

CITY OF SOLANA BEACH



ACTION AGENDA

The Action Agenda of the City Council Meeting is a document provided immediately following the Council Meeting in order for staff and the public to be aware of the business transacted and actions taken by Council. This is a preliminary draft and not a public record. The meeting's legal record is the Minutes approved by the City Council.

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

**Joint REGULAR Meeting
Wednesday, April 10, 2013
6:00 P.M.**

CityHall / Council Chambers, 635 S. Highway 101, Solana Beach, California
Teleconference Location (Nichols) 2365 Kalakaua Avenue, Honolulu, HI 96815

PUBLIC MEETING ACCESS

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

AGENDA MATERIALS

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

SPEAKERS

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

AMERICAN DISABILITIES ACT TITLE 2

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office (858) 720-2400 at least 72 hours prior to the meeting.

As a courtesy to all meeting attendees, please set cellular phones and pagers to silent mode and engage in conversations outside the Council Chambers.

CITY COUNCILMEMBERS
Mike Nichols, Mayor

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

Lesa Heebner,
Councilmember
Peter Zahn, Councilmember

David Ott
City Manager

Johanna Carlas
City Attorney

Angela Ivey
City Clerk

SPEAKERS:

Please submit your speaker slip to the City Clerk prior to the meeting or the announcement of the Item. Allotted times for speaking are outlined on the speaker's slip for Oral Communications, Consent, Public Hearings and Staff Reports.

READING OF ORDINANCES AND RESOLUTIONS:

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

CALL TO ORDER AND ROLL CALL:

CLOSED SESSION REPORT: (when applicable)

FLAG SALUTE:

APPROVAL OF AGENDA:

COUNCIL ACTION: Approved 5/0

PRESENTATIONS:

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

1. Equinox Environmental Dashboard
2. Highway 101 Project Westside Improvement Project Update

ORAL COMMUNICATIONS:

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by submitting a speaker slip (located on the back table) to the City Clerk. Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

COUNCIL COMMUNITY ANNOUNCEMENTS:

COUNCIL COMMENTARY:

A. CONSENT CALENDAR: (Action Items) (A.1 - A.4.)

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker slip

(located on the back table) before the Consent Calendar is addressed. Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the P-Ublic will be discussed immediately after approval of the Consent Calendar.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held March 13, 2013.
Approved Minutes
<https://www.cityofsolanabeach.org/en/government/public-meetings/agendas-minutes-videos>

COUNCIL ACTION: Approved 5/0

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

Recommendation: That the City Council

1. Ratify the list of demands for March 9 - March 15, 2013
[Item A.2. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.3. General Fund Adopted Budget for Fiscal Year 2012-13 Update.(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.
[Item A.3. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.4. 2013 Street Repair and Slurry Seal Project. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-032
 - a. Approving the list of streets scheduled for maintenance and repairs as part of the 2013 Street Repair and Slurry Seal Project.
 - b. Authorizing the City Engineer to advertise for construction bids for the 2013 Street Repair and Slurry Seal Project.

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

COUNCIL ACTION: Approved 5/0 to approve and authorize the City Manager to

consult with Bike Walk Solana on their recommendations to determine if they would be feasible options in the future.

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) Modification to a Wireless Communications Facility at 100 Border Avenue, Applicant: Sprint Nextel, Case # 17-12-29. (File 0610-60)

Recommendation: Because the Act mandates that the project be approved, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council disclosures, Receive public testimony, Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines; and
3. Adopt Resolution 2013-029 conditionally approving a CUP to modify an existing Wireless Communications Facility located at 100 Border Avenue, Solana Beach, as mandated by the Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

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

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

COUNCIL ACTION: Approved 5/0

B.2. Conditional Use Permit (CUP) for a Modification to a Wireless Communications Facility at 105 N. Cedros, Applicant: Sprint Nextel, Case 17-12-30. (File 0610-60)

Recommendation: Because the Act mandates that the project be approved, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council disclosures, Receive public testimony, Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines; and
3. Adopt Resolution 2013-030 conditionally approving a CUP to modify an existing WCF (Wireless Communication Facility) located within the existing tower of the Solana Beach Train Station as mandated by the Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

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

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS: (C.1 - C.5)

Submit speaker slips to the City Clerk

C.1. South Cedros Traffic Calming Projects. (File 0860-45)

Recommendation: That the City Council

1. Adopt Resolution 2013-033:
 - a. Finding the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of the State CEQA Guidelines.
 - b. Approving the preliminary design of the South Cedros Avenue traffic calming and streetscape project improvements.
 - c. Authorizing the City Engineer to proceed with the final design and advertise the project for construction bids.

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

COUNCIL ACTION: Approved 4/0/1 (Recuse: Nichols.)

C.2. SCOUP (Sand Compatibility & Opportunistic Use Program) Project - Consulting Agreement. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-031
 - a. Authorizing the City Manager to execute a professional services agreement with Harvey Meyerhoff Consulting Group.
 - b. Appropriating \$32,800 to the Sand Replenishment USACE Study project in the T.O.T. Sand Replenishment Fund.

- c. Authorizing the City Treasurer to amend the FY 2012-13 adopted Budget accordingly.

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

COUNCIL ACTION: Approved 5/0

C.5. USACE (United States Army Corps of Engineers) Solana Beach-Encinitas Coastal Storm Damage Reduction Project Update and Agreement Amendment (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-017:
 - a. Authorizing the City Manager to enter into FCSA Amendment No. 6 and Project Management Plan Amendment No. 2 formally acknowledging the scope of work changes and related project cost increases that have occurred since 2009, including interim approvals noted in Attachment 1.
 - b. Appropriating the remaining funds (\$120,455) from DBW Budget Unit to the USACE to support the City's local cost share requirements to complete the Feasibility Study phase of the project.
 - c. Appropriating \$147,000 from the City's T.O.T sand funds for payment to the USACE to support the City's local cost share requirements to complete the Feasibility Study phase of the project in the event that the State DBW does not provide the requested amount or receive the requested funds from the State DBW for remittal to the USACE.
 - d. Authorizing the City Treasurer to amend the FY 2012-13 Budget and/or FY 2013-14 accordingly.

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

COUNCIL ACTION: Approved 5/0

C.3. Highway 101 West Side Improvement Project Construction Management and Construction Support Contract Amendments and Consider Increase to Construction Scope of Work. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-024 authorizing the City Manager to execute Amendment No. 3 to the professional services agreement with Infrastructure Engineering Corporation, in the amount of \$25,000, to provide additional geotechnical and materials testing services for construction management associated with the Highway 101 West Side Improvement Project.
2. Adopt Resolution 2013-025 authorizing the City Manager to execute Amendment No. 1 to the professional services agreement with Nasland Engineering to increase the compensation in the amount of \$9,320 and

increase the term of the agreement by one year, needed to provide additional design services associated with improvements to the Highway 101 Improvement Project and design work at the Plaza Drive/Acacia Avenue intersection.

3. Adopt Resolution 2013-028 authorizing the City Manager to execute a change order to the construction contract with DMI to include the extra work at Plaza Street or for the sidewalk just north of Ocean Street in the amount of \$128,000.

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

COUNCIL ACTION: Approved 5/0 to approve Resolution 2013-024.

COUNCIL ACTION: Approved 5/0 to approve Resolution 2013-025.

C.4. Establish the Gateway Property Council Ad-Hoc Committee. (File 0410-48).

Recommendation: That the City Council

1. Adopt Resolution 2013-035 establishing the Gateway Property Ad-Hoc Committee.
2. Appoint two Councilmembers to serve on the Committee

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

COUNCIL ACTION: Approved 5/0 to approve and appoint Deputy Mayor Campbell and Councilmember Heebner.

C.6. Continued Discussion on Del Mar Fairgrounds Governance Model (File 0150-85)

Recommendation: That the City Council:

1. Continue discussions on the proposed Del Mar Fairgrounds Governance Model and provide direction as directed.

[Item C.6. Report \(click here\)](#)

WORKPLAN COMMENTS:

(Adopted June 27, 2012)

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:

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

- a. City Selection Committee (meets twice a year) - Nichols, Heebner (alternate).
- b. County Service Area 17 - Zahn, Campbell (alternate).
- c. Escondido Creek Watershed Authority - Zito.
- d. League of Ca. Cities' San Diego County Executive Committee - Nichols, Heebner (alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee - Nichols, Heebner (alternate).
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) - Nichols, Heebner (alternate).
- g. North County Dispatch JPA-Zahn, Nichols(alternate).
- h. North County Transit District - Nichols, Heebner (1st alternate)
- i. Regional Solid Waste Association (RSWA) - Nichols, Zahn (alternate).
- j. SANDAG - Heebner (Primary), Nichols (1st alternate), Zito (2nd alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee - Nichols, Heebner (alternate).
- l. San Dieguito River Valley JPA- Heebner, Nichols (alternate).
- m. San Elijo JPA- Campbell, Zito (both primary members) (no alternates).
- n. 22nd Agricultural District Association Community Relations Committee - Heebner, Campbell.

Standing Committees: (All Primary Members) (Permanent Committees)

- a. Business Liaison Committee - Campbell, Zahn.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. 1-5 Construction Committee - Heebner, Zito.
- d. Parks and Recreation Committee - Nichols, Heebner.
- e. Public Arts Committee - Nichols, Zito.
- f. School Relations Committee - Zito, Zahn.

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Campbell, Zito. Expires December 5, 2013.
- b. Development Review - Nichols, Heebner. Expires October 23, 2014.
- c. Environmental Sustainability - Heebner, Zahn. Expires December 5, 2013.
- d. Fire Department Management Governance - Zito, Zahn. Expires July 10, 2013.
- e. Fiscal Sustainability - Campbell, Zito. Expires June 12, 2013.
- f. General Plan - Nichols, Campbell. Expires July 10, 2013.
- g. La Colonia Park - Nichols, Heebner. Expires June 12, 2013.
- h. Local Coastal Plan Ad-Hoc Committee - Campbell, Nichols. Expires January 22, 2014 or at the California Coastal Commission adoption.

- i. NCTD / Train Station Site Project Ad Hoc Committee - Nichols, Heebner. Expires January 8, 2014.
- j. View Assessment - Heebner, Zito. Expires June 10, 2013.

ADJOURN: