

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

# MINUTES

JOINT **REGULAR** MEETING  
Wednesday, August 28, 2013  
06:00 P.M.

Council Chambers, 635 S. Highway 101, Solana Beach, California and  
Teleconference Location (Campbell) 15 Grindell Ave., Dennis Port, MA 02639

Minutes contain a summary of the discussions and actions taken by the City Council during a meeting. City Council meetings are video recorded and archived as a permanent record. The video recordings capture the complete proceedings of the meeting and are available for viewing on the City's website.

**CALL TO ORDER AND ROLL CALL:**

**Present:** Nichols, Campbell, Heebner, Zito, and Zahn.  
**Absent:** None.  
**Also Present:** David Ott, City Manager  
Johanna Canlas, City Attorney  
Angela Ivey, City Clerk  
Wende Protzman, Community Development Dir.  
Mo Sammak, City Engineer/Public Works Dir.  
Marie Berkuti, Finance Manager  
Dan King, Sr. Management Analyst

Mayor Nichols called the meeting to order at 6:14 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 Zahn **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, Public Works Dr., presented a powerpoint (on file).

### **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.

Allison Don stated that she was speaking on behalf of Senator Marty Block's office, she said that SB325 had passed which waived student trustees' tuition and permitted sophomores to service student trustees at CSUs, that Cover California is being rolled out and that open enrollment would begin in October and end January 2014, and that their office would take any questions regarding the program.

Bill Gifford said that he was from Seascape Sur, they their Homeowners Association strongly opposed the giveaway of a beach parking lot at 500 South Sierra, that without that beach access parking area the next stairs were 50 and 900 feet away, that beach parking was as valuable as Fletcher Cove Park, that it was a giveaway of valuable public property, that the project was overbuilt and overpriced causing expensive construction of underground parking, and that approval would result in a loss of future public usage such as lifeguards, convenient parking, construction traffic and dangerous entry and exit for Seascape residents. He requested that Council respond to his correspondence and provide better communication.

### **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 public 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 June 26 and July 10, 2013.

**MOTION:** Moved by Zito and seconded by Zahn. **Motion carried unanimously.**

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

Recommendation: That the City Council

1. Ratify the list of demands for June 15 - July 26, 2013.

**MOTION:** Moved by Zito and seconded by Zahn **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 Zito and seconded by Zahn **Motion carried unanimously.**

**A.4. Boys and Girls Club of San Dieguito Joint Use Agreement. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-094 authorizing the City Manager to enter into a Joint-Use Agreement with the Boys and Girls Club of San Dieguito.

**MOTION:** Moved by Zito and seconded by Zahn **Motion carried unanimously.**

**A.5. Public Arts Advisory Commission Recommendation to Fund the Community Grant Request for North Coast Repertory Theatre. (File 0330-25)**

Recommendation: That the City Council

1. Adopt Resolution 2013-095:
  - a. Approving the payment of \$5,000 from the Reserve Public Art

Account in the Coastal Business/Visitors TOT fund to support the NCRT's Holocaust education program.

- b. Appropriating \$5,000 from the Reserve Public Arts Account to the Contribution to Agencies expenditure account in the Coastal Business/Visitors TOT fund.
- c. Authorizing the City Treasurer to amend the FY 2013-14 Adopted Budget accordingly.

**MOTION:** Moved by Zito and seconded by Zahn **Motion carried unanimously.**

**A.6. Fire Station Living Area Repairs - Reject All Bids. (File 0370-36)**

Recommendation: That the City Council

1. Adopt Resolution 2013-089:
  - a. Rejecting all bids for the Solana Beach Fire Station - Repairs to Living Areas, Bid No. 2013-05.
  - b. Authorizing the City Manager prioritize the repairs and to move forward with the work as he deems necessary.

**MOTION:** Moved by Zito and seconded by Zahn. **Motion carried unanimously.**

**A.7. Fiscal Year 2013-2014 Salary and Classification Update and Memorandum of Understanding for Miscellaneous Employee Group and Solana Beach Marine Safety Unit. (File 0520-10)**

1. Adopt Resolution 2013-099 approving the FY 2013/2014 Memorandums of Understanding between the City of Solana Beach and the Solana Beach Employees' Association-Marine Safety Unit.
2. Adopt Resolution 2013-098 approving the FY 2013/2014 Memorandums of Understanding between the City of Solana Beach and the Solana Beach Employees' Association - Miscellaneous Unit.
3. Adopt Resolution 2013-100 approving the FY 2013/2014 Salary and Compensation schedules (excluding Fire Salary Schedule 5).

**MOTION:** Moved by Zito and seconded by Zahn. **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. Development Review Permit and Structural Development Permit for 330 S. Rios, Applicant: David and Kathy Jacobs, Case 17-12-36. (File 0600-40)**

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 and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2013-087 conditionally approving a DRP and an administrative SDP to allow for the construction of a new multi-level, single-family residence with a subterranean basement and an attached garage at 330 South Rios Avenue.

David Ott, City Manager, introduced the item.

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

Mayor Nichols opened the public hearing.

Council reported their disclosures.

John Beery, architect, stated that they were in agreement with Staff on the project, that they were hoping that Council would approve the project, and that he wanted to reserve the remainder of his speaking time for rebuttal.

Robert Jones stated that he lived on Rios Ave. for 37 years and that the property had been through many changes. He stated that he had reservations regarding how the

project would fit into the community character of the area, that from the street the project was 30 ft in height and 20 ft back, and that there had been no attempts to terrace the house. He stated that all other homes in the area were terraced or set back or blended to the terrain, it was a maximum density project without any landscape to cover it, it would be a big project for the area, and that he felt the project was too massive.

Council and Mr. Jones discussed a letter that he had submitted to Council, that he said he the architect had told him that they had complied with all of the City rules and did not need to reduce the size of the project, the lot had been graded and the owner was building 24 ft. from the fill, and that they were focused on making it high but nothing to fit into the terrain.

Grant Fletcher stated that he lived on Granados, he was concerned about the height of the project due to the potential home to be built below this project, and that the adjacent neighbors had submitted some comments on the project.

Mr. Beery, architect, (rebuttal) stated that the story poles had been on the property for about 9 months, that they had met with Mr. Fletcher, Mr. Jones, and Mr. Hagan regarding the project prior to the 30 day deadline appeal, and that they had also met with surrounding neighbors to the south of the project. He stated that they had worked with the neighbors regarding view considerations, that the home was designed to put the 2nd floor in the center to maintain view availability to the south and the north, they had considered the lot behind them, and the story poles were not visible from Mr. Fletcher's property. He said that they were not asking for any variances or considerations that were not made available to other residents, the home sat in the center of the existing grade and it fit into the site, which was small with little room to work with. He stated that Mr. Hagan was concerned about the applicant using his sewer easement and that Mr. Jones was concerned about building the driveway on his easement, which was not the case.

David Jacobs, applicant, stated that he was excited to move to the City, he had made attempts to talk to neighbors, his goal was to emphasize having site lines above the roof lines, that most of the home was on the 1st floor, and there was no land owner currently behind him but wanted to give the future property owners the opportunity to have an ocean view for the potential future home behind the property. He stated that he made attempts to talk to the neighbors and height concerns had not been expressed by Mr. Jones.

Council and Mr. Beery discussed concerns of the home not fitting in with the existing land, the elevation at the front of the home, whether there was a desire from the applicant to construct the front of home with a better relationship to the street in terms elevation of the front, and that Council was having a difficult time making the finding of the project being compatible with adjacent land uses.

Mr. Jacobs, applicant, stated that he had wanted to develop a single living floor entity, he wanted a flat first level, that it was an unusual lot since it was once a split lot and

therefore not as deep as others, the project was forced to be closer to the street due to its location, and that garage floor was the only raised area of the home.

Council discussion ensued regarding neighborhood compatibility concerns, the apparent bulk of the property, and that perhaps making the front of the home less prominent would assist with making the project more compatible with the surrounding area.

Council and the applicant representative discussed the bulk of the project and whether the project could be lowered, the only grading done was for the basement, all heights for the project were taken from existing grades and not new pad elevations, certain elevations had to be maintained on the property for the garage entrance, and that the applicant's goal for the home was to live on one level.

Council discussed the fact that it would be the largest square footage home and would be out of character for the area and whether an alternate landscape plan could assist with blending the home with the surrounding area.

Council and the applicant discussed returning to Council at a later date to address concerns presented, such as bulk and scale relationship to the surround area, and the applicant agreed to take comments into consideration and return to Council at a later date.

David Ott, City Manager, stated that the public hearing would remain open, therefore, the applicant could not converse with Council regarding the project, the applicant could consult with Staff if needed, and that the project would return to a date certain on October 9, 2013 City Council meeting.

**B.2. Development Review Permit and Structural Development Permit for 630 Glenmont, Applicant: Jeff and Brigid Hoyle, Case 17-13-07. (File 0600-40)**

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 and administratively issue a SDP. 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 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2013-090 conditionally approving a DRP and an

administrative SDP for a 1,111 square foot addition located at 630 Glenmont Drive.

David Ott, City Manager, introduce the item.

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

Mayor Nichols opened the public hearing.

Council disclosed their familiarity with the project.

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

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

**B.3. Development Review Permit and Structural Development Permit for 542 S. Granados, Applicant: Matthew and Elisette Carlson, Case 17-13-08. (File 0600-40)**

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 and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2013-088 conditionally approving a DRP and an administrative SDP to allow for the demolition of the existing residence on site and construct a new 4,225 square foot, single-family residence with an attached 512 square foot garage and a detached 393 square foot garage at 542 S. Granados Avenue.

David Ott, City Manager introduced the item.

Corey Johnson, Assistant Planner, presented a PowerPoint (on file) reviewing the project.



Mayor Campbell opened the public hearing.

Council disclosed their familiarity with the project.

Steve Dalton, applicant's architect, said that they had decided the project to be consistent with other houses in the area, they were careful with the site to maintain one story elements, and they worked with Mr. Fay and made some modifications.

Peter Fay said that he lived north of the property and would be the most affected property by this development, that the initial plans presented had proximity and height issues, that they had negotiated those issues and come to mutually satisfactory resolution, that the applicants were cooperative, and that he was fully supportive of development.

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

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

Mayor Nichols recessed the meeting at 7:30 p.m. for a break and reconvened at 7:37 p.m.

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

**C.1. Fletcher Cove Community Center (FCCC) Council Use Policy - Community Use of for Private Weekend Events. (File 0730-00)**

Recommendation: That the City Council

1. Adopt Resolution 2013-096 to adopt a City Council Policy to allow limited private weekend rentals of the FCCC for a one year trial period.

David Ott, City Manager, introduced the item.

Dan King, Sr. Management Analyst, presented a PowerPoint (on file) reviewing the items for consideration.

David Ott, City Manager, stated that there was a correction to the PowerPoint, that the 50 person maximum did include the caterers.

Mayor Nichols confirmed with the City Manager that the accordion doors could be opened, unless there was noise threshold that required them to be shut and that the Civic and Historical Society events did not count towards the maximum events allowed per weekend.

Cindi Clemons said that she lived on Glenmont and that it was a difficult issue, that she had friends and neighbors on both sides of the issue, that she supported the initiative when Council did not come to a conclusion, Council had brought a solution to resolve the issue in an ordinance, that election costs were a consideration, and that she supported passing the ordinance and beginning a trial period.

Mary Jane Boyd (time donated by Roger Boyd) said that the Friends of the Fletcher Community Center had filed the petition with the City Clerk yesterday submitting over 2,000 signatures, that 70% of the signatures were collected by Solana Beach residents, that the Council had been working on a weekend use policy since the grand opening of the Center in July 2011, that Council put together overly restrictive rules that were designed to discourage use of the Center, that citizens found it difficult to understand why Council put forth the effort to prevent residents from using the only coastal venue in the City, that the initiative would establish the use in the municipal code, and asked Council to adopt the initiative.

Council asked Zito asked her if her organization was inside the city and whether they had filed any campaign statement paperwork.

Ms. Boyd stated that they were aware that they may have to file something and that they were in process.

Eric Lodge stated that he lived on Marview Live and lived in Solana Beach for many years before incorporation, he had been pleased with Council over the years including their handling of this issue, that he and others did disagree with some of the policies that Council was proposing, and that one option would be to adopt the initiative as provided, that it was included many existing regulations such as alcohol, and that adopting it would remove Council from having to micro-manage the issue.

Council confirmed with Mr. Lodge that he understood that if the ordinance was adopted that Council could not make any changes to it, even if there were problems. He stated that Council could bring it back to a general election to make changes.

Marilee McLeon stated that she had been neutral on the issue, that she saw both sides of the issue, she was opposed to the initiative because it could not be altered without another issue on a ballot, and that was the reason that she supported Council's policy since it was a trial period.

Margaret Schlesinger said that the proposed conditions under consideration in the policy could be appropriate with some tweaking, that the initiative effort that would cause a special election with great cost to the City caused this action on the part of Council, that she would suggest an increase in frequency to one special event per weekend, increase the 50 person limit after a few months if no problems had arisen, the allowance of microphones for speeches, abandon the two drink maximum since parties were over by 9:30 p.m., and that all initiatives occurred because Council had not listened to the majority of the community, such as and Condos on the Gateway property or the over development of the Siltstrop site.

Celine Olson stated that there was a petition with over 2,000 signatures that would make her consider the input from others than only the nearby neighborhood, and that people do not ready the details of a petition. She read the proposed language of the measure submitted, the petition, that it was in Council's hands, that Council could change details of the ordinance in the municipal code as long as no one challenged it, Council was not doing their duty, and that she voted each of the current Councilmembers and that she as disappointd.

Kelly Harless (time donated by Bob Saylor, Andrea Williams) stated that their committee filed the appropriate campaign statement paperwork, that they commended Council for making tough decisions for the FCCC to minimize parking and safety issues, that the proponents had used paid signature gatherers to manipulate residents who were told that could never rent the facility for private use, which was not true since Council had approved private rentals in August, that Council was reach consensus but the sponsors of the initiative wanted more and would distort the truth, that the City attempted to address the parking issues impacting the neighborhood but this group refused to budge an inch in attempts to compromise, they want unlimited events and alcohol, that the initiative would override two existing ordinances, that they would charge Solana Beach \$300,000 for a special election for private party use, and that the ordiannce could not be overturned without another election.

Vicki Cypherd said that interested parties had entered into a discussion with the City to reach a compromise, that Tom Golich led the group and they had little empathy for the neighborhood, that Mary Jane Boyd stated in the Del Mar Times said that residents were smart and told the facts, that she had heard that door to door signature gatherers did not provide information as well as delivered misinformation, there was no mention of costly election or that it could not be changed by Council but only another election, that the City had an alternative proposal, they insisted that the FCCC had sat vacant which was not true, that parking would affect beach goers, and that she had told people ave told ppl that neighbors do not support any use of it,

Marion Dodson said that the Staff Report stated in one place a trained host fee and in another area a non-trained host and that they seemed like two different types of hosts, that a deposit was referenced but were really fees, that it referenced a letter from Mandy Schmidt as a resident and that the City should be sure who is a resident and who is a property owner but not a resident, that the issue of locking up and shutting off and air conditioning, that the accordian doors shoul be allowed to be open as long as the City's noise ordinance was not triggered, that it mentioned that the Civic and Historical Society was grandfathered in but it did not mention any other group, that no other City had the degree of restrictions as this proposal, that it appeared that the City did not trust anyone, and that vounteers could assist in reviewing and researching to aid Staff in this process.

Mayor Nichols stated that the accordian doors would be allowed to remain open and that Staff had gathered policies from the surrounding City's facilities in their review.

Gerri Retman (time donated by Ira Opper, Torre Middleton) stated that the FCCC could not be compared to other Community Centers since they are all different, the Center was set in a neighborhood and next to a park, that the proposal was a compromise that could be changed over time, that parties could go on as long as 11 hours for an event which was long for a party and drinking, there people were confused about the need for a Special Event Permit would be required for public events and not private events, that the initiative proponents had mentioned a PAC (Political Action Committee), that the City's policy was to file when expenditures/contributions reached \$200 and that signature gatherers had told her that they received \$3.25 for each signature, that she understood that Peter House paid for a majority of the costs and that he had contributed to the fundraising and now could no use it, whether the community should allow the Council to determine the safety issues or an individual with their own agenda, that petition signers had expressed their regret in signing it, that the measure did not comply with the current code since currently there was not any parking or the allowance of alcohol was permitted at the Community Center, that the proposal was reasonable and enforceable, that the initiative proponents would cost the the City a costly election without regard for the impacts on the park and neighborhood, and that they did not have to turn in the petition.

Councilmember Heebner made a motion to approve as is, with the City Manager's correction.

Councilmember Zito stated that there was one mention of penalties applying and to make it clear it the policy that any violation of the policy could result in a loss of some or all of the deposit.

Councilmember Heebner agreed to make that amendment to her motion.

Councilmember Zahn stated that there were good people on both sides of the issue with good points, he regarded the center as a community asset, but realized that the immediate neighbors would be affected, the policy was a compromise and made sense, the policy was the right way to go overall, it could be monitored and modified as needed, and that he was supportive of the motion.

Councilmember Campbell said that he agreed with everything that had been said by Council.

Mayor Nichols said that he agreed that they had come up with a reasonable compromise and called for the vote.

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

**C.2. Master Art Policy Compliance for 120 Stevens Ave., Applicant: Solana beach Presbyterian Church, Case# 17-11-29. (File 0600-40)**

Recommendation: That the City Council

1. Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to 15302 Replacement and Reconstruction.
2. Adopt Resolution 2013-092 approving the proposed art as the fulfillment of the MAP for the private development project and authorizing Staff to provide a refund of \$15,000.00, once the art has been installed and the final occupancy for the building s have been granted

David Ott, City Manager, introduced the item.

Corey Johnson, Assistant Planner, presented PowerPoint (on file).

Council and Staff discussed public accessibility,

Kathryn Conniff said that she had been the project manager, that they had moved forward with the design, an artist, more finalized fees, and had handouts to show the progress.

**MOTION:** Moved by Nichols and seconded by Zahn **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 2013-085 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.

Wende Protzman, Community Development Director, presented a PowerPoint (on file).

Carolyn Cohen, Nichole Peterson, Kimberly Duggan, Chamber of Commerce, reviewed changes and updates at the Visitor's Center located at the train station including touch screen computer, screen monitor, electronic people counter, the increase in visitors, kiosk installations, the website and database, and the Chamber's main office renovation.

Council & Ms. Cohen discussed the report that no contributions were made to the election by the Chamber and that the hours would be extended.

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

Councilmember Campbell left the meeting at 9:05 p.m.

**C.4. Solana Beach Sewer Pump Station Electrical Rehabilitation. (File 00400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-021:

- a. Awarding a construction contract for the Solana Beach Sewer Pump Station Electrical Rehabilitation, Bid No. 2013-05, in the amount of \$341,500, to Southern Contracting Company.
- b. Approving an amount of \$51,000 for construction contingency.
- c. Approving a consultant inspection and construction support allowance of \$15,000.
- d. Approving an expenditure of up to \$40,000 to SDG&E for electrical conversion costs.
- e. Approving an amendment to the Dudek electrical upgrades design contract to analyze financial benefits and infrastructure capabilities of conveying and treating Del Mar sewage flows, for an amount not to exceed \$5,000.
- f. Authorizing the City Manager to execute the construction contract on behalf of the City.
- g. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

**MOTION:** Moved by Zito and seconded by Heebner **Motion carried 4/0/1** (Absent: Campbell)

**C.5. South Cedros Traffic Calming Project. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-086

- a. Awarding a construction contract for the South Cedros Avenue Traffic Calming Project, Bid No. 2013-07, in the amount of \$78,515, to PAL General Engineering.
- b. Approving an amount of \$12,000 for construction contingency.
- c. Approving an inspection allowance of \$5,000.
- d. Authorizing the City Manager to execute the construction contract on behalf of the City.

- e. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.
- f. Authorizing the City Manager to execute a Reimbursement Agreement with the South Cedros Property Owners Association for \$44,352.
- g. Authorizing the Finance Manager to transfer \$7,000 from Project Number 9344.00-6661 into Project Number 9321.00-6661.
- h. Authorizing the Finance Manager to appropriate \$44,352, to be reimbursed by the South Cedros Property Owners Association, into the Reimbursement Agreement Revenue Account for Capital Projects and appropriating the same amount into Project Number 9321.00-6661.
- i. Authorizing the City Treasurer to amend the FY 2013/2014 Adopted Budget accordingly.

David Ott, City Manager, introduced the item.

Mo Sammak, Public Works Dir., presented a PowerPoint (on file).

**MOTION:** Moved by Zahn and seconded by Nichols **Motion carried 4/0/1** (Absent: Campbell)

**C.6. 2013 Street Maintenance & Repair Project. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-091
  - a. Awarding a construction contract for the 2013 Street Maintenance & Repair Project, Bid 2013-08, in the amount of \$394,758.10, to PAL General Engineering.
  - b. Approving an amount of \$60,000 for construction contingency.
  - c. Approving an inspection allowance of \$5,000.
  - d. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - e. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

David Ott, City Manager, introduced the item.

Mo Sammak, Public Works Dir., reviewed the project.

**MOTION:** Moved by Heebner and seconded by Zito **Motion carried 4/0/1** (Absent: Campbell)

**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.

MN ca cities luncheon

**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. I-5 Construction Committee - Heebner, Zito.
- d. Parks and Recreation Committee - Nichols, Heebner.
- e. Public Arts Committee - Nichols, Zito.
- f. School Relations Committee - Zito, Zahn.

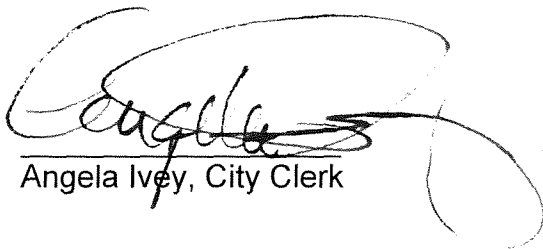


**Ad Hoc Committees: (All Primary Members) (Temporary Committees)**

- 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 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:**

Mayor Nichols adjourned the meeting at 9:47 p.m.



Angela Ivey, City Clerk

Approved: September 25, 2013