take any and all necessary actions to close the Del Mar Shores Beach Access Stairway until such time that the condition of the stairs no longer poses a safety threat.
- c. Authorizing the Finance Manager to appropriate \$4,000 from the General Fund, Undesignated Reserves into the Public Works Facilities Maintenance - Professional Services Account, for costs associated with the closure of the Del Mar Shores Beach Access Stairway.
- d. Authorizing the Finance Manger to appropriate \$100,000 from the General Funds, Undesignated Reserve into the Engineering Capital Improvement Program, Del Mar Shore Staircase CIP-03 for preparation of Final Plans, Specifications and Estimate.
- e. Authorizing the City Manager to negotiate and execute a contract, not to exceed \$100,000, for final design and preparation of construction documents, with Noble Consultants, Inc., for a new stairway at the Del Mar Shores Beach Access.

David Ott, City Manager, introduced the item.

Mo Sammak, Director of Public Works, presented the powerpoint (on file) reviewed the background, the current condition of the stairs, possible funding, and the fencing location.

Council and Staff discussed the cost, cost recovery and timeframe of the project.

Joe Lamberger, stated that he was a resident of the Del Mar Shores Terrace, spoke about the lack of care for the stairs since 2005 and was concerned with the potential failer of the bluff.

Jim Jaffe (time donated by Ira Opper) spoke about not having a fee structure in place has become an issue, Council should consider the project an emergency because it is closing beach access to the public, need to provide an alternative route to the beach, and due to the fact it is City owned land Council should consider entering into property negotiations.

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

COUNCIL COMMITTEE REPORTS:

Council reported community 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.

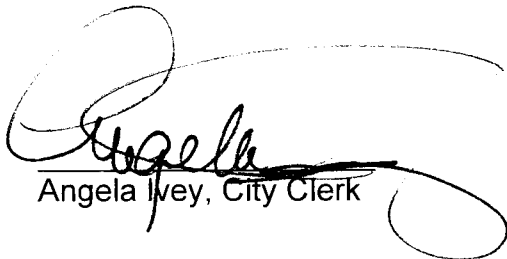
- d. Parks and Recreation Committee - Heebner, Nichols
- e. Public Arts Committee - Roberts, Nichols.
- f. School Relations Committee - Roberts, Nichols.

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 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:

Mayor Kellejian adjourned the meeting in memory of Andy O'Leary, former City employee, at 7:43 p.m.



Angela Wey, City Clerk

Approved: December 12, 2012