

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

MINUTES

JOINT **SPECIAL** MEETING
Wednesday, November 19, 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:

Mayor Campbell called the meeting to order at 6:00 p.m.

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, City Engineer/Public Works Dir.
 Marie Berkuti, Finance Manager
 Dan King, Sr. Management Analyst

FLAG SALUTE:

David Ott, City Manager, led the flag salute.

APPROVAL OF AGENDA:

MOTION: Moved by Zito and seconded by Zahn A.10. would be heard with C.4. **Motion carried unanimously.**

PRESENTATIONS:

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

1. City Manager Retirement Recognition

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 September 24 and October 8, 2014.

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

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

Recommendation: That the City Council

1. Ratify the list of demands for October 25 - November 7, 2014.

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

A.4. Community Grant Fiscal Year (FY) 2013-14 Recipient Financial Expenditure Report. (File 0330-25)

Recommendation: That the City Council

1. Accept and file this report.

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

A.5. Public Works Replacement Vehicle and New Electric Vehicle. (File 0370-26)

Recommendation: That the City Council

1. Approve Resolution 2014-139:
 - a. Approving the purchase of a 2015 Ford F250 pickup truck and a 2015 Gem street legal electric vehicle.
 - b. Approving an appropriation of \$53,300 from the Asset Replacement Reserve Fund for Public Works into the fund's vehicle expenditure account for the purchase of a two vehicles.
 - c. Authorizing the City Treasurer to amend the FY 2014/2015 Adopted Budget accordingly.

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

A.6. Office Equipment Leases. (File 0190-50)

Recommendation: That the City Council

1. Adopt Resolution 2014-154 authorizing the City Manager to enter into a contract with Xerox Corporation for a 60-month term for a Xerox Model W7830PT for the 1st floor equipment location.
2. Adopt Resolution 2014-155 authorizing the City Manager to enter into a contract with Xerox Corporation for a 60-month term for a Xerox Model W7830PT for the 2nd floor equipment location.

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

A.7. Quarterly Investment reports. (File 0300-42)

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Report for the quarter ended September 30, 2014.

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

A.8. AAT Solana 101 LLC EIR and Project Management Services. (File 0620-20)

Recommendation: That the City Council

1. Adopt Resolution 2014-150 authorizing the City Manager to execute a professional services agreement between the City and Atkins in the amount of \$156,311 plus a 15% administrative fee to prepare the EIR for the AAT Solana 101 Project.
2. Adopt Resolution 2014-151 authorizing the City Manager to execute a professional services agreement between the City and CityPlace Planning in the amount of \$30,360 plus a 15% administrative fee for Project Management services for the AAT Solana 101 Project.

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

A.9. Fiscal Year 2014-15 Updated Salary and Classification Plan and Memorandum of Understanding for Miscellaneous Employee Group, Solana Beach Marine Safety Unit. (File 0400-10, 0530-30)

Staff Recommends that the City Council:

1. Adopt Resolution 2014-145 approving the FY 2014-15 Memorandum of Understanding between the City of Solana Beach and the Solana Beach Employees' Association-Marine Safety Unit.
2. Adopt Resolution 2014-146 approving the FY 2014-15 Memorandum of Understanding between the City of Solana Beach and the Solana Beach Employees' Association - Miscellaneous Unit.

3. Adopt Resolution 2014-147 approving the FY 2014-15 Salary and Compensation Plan Salary Schedules for Miscellaneous Employees and Marine Safety Employees.

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

C.1. Community Grant Program Fiscal Year 2014-15 Requests. (File 0330-25)

Recommendation: That the City Council

1. Receive the Report and consider the presentations from the grant applicants.

David Ott, City Manager, introduced the item.

Applicants made presentations.

Applicant Presentations

Assistance League Rancho San Dieguito

BikeWalkSolana - PPoint

Boys and Girls Club

Casa de Amistad

Community Resource Center

Del Sol Lions Club

H2O Trash Control - Streaming slide show, no audio (on file)

La Colonia de Eden Gardens - video (on file)

North Coast Repertory Theatre

North County Immigration and Citizenship Center (NCIC)

Reality Changers

San Dieguito Heritage Museum - Powerpoint (on file)

San Dieguito - Powerpoint (on file)

Solana Beach Little League - Powerpoint (on file) and handout

Solana Beach Soccer - Powerpoint (on file)

Solana Center - Powerpoint (on file)

St. James and St. Leo Medical and Dental Program

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.2.)

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. Phase 1 of the General Plan Update: Certification of the Final Environmental Impact Report and Adoption of the Updated Circulation and Land Use Elements. (File 0630-10)

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 that the FEIR, dated November 4, 2014, on file with the City of Solana Beach (SCR# 2013081087), was completed in compliance with CEQA and the CEQA Guidelines and that the City of Solana Beach City Council, acting as the lead agency, has reviewed and considered the Findings of Fact and Statement of Overriding Considerations prior to approving the project.
3. Adopt the Mitigation and Monitoring Reporting Program in order to mitigate or avoid significant effects on the environment.
4. Adopt Findings and a Statement of Overriding Considerations with respect to the Project.
5. Direct the City Manager or his designee to file associated CEQA documents with the applicable agencies.
6. Approve Resolution 2014-141 certifying the Environmental Impact Report and adopting the updates to the Circulation and Land Use Elements of the General Plan.

David Ott, City Manager, introduced the item.

Wende Protzman, Community Development Director, and Camile Passon, Project Design Consultants, presented a PowerPoint (on file) reviewing the General Plan Update.

Douglas Alden applauded the City on its efforts with the General Plan and the community input on the plan.

Wende Protzman, Community Development Director reviewed the City's proposed changes within the Open Space Preserve Designation section and suggested changes proposed by Gary Martin.

Council and Staff discussed the proposed changes to the Open Space Designation section, that Holmwood Canyon and the Conservancy non-residential areas would be re-designated to the open space preserve designation, and that on LU12 the words "phase 3" after the train station development should be removed since there was no phase 3 development.

Council and Staff discussed the Land Use Element objectives regarding on L21 regarding the Regional Comprehensive Plan there should be an acknowledgement that it would soon be combined with the San Diego Forward Regional Plan, that the last sentence under physical constraints should be deleted to not encourage larger lots in the city, that the term "visitor serving" should be used rather than "tourist related," LU2.2 remove the statement about CEQA streamlining, and that agricultural land uses required code change which would be brought back to Council.

Council and Staff discussed the Land Use goals which included adding the use of shade trees to Policy LU3.5, adding the promotion of education information regarding climate change and global warming to Policy 310, LU30 deleting language for clarity regarding density established by the General Plan, and adding traffic, view, and surrounding land uses to the list in this section. Discussion continued regarding adding "Native, drought tolerant plants," to LU32, adding language to LU33 to clarify regulations also applied to additions to existing structures, that although encouraging mixed-use projects on Stevens Ave. had already been addressed this issue needed to remain in the General Plan in LU34, and that utilities should be added to the public institutional section. Discussion continued that in LU42 there should be a statement regarding impacts for general commercial areas, and that on map LU-2 Fletcher Cove Park should be green.

Council and Staff discussed changes and modification to the Circulation Element goals and objectives regarding removing the word "seasonal" from Del Mar Race Track traffic, that Figure C1 regarding pedestrian walking areas should be dots at Lomas Santa Fe for crossing, that all the parks should be eliminated from the map, that Amtrak should be added to public transit services and facilities, that all the improvements made in the last month should be added in the document, that the daily traffic volumes needed to be updated with the latest numbers, and that the designated bike facilities in the city were not all accounted for in the document and should be added.

Discussion continued regarding Circulation Element goals and policies regarding the language regarding the addition of sidewalks in residential areas should be amended to be less definitive since there were some neighborhoods where residents were opposed to sidewalks. Discussion continued that the language regarding traffic calming measures should be amended to read "approximately"

every 1,000 feet, that language regarding Department Motor Vehicles (DMV) limitations and vehicle types should be added to the section regarding allowing golf carts and other low speed vehicles on public streets, that there should be language regarding adding I-5 carpool lanes in the City, and that there was no city policy for policy for development impact fees, Council discussed removing the curb design diagram, that the diagrams regarding bike boulevards should be separated out since one was addressing older neighborhoods in the city.

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

MOTION: Moved by Zahn and seconded by Zito to approve to Certify the final Environmental Impact Report (EIR). **Motion carried unanimously.**

MOTION: Moved by Nichols and seconded by Zito to approve the General Plan Update with modifications as directed. **Motion carried unanimously.**

B.2. Introduction (1st Reading) Ordinance 455 Amending Solana Beach Municipal Code related to Development Review Permit Regulations. (File 0610-10)

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. Introduce Ordinance 455 amending SBMC Sections 17.08.030, 17.68.040(B)(1)(d), 17.68.040(B)(1)(f), 17.68.040(B)(1)(n), 17.68.040(F)(1) and 17.68.040(F)(2).

David Ott, City Manager, introduced the item.

Wende Protzman, Community Development Director, presented a power point (on file) reviewing the proposed changes to the Municipal Code.

Tracy Richmond (time donated by Jack Hegenauer) stated that he supported the proposed modifications, that they were a reasonable compromise, and that the modifications raised thresholds for development while protecting the neighborhoods by allowing the Council to review projects that exceeded the thresholds. He stated that the 120 foot exemption for another structure would become living space, that he was not in favor of it but could live with it.

Gary Martin stated that the Development Review Permit (DRP) was important for protecting the character of the community, that the goal was to eliminate the need for DRPs for projects that would not create substantial impacts for

neighborhoods, and that the modifications represented a good compromise.

Council discussed that the ordinance was about trying to create a process where the DRP was still in place with less restrictions and would not trigger as many projects for Council review. Discussion continued that regarding the proposed changes, that grading was expanded from 50 to 100 cubic yards, that a one-time exemption should be for the life of the property not per property owner, and that it should be the responsibility of the owner to disclose whether the exemption had been used upon sale of the property. Discussion continued regarding whether the 15 ft floor to ceiling height requirement should be changed to 16 ft structure height to match the requirements of the View Assessment language.

Johanna Canlas, City Attorney, stated that there would be an additional revision to Section 4 of the Ordinance, that the sentence would end with "and it does not exceed the allowable floor area ratio."

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

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

Submit speaker slips to the City Clerk

C.2. Solana Beach Train Station Joint Development Request for Proposals (RFP). (File 0150-75)

Recommendation: That the City Council

1. Review and comment on the RFP and conduct a vote of support for the issuance the RFP.

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

C.3. North Coast Corridor I-5 Widening Project - Reallocation of Proposed Parking Lot Funding. (File 0830-30)

Recommendation: That the City Council

1. Review and comment on the Staff Report and direct the City Manager to provide a letter to Caltrans requesting the approximately \$500,000 funding identified to construct the parking lot at the northern terminus of Solana Hills Dr. be reallocated to a proposed pedestrian railroad underpass crossing to be located at the San Elijo Lagoon Trailhead close to the northern boundary of the City.

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

David Ott, City Manager, introduced the item. He stated that part of the I-5 widening project Caltrans was proposing improvement projects to surrounding communities, that Caltrans was proposing to build a surface parking lot at the northern terminus of Solana Hills Dr., west of the interstate. He stated that the proposed parking lot would cost approximately \$500,000, and that it was proposed that these funds could instead be used for a rail road pedestrian underpass crossing that would be located at the San Elijo lagoon trailhead adjacent to the city's northern limits. He stated that there was a proposed double tracking project to be located across the lagoon along with the restoration project, that he had been contacted by Doug Gibson, Director of the Conservancy, whom stated that he had discussed reallocating the funds for a potential pedestrian underpass project with the I-5 corridor director, and that after discussion with North County Transit District (NCTD) they had no issue of providing the underpass, however, NCTD did not want to maintain the area. David Ott, City Manager, stated that \$500,000 was sufficient was because of the already occurring construction project, that the Lagoon Conservancy was willing to assume the maintenance of the underpass, and that this meeting was to request for Council to send a support letter of reallocating the funds for the pedestrian underpass to Caltrans.

Public Speakers

Jim Nelson stated that the funds should be allocated for the railway underpass, that there was enough room for parking along Solana Hills Dr., that another parking lot was not needed, that he felt strongly about the railroad underpass, and that pedestrian crossing in the area was a hazard.

Roger Koch stated that he supported the railroad undercrossing, that the safety provided by the underpass superseded the need for a parking lot, that there was adequate room for parking on Solana Hills Dr., and that he encouraged Council to move forward.

Gerri Retman stated that she supported the reallocation of funds for the railway crossing, that it would be a win since there would be no cost to the city, the Conservancy would maintain the underpass, visitors would have a safe way to cross the tracks, and that it would further enhance the walkability of the city and create another connection to the Coastal Rail Trail.

Gary Martin stated that this could not have been possible without the City Manager's outreach to the North County Transit District and thanked the City Manager.

Council discussed the opportunity to have a pedestrian underpass, that there would be additional danger in the area with the double tracking, that the double

tracks were being added o increase the use of the rail corridor, and Council discussed their support for the reallocation of funds.

MOTION: Moved by Zito and seconded by Heebner
Recommendation: That the City Council **Motion carried unanimously.**

C.4. Consider Acceptance of a Conservation Easement from the San Elijo Lagoon Conservancy. (File 0820-43)

Recommendation: That the City Council

1. Adopt Resolution 2014-156 accepting the proposed conservation easement and authorizing the City Manager to execute the agreement and to take any and all necessary action to effectuate the conservation easement.

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

David Ott, City Manager, introduced the item and stated that the location was what was once referred to as Gateway property.

Johanna Canlas, City Attorney, presented a powerpoint (on file) and stated that Council had to make the appropriate findings.

Gerri Retman said that there had been many meetings over the years about this property, that in 2011 Doug Gibson, Executive Director of San Elijo Lagoon Conservancy, asked its Board to purchase the property which was not an easy task. She said that it set in motion a goal to raise nearly \$4million and that today the goal was \$300,000 away from being accomplished. She asked Council to vote yes that would seal the protection of this open space forever.

Gary Martin stated that the goal was to preserve it forever in perpetuity, that a mechanism to attain it would be to approve the conservation easement, which would allow the property to be restored and return to its original state along with limited improvements, it gave the City the ability to enforce the protection of it eliminating the potential of a parking lot being built, and he stated that it was an improtnat

A.10. Re-Affirmation of \$1,000,000 of North Coast Corridor Community Enhancement Program Funds be Allocated to the Gateway Parcel Purchase and Restoration

Recommendation: That the City Council

1. Re-affirms the request the City Manager made in his December 21, 2012 letter to Caltrans I-5 Corridor Director, Allan Kosup, requesting

that the \$1,000,000 in I-5 Corridor Community Enhancement Program funds be allocated to the purchase/restoration of the Gateway Parcel site.

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

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.

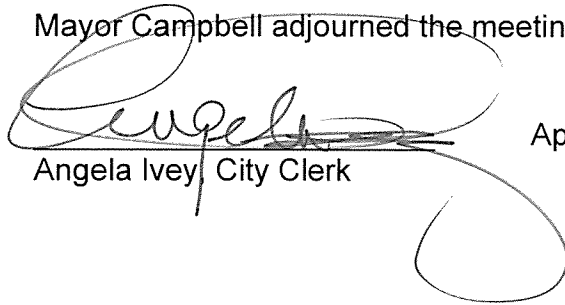
Ad Hoc Committees: (All Primary Members) (Temporary Committees)

- 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 8, 2015.
- e. Fiscal Sustainability - Campbell, Zito. Expires June 10, 2015.
- f. Gateway Property - Campbell, Heebner. Expires April 8, 2015.
- g. General Plan - Nichols, Zito. Expires July 8, 2015.
- h. La Colonia Park - Nichols, Heebner. Expires June 10, 2015.
- 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 10, 2015.

ADJOURN:

Mayor Campbell adjourned the meeting at 10:01 p.m.



Angela Ivey, City Clerk

Approved: January 28, 2015