

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 27, 2014
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:

Deputy Mayor Heebner called the meeting to order at 6:16 p.m.

Present: Thomas M. Campbell, Lesa Heebner, Peter Zahn, David Zito, and Mike Nichols.

Absent: None.

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

APPROVAL OF AGENDA:

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

PRESENTATIONS:

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

1. Del Mar Shores Stairs Project

Mo Sammak, Director of Engineering/Public Works, reviewed the project status.

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.

David Cain stated that he had written a letter to David Ott, City Manager, that he read. He said that it was regarding an incident of a Lifeguard response to an uncontrollable vehicle that approached the ramp at Fletcher Cove and was stopped and managed by the City's Lifeguards before it could have been a serious incident involving pedestrians. He said that because of their intervention it was a non-incident and that he commended them for their response.

Jose Cruz, CEO, Council on Literacy, stated that they worked with 27 youth and adult literacy programs, asked for the Mayor's approval to create a roster, and it's commitment and City liaison to coordinate with advocates for literacy.

Deputy Mayor Heebner said that Council could not vote or act on an item during Oral Communications but that they would ask the City Manager to coordinate with the Council individually regarding whether to place the item on the agenda.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

A. CONSENT CALENDAR: (Action Items) (A.1. - A.11.)

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. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for June 21, 2014 through August 1, 2014.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

A.2. General Fund Adopted Budget Fiscal Year 2014-15 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the FY 2014-2015 General Fund Adopted Budget.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

A.3. Fire Station Vehicle Exhaust Removal System. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-048
 - a. Authorizing the City Manager to accept as complete the Solana Beach Fire Station Vehicle Exhaust Removal System, Bid 2013-12, performed by Reinhart Corporation, dba, AAir Purification Systems (APS).
 - b. Authorizing the City Clerk to file a Notice of Completion.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

A.4. Sewer Pump Station Electrical Rehabilitation. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-103
 - a. Accepting as complete the Solana Beach Sewer Pump Station Electrical Rehabilitation, Bid No. 2013-05, constructed by Southern Contracting Company.
 - b. Authorizing the City Clerk to file a Notice of Completion.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

A.5. City Hall Emergency Generator Installation Project. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-108 ratifying payment to California Building Evaluation & Construction, Inc., the contractor for the City Hall Generator Installation project, for Change Order Nos. 2 and 3.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

A.6. Partnerships with Industry Agreement for Trash Abatement and Minor Landscaping. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-109 authorizing the City Manager to execute a Professional Services Agreement with Partnerships With Industry, in the amount of \$28,000, for trash abatement in public areas, minor landscaping and other duties in public areas.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

A.7. Koppel and Gruber Contract Amendment for Costs Related to Mailing Public Hearing Notices as required by Proposition 218. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-118 amending the contract with Koppel and Gruber for Public Hearing notifications to property owners as required by Proposition 218 in the amount of \$11,600.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

A.8. Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for the Period July 1, 2014 to December 31, 2014. (File 0115-30)

Recommendation: That the City Council

1. Receive the Successor Agency's enforceable obligations payment information and administrative budget for the period July 1, 2014 to December 31, 2014.

This item was pulled from the agenda.

A.9. Resolutions Approving Amendment to Public Improvement Agreement between City of Solana Beach and Solana Beach Successor Agency. (File 0115-30)

Recommendation: That the City Council

1. Adopt Resolution 2014-116 approved and authorizing execution and implementation of an amendment to the Public Improvement Agreement for the Highway 101 Corridor Improvement Project and the La Colonia Park and Recreation Center Improvement Project with the Successor agenda for the Solana Beach Redevelopment Agency.
2. Adopt Resolution SA-011 approving and authorizing execution and implementation of an amendment to the public improvement agreement for the Highway 101 Corridor Improvement Project and the La Colonia Park and Recreation Center Improvement Project with the City of Solana Beach.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

A.10. Security and Alarm Monitoring Services Agreement. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-107
 - a. Authorizing the City Manager to execute a Professional Services Agreement, on behalf of the City, with Rancho Santa Fe Security for security and alarm monitoring services in Fiscal Year 2014-15.
 - b. Authorizing the City Manager to extend the agreement for up to four additional years at the City's option in an amount not to exceed \$15,000.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

A.11. La Colonia Veteran's Honor Courtyard Professional Services Agreement with Van Dyke. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-110 authorizing the City Manager to execute a Professional Services Agreement with Van Dyke Landscape Architects for final design and construction support of the La Colonia Veteran's Honor Courtyard.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
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.5.)

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. 675 South Sierra Ave. Development Review Permit (DRP) Time Extension, Applicant: Seascape 1 Condominiums Homeowners Association, Case No: 17-09-28. (File 0600-40)

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. Adopt Resolution 2014-105, approving the request for a 12-month extension for a DRP for Case No. 17-09-28, and setting the expiration date as December 14, 2014.

David Ott, City Manager, introduced the item.

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

Council and Staff discussed delays and the resolving with the CC&R with Coastal.

Walt Crampton (applicant representative) stated that he did not have a presentation.

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

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

B.2. 249-311 Pacific Ave. Development Review Permit (DRP) for a Maintenance and Repair of an Existing Seawall, Applicant: Lingenfelder, Case No: 17-14-15. (File 0600-40)

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 categorically exempt from the requirements of CEQA pursuant to 2013 State California CEQA Guidelines Section 15304, minor alteration of land.
3. Adopt Resolution 2014-111 approving DRP 17-13-33 for the maintenance and repair of an existing 352-foot tied-back seawall on the coastal bluff below properties at 249-311 Pacific Avenue.

David Ott, City Manager, introduced the item.

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

Johanna Canlas, City Attorney, clarified a typo on a "blue folder" item to revise condition #7 of the project and not condition #6 which addressed policy 4.26.

Council and Staff discussed that the \$9,000 fee deposit referenced in the resolution had been removed and the update was provided as a supplemental, "blue folder" item.

Council disclosed their familiarity with the project.

Walt Crampton stated that he was the engineer for the project and had designed the original project in 1999, and that he had no formal presentation.

Council and Mr. Crampton discussed that the entire wall would be architecturally treated, the wall would not project out any further west, and that the only work being done was to replace the eroded material on the wall.

Public Speakers

Michele Jaffe stated that she was speaking on behalf the Surfrider Foundation, in place of Jim Jaffe. She stated that Mr. Jaffe had sent a letter to the Council regarding 1) that the City should not wait on action from the Coastal Commission to assess the land lease and recreation fees and rather immediately impose the fees, 2) that the sea walls were built on public land and

the owners were given a 10 year lease to build the sea walls, that those leases expired in 2010, that the City had the option to change the lease provisions, and that the City had the options and rights to collect lease fees.

Johana Canlas, City Attorney, stated that the Land Use Plan Amendment (LUPA) was not applicable to this project because the LUPA had not yet been certified when this project application was deemed complete and, as a result, state law prevented the City from imposing laws on regulating items that were not in place at the time the application was in the process. She stated that it was anticipated that the Coastal Commission would be imposing fees associated with the LUPA, that there was a condition in the resolution which would address this, the MEIR was in place before the City had a certified LCP, and that the certification of the LCP/LUP was exempt under CEQA but was not exempt from an environmental review. She said that the law stated that the Coastal Act was equivalent to the environmental review which was done in CEQA, and that the project had gone through a rigorous review as part of the LUP process.

Council and Staff discussed that after the 10 year lease was with the state, that the City had reached out to the State Lands Commission regarding the provisions and history of the lease but had not heard back from them, and that it was unclear why there were no extensions on the lease from the state.

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

Council and Staff discussed that there was no legal standing to request fees from the applicant due to the Streamline Permit Act, and also that the LUPA was not in place when the application was complete.

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

B.3. 435 S. Granados Ave. Development Review Permit (DRP) and Structural Development Permit (SDP), Applicant: Gossett, Case No: 17-13-02. (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 an 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 2014-104 conditionally approving a DRP and an SDP for a single story, single family residence located at 435 South Granados Avenue.

David Ott, City Manager, stated that Staff was recommending the item be continued to October 22, 2014 based on new issues that arose this week.

MOTION: Moved by Nichols Nichols and seconded by David Zito to continue the item to October 22, 2014. **Motion carried unanimously.**

B.4. 105 N. Cedros Conditional Use Permit (CUP), Applicant: Verizon Wireless, Case No: 17-14-15. (File 0610-60)

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

1. Conduct the Public Hearing: Open the Public Hearing, Report Council disclosures, Receive public testimony, Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines; and
3. Adopt Resolution 2014-106 conditionally approving a CUP to modify an existing WCF located within the existing tower of the Solana Beach Train Station as mandated by the Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

David Ott, City Manager, introduced the item.

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

Deputy Mayor Heebner opened the public hearing.

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

MOTION: Moved by Thomas M. Campbell and seconded by David Zito. **Motion carried unanimously.**

B.5. 305 S. Highway 101 Conditional Use Permit (CUP), Applicant: At&T, Case No: 17-13-30. (File 0610-60)

Staff recommends that the City Council:

1. Continue the matter to the September 24, 2014 Council meeting.

David Ott, City Manager, stated that the Applicant requested a continuance until September 24, 2014.

MOTION: Moved by David Zito and seconded by Nichols Nichols to continue the item to September 24, 2014. **Motion carried unanimously.**

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

C.1. City-Wide Traffic Calming Projects. (File 0860-50)

Recommendation: That the City Council

1. Receive report.
2. Provide comment and direction.

David Ott, City Manager, introduced the item.

Mo Sammak, Director of Engineering/Public Works, presented a PowerPoint (on file) on proposed traffic calming measures.

Council and Staff discussed the Santa Helena bike lane striping project, that the suggestions for the bike lanes came from the Bicycle Coalition, the dual right turn lanes from Santa Helena to Lomas Santa Fe, safety concerns regarding the dual right turn lanes, and suggested to narrow the bike lane.

Mr. Sammak continued the Power Point regarding traffic calming measures for Sun Valley Road which included re-striping the area, to introduce a raised median in the road on San Andres, re-striping, creating a bike lane, and that there was damage to the pavement due to roots from private properties. He continued discussing traffic calming for Pacific, Sierra, Plaza & Helix, Eden Gardens and Valley Ave., which included building a speed table at Valley Ave. at Hernandez Street, to place a crosswalk at Valley and Vera Street, add parallel parking at Valley, and add no parking restrictions on Castro Street.

Council and Staff discussed that some of the traffic calming proposals were in the CATS Study, that the City did not get the state grant and were waiting on notification of the SANDAG grant.

Council and Staff discussion continued regarding pedestrian crossing concerns at Lomas Santa Fe at Las Banderas, whether z-shape crossing were more effective where there was a raised median, that this was a controlled area so the regular crosswalk would suffice.

Roger Boyd stated that he was representing the Solana East Side Community Group (SESCG), that the group supported the traffic calming projects located on the east side of the City, that specific issues and consensus were reached by community groups, community members had gathered to discuss traffic calming solutions in the City, and commended City Staff for working with the community on these issues.

Council and speaker discussed the community input that was gathered by the SESCg, that the group was open to all citizens to attend, that it was from the former SHAG Organization, which was a non-profit with a tax ID, and that 12 HOA's on the east side of the City were members of the group which had a fee of \$1 per unit in the HOAs.

Vickie Driver stated that 3 meetings were held in her home to discuss Santa Helena and Sun Valley traffic concerns, that it was difficult to get all homeowners in agreement, and that in the future they would like for a representative of each HOA to take back information to their residents.

Carl Rudnick (time donated by Jill Cooper) presented a power point (on file) on the Santa Helena and Sun Valley traffic calming proposals. He stated that he was in support of the improvements including narrower lanes to slow traffic, curb pop-outs, and bicycling safety improvements. He discussed bicycle safety tips, possible improvements including 1' lanes, buffered bike lanes, and stated that he was in favor of all proposals for this area.

David Ott, City Manager stated that Staff would incorporate recommendations by Council and would bring back cost estimates for certain projects.

Council discussed speeding concerns on Lomas Santa Fe, that the Sherriff department was not performing consistent speeding enforcement on that street, that the Solana East Community Group was not registered with the state, that one Councilmember who lived on the east side was told he could not attend unless he was a representative of an HOA, and that there were no notifications to individual members of HOAs regarding meetings.

C.2. Introduction (1st Reading) of Ordinance 453 - Name Change of the Public Arts Advisory Commission (PAAC). (File 0120-80)

Recommendation: That the City Council

1. Introduce Ordinance 453 changing the name of the Public Arts Advisory Commission (PAAC) to the Public Arts Commission (PAC).

David Ott, City Manager, introduced the item.

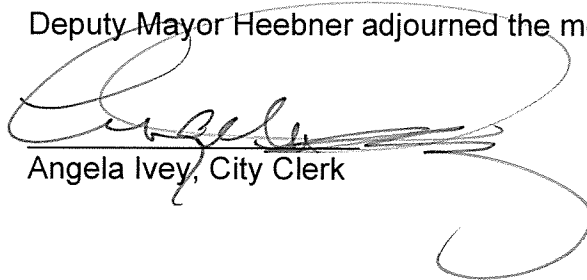
Johanna Canlas, City Attorney, stated that Staff made clarifications to the ordinance as requested by Council, and that this was the introduction of the ordinance.

MOTION: Moved by Nichols Nichols and seconded by David Zito.
Motion carried unanimously.

COUNCIL COMMITTEE REPORTS:

ADJOURN:

Deputy Mayor Heebner adjourned the meeting at 9:00 p.m.



Angela Ivey, City Clerk

Approved: November 12, 2014