

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, October 23, 2013
6:00 P.M.**

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**

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 4/0/1 (Absent: Campbell)

PROCLAMATIONS/CERTIFICATES:

1. Red Ribbon Week

PRESENTATIONS:

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

1. 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/ COMMENTARY:

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

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker slip (located on the back table) before the Consent Calendar is addressed. Those items removed from the Consent Calendar by a member of the Council will be trailed to

the end of the agenda, while Consent Calendar items removed by the 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 August 7, 2013, September 11, 2013.

Approved Minutes <https://www.cityofsolanabeach.org/en/government/public-meetings/agendas-minutes-videos>

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

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

Recommendation: That the City Council

1. Ratify the list of demands for September 21, 2013 through October 4, 2013.
[Item A.2. Report \(click here\)](#)

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.3. General Fund Adopted Budget for Fiscal Year 2013-14 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2013-2014 General Fund Adopted Budget.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.4. Re-establish the Development Review Council Ad Hoc Committee. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2013-122 re-establishing the Development Review Council Ad Hoc Committee until October 22, 2014.

2. Re-appoint the two existing Councilmembers (Nichols, Heebner).

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.5. Marine Safety Department Vehicle Purchase. (File 0320-26)

Recommendation: That the City Council

1. Adopt Resolution 2013-126:
 - a. Approving the purchase of a new replacement Marine Safety Department rescue staff vehicle, necessary emergency response equipment and to retrofit the emergency response vehicle with emergency lights, warning devices, and communication devices.
 - b. Appropriating \$5,500 in the Asset Replacement Fund for Marine Safety for the purchase of emergency response equipment for the vehicle

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.6. City Hall Emergency Generator Installation Project, Bid 2013-10. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-121 awarding the construction contract for the City Hall Emergency Generator Installation, Bid No. 2013-10 to California Building Evaluation & Construction, Inc. in the amount of \$72,000.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.7. Professional Services Agreement with Lounsbery, Ferguson, Altona & Peak, LLP for Independent Special Counsel Services. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-129 approving and ratifying the executed a Professional Services Agreement for Special Counsel Services for Municipal Elections between the City of Solana Beach and Lounsbery, Ferguson, Altona & Peak, LLP.

[Item A.7. Report \(click here\)](#)

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

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. Development Review Permit (DRP) and Structure Development Permit (SDP) for 625 Valley Avenue, Applicant: Dale Trudeau, Case #17-12-32. (File 0600-40)

- Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
- Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
- If the City Council makes the requisite findings and approves the project, adopt Resolution 2013-123 conditionally approving a DRP and SOP for a mixed use development containing a dental office on the first floor and two residential dwelling units on the second floor located at 625 Valley Avenue.

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

COUNCIL ACTION: Approved 4/0/1 to close the public hearing. (Absent: Campbell)

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

B.2. Development Review Permit (DRP) and Structure Development Permit (SDP) for 749 Barbara Avenue, Applicant: Randy Winet, Case# 17-13-14. (File 0600-40)

- Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
- Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
- If the City Council makes the requisite findings and approves the project, adopt Resolution 2013-125 conditionally approving a DRP and an administrative SOP to demolish the existing single-family residence and

construct a new 4,501 square foot, single-family residence with a partially subterranean lower level and an attached 516 square foot garage at 749 Barbara Avenue.

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

B.3. Development Review Permit (DRP) and Structure Development Permit (SDP) for 659 Canyon Drive, Applicant: Doug Franke and Laura Fleming, Case# 17-13-15. (File 0600-40)

- Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
- Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
- If the City Council makes the requisite findings and approves the project, adopt Resolution 2013-124 conditionally approving a DRP and an administrative SOP to demolish the existing single-family residence and construct a new 4,079 square foot, single-family residence with a partially subterranean lower level and an attached 670 square foot garage at 659 Canyon Drive.

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

COUNCIL ACTION: Approved 3/0/1/1 to close the public hearing. (Absent: Campbell Recuse: Zahn.)

COUNCIL ACTION: Approved 3/0/1/1 (Absent: Campbell Recuse: Zahn.)

C. STAFF REPORTS: (C.1. - C.4.)

Submit speaker slips to the City Clerk

C.1. La Colonia Veteran's Memorial Update - Fundraising (File 0160-18)

Recommendation: That the City Council

1. Receive report updating the status of the design of the Veteran's Memorial and to recognize the initiation of private donations and fundraising activities.

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

C.2. Consideration Whether to Submit a Competing Measure to Ordinance 443 Should an Election be Called. (File 0430-15, 0430-20, 0410-48)

Recommendation: That the City Council

1. Discuss whether Council elects to draft a competing ordinance in response to the Citizen's Initiative Ordinance 443.

2. If the need for an Ad Hoc Committee is determined, adopt Resolution 2013-128 establishing the Fletcher Cove Community Center Ballot Measure Ad Hoc Committee until November 30, 2013 and appoint two Councilmembers to serve on the committee.

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

COUNCIL ACTION: Approved 4/0/1 to establish the Ad Hoc Committee and appointing Zito and Heebner. (Absent: Campbell)

C.3. California HERO Program for PACE (Property Assessed Clean Energy). (File 0200-00)

Recommendation: That the City Council

1. Adopt Resolution 2013-127 approving an Amendment to the Western Riverside Council of Governments (WRCOG) Joint Powers Agreement to add the City as an Associate Member in order to authorize the City's participation in the California HERO Program, which will enable property owners to finance permanently fixed renewable energy, energy and water efficiency improvements and electric vehicle charging infrastructure on their properties.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

C.4. Year-End Budget Adjustments for Fiscal Year 2012-13. (File 0330-30)

Recommendation: That the City Council

1. Adopt Resolution 2013-131 revising appropriations in the Fiscal Year 2012-13 Budget.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

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.2. Continued)

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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.2. Development Review Permit (DRP) and Structure Development Permit (SDP) for 749 Barbara Avenue, Applicant: Randy Winet, Case# 17-13-14. (File 0600-40) Continued

Mayor Nichols explained that they would review the proposed modifications and assess the potential to proceed at this time and conditionally approve pending any necessary updated drawings.

COUNCIL ACTION: Approved 4/0/1 to close the public hearing. (Absent: Campbell)

COUNCIL ACTION: Approved 4/0/1 approved with modifications. (Absent: Campbell)

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

WORKPLAN COMMENTS:

Adopted June 26, 2013

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 - Nichols, 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 09, 2014.
- e. Fiscal Sustainability - Campbell, Zito. Expires June 11, 2014.
- f. Gateway Property - Campbell, Heebner. Expires April 9, 2014.
- g. General Plan - Nichols, Zito. Expires July 09, 2014.
- h. La Colonia Park - Nichols, Heebner. Expires June 11, 2014.
- i. Local Coastal Plan Ad-Hoc Committee - Campbell, Nichols. Expires January 22, 2014 or at the California Coastal Commission adoption.
- j. NCTD / Train Station Site Project Ad Hoc Committee - Nichols, Heebner. Expires January 8, 2014.
- k. View Assessment - Heebner, Zito. Expires June 11, 2014.

ADJOURN: