

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

MINUTES

JOINT **REGULAR** MEETING
Wednesday, November 13, 2013
06:00 P.M.

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, Heebner, Zito, and Zahn.

Absent: Campbell.

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 6:09 p.m.

CLOSED SESSION REPORT: (when applicable)

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

FLAG SALUTE:

APPROVAL OF AGENDA:

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

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.

Taylor Cummings invited the public to Senator Joel Anderson's Community Leaders reception.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

A. CONSENT CALENDAR: (Action Items) (A.1. - A.6.)

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 September 25, 2013 and October 9, 2013.

MOTION: Moved by Zahn and seconded by Heebner. **Motion carried 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 October 5 - 18, 2013.

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

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

A.4. City Hall Second Floor Transaction Counter. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-133:
 - a. Authorizing the City Council to accept as complete the City Hall Second Floor Transaction Counter, Bid No. 2013-06, performed by Tony Cossi Construction.
 - b. Authorizing the City Clerk to file a Notice of Completion.

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

A.5. State Homeland Security Grant Program (SHSGP) Assurances for the Purchase of Purchase of 800MHz Radios. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-137:
 - a. Authorizing the City Manager to execute the SHSGP Grant assurances document
 - b. Authorizing the purchases of 800mhz radios from Motorola Solutions in the amount of \$35,107
 - c. Appropriating \$35,107 to Grant Revenue and the Equipment expenditure account in the Public Safety Special Revenue Fund

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

A.6. McCabe & Company for Consulting Agreement. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-141:
 - a. Approving the Professional Services Agreement for consulting services between the City of Solana Beach and McCabe & Company related USACE Encinitas-Solana Beach Coastal Storm Damage Reduction and Beach Nourishment Project, and
 - b. Approving appropriations to the Sand Replenishment (ACOE-Local Share) project in the Transient Occupancy Tax - Sand Replenishment/Retention fund for \$10,000 in

the Reimbursement Agreement revenue account and \$20,000 in the professional services expenditure and project account

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

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 for 404 San Lucas Dr., Applicants: Aaron and Carla Weiss, Case # 17-13-18. (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. 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 2013-130 conditionally approving a DRP to construct a one-story addition to an existing 3,105 square foot one-story residence, which includes a 591 square foot garage, at 404 San Lucas Drive. The remodeled home

would be 3,840 square feet, including a 622 square foot three-car garage.

David Ott, City Manager, introduced the item.

Patricia Bluman, Principal Planner, presented a powerpoint (on file) reviewing the proposed project.

Mayor Nichols opened the public hearing.

Council reported disclosures. Councilmember Zito stated that he worked with the applicant at Hewlett Packard in the same area, had occasion to interact with him, but was a peer and not in direct line of reporting, and that he could be impartial.

Applicant did not make a presentation.

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

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

C. **STAFF REPORTS: (C.1. - C.2.)**
Submit speaker slips to the City Clerk

C.1. **Permanent Art Acquisition: Yoga Tree. (File 0910-45)**

Recommendation: That the City Council

1. Adopt Resolution 2013-138 authorizing the purchase of the Yoga Tree as a permanent art piece in the City's art collection in the amount of eight thousand dollars (\$8,000).
2. Appropriate \$8,000 to the Improvements expenditure account from the Public Arts Reserve in the TOT Coastal Visitors Fund.

David Ott, City Manager, introduced the item.

Dan King, Sr. Management Analyst, presented a powerpoint (on file).

Council discussed the ongoing support for the piece, that funding came from the Master Art Policy funds established in 2007 by mostly development fees, and they were specifically designated for public art pieces and not for street repairs.

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

C.2. Sewer Pipeline Repair Project Bid 2013-04. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-132:

- a. Authorizing the City Council to accept as complete the 2013 Sewer Pipeline Repair Project, Bid No. 2013-04, performed by Piperin Corporation.
- b. Authorizing the City Clerk to file a Notice of Completion.
- c. Authorizing the City Manager to execute the reimbursement agreement with Santa Fe Irrigation District.
- d. Authorizing the appropriation of \$36,300 into the Reimbursement Agreement revenue account in the Sanitation Fund and the 2013 Sewer Pipeline Repair Project account for the reimbursement agreement with Santa Fe Irrigation District.

David Ott, City Manager, introduced the item.

Mo Sammak, Public Works Director, presented a powerpoint (on file).

Council and Staff discussed other potential conflicts, that this area's pipes were very old and past drawings were not exact therefore the lack of adequate past investigation prevented absolute foresight, and that they worked with the contractor to address the issues.

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

COUNCIL COMMITTEE REPORTS:

Council reported committee activity.

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)

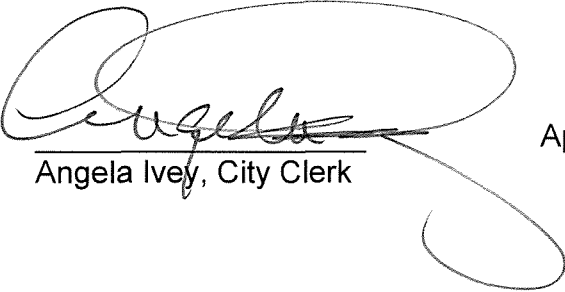
- a. Business Liaison Committee - Campbell, Zahn.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. I-5 Construction Committee - Heebner, Zito.
- d. Parks and Recreation Committee - Nichols, Heebner.
- e. Public Arts Committee - Nichols, Zito.
- f. School Relations Committee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

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

- a. Army Corps of Engineers & Regional Beach Nourishment - 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. Fletcher Cove Community Center Ballot Measure - Heebner, Zito Expires November 30, 2013
- e. Fire Department Management Governance - Zito, Zahn. Expires July 09, 2014.
- f. Fiscal Sustainability - Campbell, Zito. Expires June 11, 2014.
- g. Gateway Property - Campbell, Heebner. Expires April 9, 2014.
- h. General Plan - Nichols, Zito. Expires July 09, 2014.
- i. La Colonia Park - Nichols, Heebner. Expires June 11, 2014.
- j. Local Coastal Plan Ad-Hoc Committee - Campbell, Nichols. Expires January 22, 2014 or at the California Coastal Commission adoption.
- k. NCTD / Train Station Site Project Ad Hoc Committee - Nichols, Heebner. Expires January 8, 2014.
- l. View Assessment - Heebner, Zito. Expires June 11, 2014.

ADJOURN:

Mayor Nichols adjourned the meeting at 6:40 p.m.

A large, stylized handwritten signature in black ink, appearing to read 'Angela Ivey'. The signature is written over a horizontal line.

Angela Ivey, City Clerk

Approved: January 8, 2014