

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

# **MINUTES**

## **JOINT REGULAR MEETING**

**Wednesday, June 11, 2014**

**06:00 P.M.**

City Hall Council Chambers, 635 S. Highway 101, Solana Beach, California

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:** Campbell, Heebner, Zito, Zahn, and Nichols.

**Absent:** None.

**Also Present:** David Ott, City Manager  
Johanna Canlas, City Attorney  
Angela Ivey, City Clerk  
Wende Protzman, Community Development Dir.  
Mo Sammak, Engin/Public Works Dir.  
Marie Berkuti, Finance Manager  
Dan King, Sr. Management Analyst

Mayor Campbell called the meeting to order at 6:05 p.m.

### **CLOSED SESSION REPORT: (when applicable)**

Johanna Canlas, City Attorney, announced there was not reportable action.

### **FLAG SALUTE:**

### **APPROVAL OF AGENDA:**

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

### **PRESENTATIONS:**

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

Boys & Girls Club

David Crean, CEO, Boys and Girls Club, presented a Powerpoint (on file) reviewing the organization's work and partnerships. He said that Daisy Aguilar started

attending at age 9, she was 2013 Youth of the Year, and thanked Council for support given to the organization.

Kirk Wenger, Parks and Recreation Supervisor, thanked Daisy for her work over the last 5 years, and said that she had graduated on Friday from Torrey Pines High school, was a shining star in the community, and everyone looked forward to what she would do in the future.

Del Mar Shore Stairs

Mo Sammak, Director of Engineering and Public Works presented a PowerPoint (on file) reviewing the status of the project.

**ORAL COMMUNICATIONS: None**

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.9.)**

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 April 9 and 23, 2014.

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

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

Recommendation: That the City Council

1. Ratify the list of demands for May 3, 2014 through May 23, 2014.

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

**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 unanimously.**

**A.4. Fiscal Year 2014-15 Appropriations Limit. (File 0330-60)**

Recommendation: That the City Council

1. Adopt Resolution 2014-077, establishing the FY 2014-15 Appropriations Limit in accordance with Article XIIIB of the California Constitution and Government Code Section 7910 and choosing the County of San Diego's change in population growth to calculate the Appropriations Limit.

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

**A.5. Municipal Improvements Districts Benefit (MID) Fees. (File 0495-20)**

Recommendation: That the City Council

1. Approve Resolution 2014-078, setting the Benefit Charges for MID No. 9C, Santa Fe Hills at \$232.10 per unit for FY 2014-15.
2. Approve Resolution 2014-079, setting the Benefit Charges for MID No. 9E, Isla Verde at \$68.74 per unit for FY 2014-15.
3. Approve Resolution 2014-080, setting the Benefit Charges for MID No. 9H, San Elijo Hills # 2 at \$289.58 per unit for FY 2014-15.
4. Approve Resolution 2014-081, setting the Benefit Charges for MID No. 33, Highway 101/Railroad Right-of-Way at \$3.12 per unit for FY 2014-15.

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

**A.6. Fire Benefit Fee Fiscal Year 2014-15. (File 0390-23)**

Recommendation: That the City Council

1. Adopt the Resolution 2014-082:
  - a. Setting the FY 2014-15 Fire Benefit Fee at \$10.00 per unit, and
  - b. Approving the Fee for levying on the tax roll.

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

**A.7. Chamber of Commerce Visitor Center Agreement. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2014-059, authorizing the City Manager to execute the agreement between the City and the Solana Beach Chamber of Commerce in the amount of \$15,000 for operation of the Visitor Center.

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

**A.8. Re-establish Council Ad Hoc Committees. (File 0410-48)**

Recommendation: That the City Council

1. Adopt Resolution 2014-068 re-establishing the View Assessment Ad Hoc Committee until June 10, 2015.
2. Adopt Resolution 2014-069 re-establishing the Fiscal Sustainability Ad Hoc Committee until June 10, 2015.
3. Adopt Resolution 2014-070 re-establishing the La Colonia Park Ad Hoc Committee until June 10, 2015.
4. Re-appoint two existing Councilmembers to each of the respective Ad Hoc Committees. View Assessment (Heebner, Zito), Fiscal Sustainability (Campbell, Zito), La Colonia Park (Heebner, Nichols), or provide alternative appointments.

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

**A.9. Temporary Staff Funding To Fill City Clerk and Finance Department Positions. (File 0560-40)**

Recommendation: That the City Council

1. Adopt Resolution 2014-087 ratifying expenditures to Apple One for temporary staffing coverage in the amount of \$41,200.

**MOTION:** Moved by Zahn and seconded by Heebner. **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.6.)**

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. Streetlight Assessment for Fiscal Year 2014-15. (File 0495-20)**

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, report disclosures, receive public testimony and close the public hearing.
2. Adopt Resolution 2014-064 confirming the diagram and assessment; providing for the levy of the annual assessment in a special maintenance district; confirming the Engineer's Report; and ordering the transmission of charges to the County Auditor for collection.
3. Adopt Resolution 2014-065 ordering the levy and collection of annual assessments for Fiscal Year 2014-15.

David Ott, City Manager, introduced the item.

Mayor Campbell opened the public hearing.

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

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

**B.2. Solana Beach Coastal Rail Trail Maintenance District. (File 0495-20)**

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report disclosures, Receive public testimony, Close the public hearing.
2. Adopt Resolution 2014-066, amending and/or approving the Engineer's Report regarding the Coastal Rail Trail Maintenance District.
3. Adopt Resolution 2014-067, ordering the levy and collection of the annual assessments regarding the Coastal Rail Trail Maintenance District for FY 2014-15.

David Ott, City Manager, introduced the item.

Mayor Campbell opened the public hearing.

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

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

**B.3. Introduction (1st Reading) of Ordinance 452 for Fiscal Year 2014-15 Sewer Service Charge per Equivalent Dwelling Unit (EDU). (File 1040-70)**

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures. Receive public testimony, Report any protest(s) received, Close the public hearing.
2. Introduce Ordinance 452 amending Section 14.08.060 of Chapter 14.08 of the Solana Beach Municipal Code Relating to Annual Sewer Service Charge of \$603.06 per Equivalent Dwelling Unit (EDU) and Adopt by Reference by the City of Solana Beach.

David Ott, City Manager, introduced the item.

Marie Berkuti, Finance Manager, presented a Powerpoint (on file) reviewing the sewer rate history and budget.

Mayor Campbell opened the public hearing.

Angela Ivey, City Clerk, reported that nine (9) written protests were received.

Johanna Canlas, City Attorney, said that the number of protests was not warranted to a level to consider not approving it.

Councilmember Nichols disclosed that the Solana Beach pump station was within 500 ft. of his residence and wanted to report for full disclosure.

Johanna Canlas, City Attorney, confirmed that it did not preclude him from voting on the item.

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

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

**B.4. 390 Lomas Santa Fe Dr Development Review Permit (DRP), Minor Exception (MEC), and Structural Development Permit (SDP) Applicant: Zimmerman, Case 17-13-28. (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, MEC 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 2014-063 conditionally approving a DRP, MEC and an administrative SDP for a two-story, single family residence and two-story detached accessory structure located at 390 Lomas Santa Fe Drive.

Councilmember Nichols recused himself from the project stating that it was located within 500 ft. of his residence.

David Ott, City Manager, introduced the item.

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

Council and Staff discussion ensued that the lot had a lot of property to work with, it was a great project, move the structure into a conforming range, the only portion of the project that was non-conforming was the clubhouse and limited to one exterior side that is beyond the 10 ft. setback by 6 ft., the wall is shielded by vegetation on the slopes located on the public right-of-way, the wall would be 5 ft. 6 in. and would not exceed the vegetation in front of it, that a variance was required because the maximum wall height within a street side setback is 42 in. (3 1/2 ft.) and the existing chain link fence is 6 ft., the square footage was not all concentrated in one building, and that a final landscaping plan was not provided but the listen plants and trees listed on the current submittal would be required and could not be changed from what was approved by Council.

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

#### Applicant

Bill Zimmerman, owner, stated that he moved in 1990 and dreamed of building a new home but first had to build his business, this proposal was his vision, and thanked Council for considering the plan.

Steve Dalton, architect, presented a PowerPoint (on file) reviewing the proposed project and stating that it was surrounded by 3 streets, one being the busiest street in town.

Council and Mr. Dalton discussed the need for a solid wall on a busy street side that would be smaller and lower, that the clubhouse was not proposed for remodel to conform because it was an existing structure that served the owners purpose in its current condition and it could be plastered and painted to match the newer house, that the existing vegetation was planned to remain with this approval, the interest in ensuring that the vegetation that shielded the wall would remain in perpetuity, improvements for the clubhouse would include stucco, paint, two columns, new doors, and windows, and that there would be additional parking on the property allowing the gardener to park on the premises rather than the street.

Mr. Dalton, rebuttal, addressed Mr. Martin's letter (supplemental material on file) and stated that the wall on Lomas Santa Fe provided some privacy and did not have any negative affect on the neighborhood or the City, the clubhouse was dealt with as other non-conforming structures have been dealt with in other projects approved by the City, that they did want to maintain landscaping to screen the view from the street, and that it was not a speculative house and the applicant would be living in the home.

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

Deputy Mayor Heebner stated that she could make all of the findings but was concerned about the wall and with vegetation it would be acceptable.

**MOTION:** Moved by Deputy Mayor Heebner to approve the project.

Council discussion ensued regarding concerns about the fence since the property was in a prominent place in the City within a major corridor and deserved attention to how it would impact views from the streets, to ask the applicant to reconsider and lower the wall to 42 in. height, the proposed investment on the property could include remedying the 4 ft. setback on the property, that the spirit of the regulations were to do away with non-conforming issues, that the proposal was a great project, that the nonconforming area was currently hidden by vegetation but that it was not guaranteed in the future, and the incremental investment was not known that would be required to bring the clubhouse into conformity.

Mayor Campbell said that he did not see a reason to grant the variance.

Deputy Mayor Heebner said that she did not believe it was the intent of the City to remove all non-conforming structures but to not expand existing non-conformity, that past projects had been approved with the same proposal, and that she realized that her motion would not proceed, so she would withdraw it.

Deputy Mayor **WITHDREW** her **MOTION** to approve.

**MOTION:** Moved by Heebner and seconded by Zahn to reopen the Public Hearing. **Motion carried 4/0/1** (Recuse: Nichols.)

Council and Mr. Dalton discussed the letter received by Gary Martin and that the applicant received it on the same day as the Council meeting.

Mr. Dalton stated that the wall provided acoustic and dampening of sound, but that he did not want 18" of wall height to be an issue in going forward, accessory of club house made assertion that the entire structure needs to be considered, proposing a project with similarities to other projects approved by the City, the letter characterizes him as a developer but the Zimmermans would be living in the home.

**MOTION:** Moved by Heebner and seconded by Zito to close the public hearing. **Motion carried 4/0/1** (Recuse: Nichols.)

Mayor Campbell said that it was a great project, that the applicant did not want to make the club house conforming, that a variance may not be supported for increased wall height.

Johanna Canlas, City Attorney, said that the current language in the Resolution included the landscaping requirement, but would amend it to add reference to maintaining the current level of density.

Motioners Zito and Heebner agreed to the motion modification.

**MOTION:** Moved by Zito and seconded by Heebner to approve with modification of the wall height conforming with existing regulations of 42 in. and that a reference to maintaining the current level of density. **Motion carried 4/0/1** (Recuse: Nichols.)

## **B.5.**

**Conditional Use Permit (CUP) Modification and Structure Development Permit (SDP) at 838 Academy, Applicant: Santa Fe Christian School, Case 17-14-09. (File 0610-60)**

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 CUP Modification and an administrative 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 15301 of the State CEQA Guidelines, which exempts minor alterations of existing public or private structures; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2014-062 conditionally approving a CUP Modification and SDP to allow: 1) construction of a 178 square foot addition to the existing gym; 2) modifications to improve ADA accessibility; and 3) changes to the circulation pattern in the southeast parking lot to improve student drop-of and pick-up at 838 Academy Drive in Solana Beach.

David Ott, City Manager, introduced the item.

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

Council and Staff discussed the off-street parking and particular locations for ADA spaces.

Mayor Campbell opened the public hearing. Council disclosed their familiarity with the project. Councilmember Zito reported that he served on the School Relations Committee and talked to the applicant once a quarter but had no conversations on this project.

Santa Fe Christian School, thanked Staff for their work and they wanted to thank Council for considering their proposal.

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

**MOTION:** Moved by Zito and seconded by Nichols to approve. **Motion carried unanimously.**

B.6.

**California Coastal Commission Revised/Approved Amendments to the Local Coastal Program Land Use Plan (LUPA). (File 0610-12)**

Recommendation: 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 15265 of the 2013 State CEQA Guidelines. The LCP process is exempt because the criteria under the Coastal Act are the functional equivalent of the EIR process; and
3. Provide direction to the City Manager as to which option to proceed with and adopt Resolution 2014-060 as required.

David Ott, City Manager, introduced the item. Leslea Meyerhoff, consultant, presented a PowerPoint (on file) reviewing the Land Use Plan Amendments (LUPA).

Mayor Campbell opened the public hearing. Council disclosed their familiarity on the item.

Robert Shoecraft stated that he represented Joseph Steinberg who resided on Circle Dr. He stated that Mr. Steinberg urged the Council to adopt the amendments to the Local Coastal Plan (LCP), and that to direct Staff to seek further amendments to the LUP. He stated that Mr. Steinberg's additional concerns were outlined in his lawsuit which included sand mitigation fees, that the City's policies identified that the increasing and rapid depletion of beach sand was due to inland development and the cutting off of the flow of sediments, the adopted policy admitted that bluff erosion was a very dangerous condition in the City, and that the soil material deposited on beaches from bluff erosions were almost immediately washed away. He said that the policy seemed to confirm that the erosion of the bluffs had not equaled in an increase of sand on the beach, the only logical solution was sand replenishment, and that sand replenishment had historically been paid for by the public. He stated that the LUP would place a financial burden of paying for sand replenishment on property owners who needed to build bluff protective devices to protect their property, and that the Coastal Act did not give that authority to the City.

John Corn and Chris Hamilton (time donated by Tom Ryan and Pam Richardson). John Corn stated that he represented the Beach and Bluff Conservancy (BBC), Condominium Organization of South Sierra Avenue (COOSA), and most of the ocean front condominiums along S.Sierra. He stated that he had been involved with the Land Use Plan (LUP) since 2004, that it had been a complex process, and that he understood that it was difficult to work with all constituents on the document. He stated that the LUP even with amendments was not exactly what they wanted, and that LUPA had improvements to some of their original concerns. He stated that he had submitted a letter to Council for the record outlining items in the document that they did and did not like, that he urged the adoption of the document, and thanked

Council for their patience and persistence through the process.

Chris Hamilton, Chairman of the Beach and Bluff Conservancy, stated that the lack of sand was not caused by the City or by the bluff top homeowners, that many of the provisions of the LUP, as written, were unacceptable to the bluff top owners, but that they supported the approval of the LUPA. He stated that there were 6 other causes in the BBC law suit and that those would have to be adjudicated, that 100% of the property owners would have to pay for the legal costs incurred by the City, and that tax payers would have to assume some of the Coastal Commission's legal costs.

Jim Jaffe (time donated by Kristin Brenner) stated that he was the Chairman of the Beach Preservation Committee of the San Diego Chapter of the Surfrider Foundation. He stated that he had been involved with the LCP for about 15 years, that it was ok to make modifications on the Local Coastal Plan over time, and that this document did not turn out exactly how they would have liked it. He stated that they objected to many items in the document, that a completed LCP required ordinances for the Local Implementation Plan (LIP), and that once there was a completed LCP residents could obtain permits only from the City and could bypass the Coastal Commission permitting. He stated that there were benefits to residents with the adoption of the Local Coastal Plan, that most of the issues on the BBC lawsuit were mute due to the improvements in the LUPA, there were still areas for improvements, and that it was common for modifications to occur during the Implementation Plan. He stated that it was time to move the process forward, adopt the document, and get the required ordinances in place. He said that he hoped that the BBC would drop the other 12 causes of action in their lawsuit, that lack of sand was the sole cause of this problem, that the bluffs had been continually eroding for six thousand years, and that they recommended adoption on the LUP.

Council discussed the many years spent on the Local Coastal Plan by City Council and the public, that everyone was not happy but there had been compromise on many issues, and that the Council and Staff had worked extensively on amendments with the Coastal Commission. Discussion continued that there was a lot of work to be done with the LIP, the amendments were an important step forward, and that there would be an extensive fee study conducted.

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

**MOTION:** Moved by Nichols and seconded by Zito to approve. **Motion carried unanimously.**

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

*Submit speaker slips to the City Clerk*

**C.1. Adopt (2nd Reading) Ordinance 449 - Dogs On City Beaches. (File 0730-80)**

Recommendation: That the City Council

1. Adopt Ordinance 449, amending Section 11.12.020(x) and adding Section 11.12.035 and Section 11.12.210 of Chapter 11.12 of the Solana Beach Municipal Code relating to allowing dogs on City beaches.

Johanna Canlas, City Attorney, introduced the item.

Council and Staff discussed considering fines for individuals walking dogs without equipment sufficient to remove defecations after their dogs, and new signs stating installed in areas where dogs would be prohibited once the ordinance took effective.

**MOTION:** Moved by Nichols and seconded by Zahn to approve adoption. Effective date July 11, 2014 **Motion carried unanimously.**

**C.2. Adopt (2nd Reading) Ordinance 451 - Increasing The Value Of Improvements Required For Dedications Or For Installation Of Public Improvements. (File 0800-90)**

Recommendation: That the City Council

1. Adopt Ordinance 451, amending Sections 11.04.020(B), 11.04.030 (B), and 11.04.040(C) of the Solana Beach Municipal Code to increase the value of improvements required for dedications and/or for installation of public improvements.

Johanna Canlas, City Attorney, read the title of the ordinance.

**MOTION:** Moved by Heebner and seconded by Nichols to approve adoption. Effective date July 11, 2014 **Motion carried unanimously.**

**C.3. Adopt (2nd Reading) Ordinance 448 - Use Of City Seal And Other Official City Insignia . (File 0160-30)**

Recommendation: That the City Council

1. Adopt Ordinance 448, amending SBMC Section 1.08.010(F) to include in the definition of the official City insignia, a modified Seal of the City of Solana Beach for a cultural, ceremonial, or other public event, and amending SBMC Section 1.08.030 clarifying that each and every unauthorized use constitutes a violation of this Chapter.

Johanna Canlas, City Attorney, read the title of the ordinance.

**MOTION:** Moved by Heebner and seconded by Zahn to approve adoption. Effective date July 11, 2014 **Motion carried unanimously.**

**C.4. Adopt (2nd Reading) Ordinance 450 - Tobacco Sales Restrictions To E-Cigarette Purchases and Tobacco Retailer License For E-Cigarettes Vendors. (File 0270-30)**

Recommendation: That the City Council

1. Find the Ordinance 450 exempt from the provisions of the California Environmental Quality Act ("CEQA") as an action where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment pursuant to 14 C.C.R. § 15061(b)(3).
2. Adopt Ordinance 450 to include the requirement that vendors of e-cigarettes and other similar devices be subject to the restrictions on the sale of tobacco products in Chapter 6.16 and to obtain a tobacco retailer license pursuant to Chapter 6.17 of the Solana Beach Municipal Code.

Johanna Canlas, City Attorney, read the title of the ordinance.

**MOTION:** Moved by Zito and seconded by Zahn to approve adoption. Effective date July 11, 2014 **Motion carried unanimously.**

**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 - Zito, Zahn (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)**

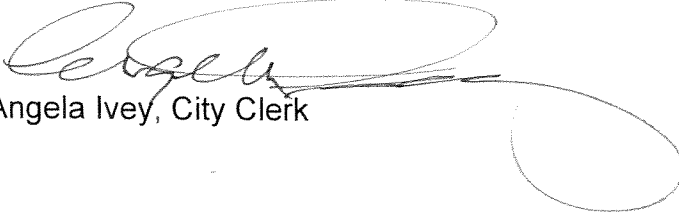
- a. Business Liaison Committee - Campbell, Zahn.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. I-5 Construction Committee - Heebner, Zito.
- d. Parks and Recreation Committee - Nichols, Heebner.
- e. Public Arts Committee - Nichols, Zito.
- f. School Relations Committee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

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Campbell, Nichols. Expires December 10, 2014.
- b. Development Review - Nichols, Heebner. Expires October 22, 2014.
- c. Environmental Sustainability - Heebner, Zahn. Expires December 10, 2014.
- 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 8, 2015.
- 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 21, 2015 or at the California Coastal Commission adoption.
- j. NCTD / Train Station Site Project Ad Hoc Committee - Nichols, Heebner. Expires January 21, 2015.
- k. View Assessment - Heebner, Zito. Expires June 11, 2014.

**ADJOURN:**

Mayor Campbell adjourned the meeting at 8:50 p.m.



Angela Ivey, City Clerk

Approved: July 16, 2014