

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 12, 2014
06:00 P.M.

City Hall / Council Chambers

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
Randall Sjoblom, Deputy 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 Campbell called the meeting to order at 6:00 p.m.

FLAG SALUTE:

APPROVAL OF AGENDA:

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

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.

Parks and Recreation Commission

Peggy Walker, Holly Coughlin, Chris Hohn and Jr. Commissioners announced the Holiday Lighting event scheduled for December 7, 2014.

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 August 20, August 27, September 10, and October 4, 2014.

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 October 4, 2014 through October 24, 2014.

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

A.3. General Fund Adopted Budget for Fiscal Year 2014-15 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2014-15 General Fund Adopted Budget.

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

A.4. Funding to Fill Temporary Maintenance Worker II Position (File 0400-10, 0560-40)

Recommendation: That the City Council

1. Adopt Resolution 2014-140 ratifying the expenditure of \$24,600 with Labor Ready Southwest, Inc. for temporary staffing expenditures.

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

A.5. Adopt Resolution 2014-142 Directing The City Manager to Create An Administrative Policy To Implement The Provisions Of The Patient Protection Affordable Care Act. (File 0100-90)

Recommendation: That the City Council

1. Adopt Resolution 2014-142 repealing Resolution 2013-060 and directing the City Manager to create an administrative policy and take all necessary steps to implement the provisions of the Patient Protection Affordable Care Act.

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

A.7. This item was pulled from the agenda.

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. 421 N. Granados Ave., Development Review Permit (DRP) and Structural

Development Permit (SDP) Applicant: Hethcock, Case No. 17-13-24 (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 2014-056 conditionally approving a DRP and an administrative SDP to allow for the construction of a new 4,520 square foot, single-family residence with an attached 878 square foot garage and a partially subterranean lower level at 421 North Granados Avenue.

Councilmember Nichols recused himself from the Item due to a conflict, living within 500 ft. of the project.

David Ott, City Manager, introduced the item.

Corey Johnson Andrew, Assistant Planner, presented a Powerpoint, reviewing the proposed project.

Sean Hethcock stated that since the last hearing they had met with all of their neighbors on the east side and resolved all of their issues.

Gary Martin stated that he had discussed with the applicant various items and that they had mad changes that resolved view vegetation concerns.

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

Council discussion ensued regarding the applicants working with the neighbors with a positive conclusion and that the project's landscaping species met the City's water ordinance requirements focusing on drought tolerant landscape options.

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

B.2. 715 N. Rios Avenue, Development Review Permit (DRP) and Structural Development Permit (SDP) Applicant: Rodarte, Case No. 17-14-06 (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 2014-137 conditionally approving a DRP and an administrative SDP for a first and second floor addition to an existing single story, single family residence located at 715 N. Rios Avenue.

David Ott, City Manager, introduced the item. Christina Rios, Assistant Planner, presented a powerpoint (on file) reviewing the project.

Mayor Campbell opened the public hearing.

Council Disclosures: All Councilmembers reported that they were familiar with the site and had not spoken with anyone regarding the project.

The applicant waived the opportunity to make a presentation.

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

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

B.3. 1652 Highland Dr., Development Review Permit (DRP) Applicants: Sameer and Rosemarie Rohatgi, Case No. 17-14-17. (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, 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 2014-138 conditionally approving a DRP for a single-story, single family residence located at 1652 Highland Drive.

David Ott, City Manager, introduced the item.

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

Council and Staff discussed that water efficient landscaping regulations applied to all new and remodeled projects based on the amount of square footage of landscaping being proposed, and that the regulations did not apply to this project.

Mayor Campbell opened the public hearing.

Councilmembers reported disclosures on their familiarity with the project.

Tim Golba, Golba Architecture, stated he was the architect for the project and was present for questions regarding the project.

Council and Mr. Golba discussed that the brush on the property would be cleared and that the applicant had already met with the Fire Department regarding the removal of any potential fire hazards.

Darlene McLoud stated that she lived across the street from the project and was happy about the project. She asked whether there would be a six foot fence around the entire property, the exact location of the fence, and whether there would be plantings along the fence.

Tim Golba, architect, responded to the questions stating that the area would be fenced off completely, the fence height would vary between 4.5 and 6 ft. since the heights would vary along the property line, that it would be offset, and that there would be landscaping along the fence.

Council and speaker discussion ensued regarding that her concern should ideally be addressed prior to this stage of the project process, that the fence appeared to meet code requirements, and that she could coordinate with the applicant directly to address her concerns privately.

Council and Staff discussed that there was a portion of fence that was not shown on the site plan, that the plan did show the 6 feet height of the fence on the site plan, that the fence could be extended and would be within code, and that the front set back was off Una Verde Court. Discussion continued regarding the placement of the front yard, that the home was originally built prior to incorporation so it was under the County of San Diego codes, that it was an irregular shaped lot, and that the

setbacks and front yard had to be redefined under the City's code.

The applicant waived his opportunity to utilize his remaining time.

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

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

C. STAFF REPORTS: (C.1. - C.3.)

Submit speaker slips to the City Clerk

C.1. Adopt (2nd Reading) Ordinance 454 - Highway 101 Speed Limit Changes. (File 0860-20)

Recommendation: That the City Council

1. Adopt Ordinance 454 amending Solana Beach Municipal Code Section 10.36.020 relating to speed limits on Highway 101.

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

MOTION: Moved by Zito and seconded by Heebner to approve with the modification stated at the Ordinance Introduction, that the speed limit change to 40 miles per hour occur southbound on 101 after the sharrow lanes. **Motion carried unanimously.**

C.2. Local Government Commission CivicSpark/AmeriCorps Program. (File 0400-10, 0220-30)

Recommendation: That the City Council

1. Adopt Resolution 2014-135 authorizing the City Manager to enter into the agreement to participate in the CivicSpark AmeriCorps project.

David Ott, City Manager, introduced the item.

Dan King, Assistant to the City Manager, presented a Powerpoint (on file).

Council and Staff discussed that the project would be 12 months instead of 6 month and that progress reports would be provided as well as surveys conducted.

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

C.3.

San Dieguito Park Frontage. (File 0820-45)

Recommendation: That the City Council

1. Approve parking and landscape conceptual design.

David Ott, City Manager, introduced the item and stated that a landscape plan was requested by the City.

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

David Ott, City Manager, stated that the County actually asked the City to eliminate it.

Roger Boyd stated that a pedestrian entrance had been requested over the years so he would be supportive of the plan.

Council and Staff discussed the plant list, cost estimate, and that City funds had not been allocated or promised, and that smaller sized plants would help contain costs. Discussion continued regarding consulting with the City's landscaping and painting contractors to obtain a cost estimate to proceed with a Request for Proposal around January with a plan to break ground in February.

A.6. Reclassification of positions within the Public Safety, Code Enforcement, and Marine Safety Departments. (File 0510-40)

Recommendation: That the City Council

1. Adopt Resolution 2014-144 authorizing reclassifications recommended by the City Manager to reclassify the Administrative Assistant II in the Public Safety Department from a part time position to full-time in the Public Safety Department, and reclassify a part-time Code Enforcement Specialist to a full-time officer, and the addition of a new full-time Marine Safety.

David Ott, City Manager, introduced the item and stated that he brought these recommendations forward before he transitioned, since he had a working knowledge of the operational needs.

Craig Miller, Marine Safety Captain, said that the need for the position was due to an increase in ocean rescues that have doubled as well as the need for full time management of the Jr. Lifeguard Program, since the program had returned to higher attendance of approximately 950 attendees per summer. He stated that an estimate

David Ott, City Manager, explained the operational needs in Code Enforcement Officer which included the need for coverage on Sundays, on which occurrences were not being adequately addressed. He said that the Public Safety Administrative Assistant would remain 50% for public safety and the additional 50% would be focused on the needs in other departments including City Manager, City Clerk,

Finance, and special projects and needs when they occur.

Wende Protzman, Community Development Dir., stated that Code Enforcement was also in need of staffing when the current officer was out and that certain expertise was needed in zoning and building in addition to parking issues.

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

WORKPLAN COMMENTS:

Adopted June 25, 2014

Council stated that the landscaping on the distillery lot required maintenance as well as an empty bed at Via de la Valle and S. Cedros.

COMPENSATION & REIMBURSEMENT DISCLOSURE: None

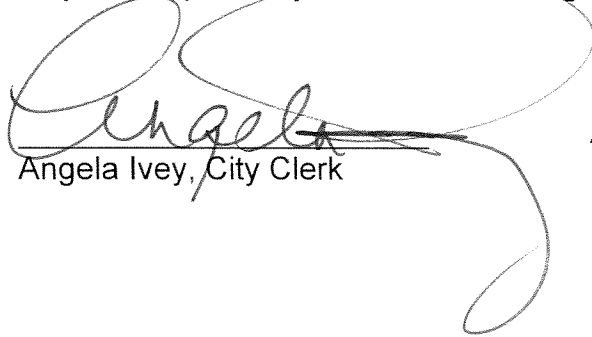
GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS:

Council reported committee activity.

ADJOURN:

Mayor Campbell adjourned the meeting at 7:49 p.m.

A large, stylized handwritten signature in black ink, appearing to read 'Angela Ivey', is written over the printed name. The signature is fluid and cursive, with a long, sweeping tail that loops back under the name.

Angela Ivey, City Clerk

Approved: December 10, 2014