

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 24, 2015 * 6:00 P. M.

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

- Minutes contain a summary of significant discussions and formal actions taken at a City Council meeting.
- City Council meetings are video recorded and archived as a permanent record. The video recording captures the complete proceedings of the meeting and is available for viewing on the City's website.
- Posted Reports & Supplemental Docs contain records up to the cut off time prior to meetings for processing new submittals. Complete records containing meeting handouts, PowerPoints, etc. can be obtained through a [Records Request](#).

CITY COUNCILMEMBERS

Lesa Heebner, Mayor

David A. Zito, Deputy Mayor

Mike Nichols, Councilmember

Peter Zahn, Councilmember

Ginger Marshall, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

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

Present: Mayor Lesa Heebner, Deputy Mayor David A. Zito,
Councilmembers Peter Zahn, Mike Nichols, Ginger Marshall

Absent: None

Also Present: Gregory Wade, 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, Asst to City Manager

CLOSED SESSION REPORT: (when applicable)

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

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Zito and second by Zahn. **Motion carried unanimously.**

PROCLAMATIONS/CERTIFICATES:

Lifeguard 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.3.)

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 May 16, 2015 through May 29, 2015.

MOTION: Moved by Zito and second by Marshall. **Motion carried unanimously.**

A.2. 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 2014-2015 General Fund Adopted Budget.

MOTION: Moved by Zito and second by Marshall. **Motion carried unanimously.**

A.3. Fiscal Year 2015-16 Appropriations Limit. (File 0330-60)

Recommendation: That the City Council

1. Adopt **Resolution 2015-068**, establishing the FY 2015-16 Appropriations Limit in accordance with Article XIIB 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 Zito and second by Marshall. **Motion carried unanimously.**

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. 242 S. Nardo Ave. – Development Review Permit (DRP), Variance (VAR) and Structural Development Permit (SDP), Applicant: Keystone Financial Group, LLC, Case No. 17-14-21. (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, VAR 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 2015-043** conditionally approving a DRP, VAR and an administrative SDP for a two-story, single family residence with an attached garage located at 242 S. Nardo Avenue.

Mayor Heebner opened the public hearing.

Greg Wade, City Manager, introduced the item and stated that the applicant requested a continuance, as noted in the blue folder, to a date of July 8, 2015.

MOTION: Moved by Zito and second by Zahn. Approved 5/0 to continue the public hearing to a date certain of July 8, 2015 at 6:00 p.m.

B.2. Comprehensive Active Transportation Strategies (CATS) Program Study – Final Report and Certification of the Environmental Document. (File 0150-55)

Recommendation: That the City Council

1. Report Council disclosures.
2. Conduct the public hearing; Open the public hearing, Receive public testimony, Close the public hearing.
3. Adopt **Resolution 2015-019**:
 - a. Certifying the Negative Declaration and Initial Study prepared for the project, and finding that they are consistent with CEQA and the 2014 State CEQA Guidelines.
 - b. Approving the CATS Program Study prepared by Chen Ryan Associates.

Mayor Heebner opened the public hearing.

Gregory Wade, City Manager, introduced the item.

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

Dr. Chen Ryan, Chen Ryan Associates, continued the PowerPoint (on file).

Council, Staff and Dr. Chen discussed various design options that could be used for the cycle track to provide a physical separation between the cyclist and vehicle traffic, and that a vertical element was needed to be visually recognizable for vehicles and bicyclist. Discussion continued regarding the \$136,000 cost of the study which was a grant from SANDAG, that there had been questions from the public regarding how the funds were used, that the funds covered costs of the study which included mapping, community outreach, and the costs of consultants used for the 3 main components of the report 1) the overall management of the program, 2) the environmental impact report, and 3) the engineering component.

Council and Dr. Ryan discussed a concern that the project for Las Banderas to Highland was listed as priority #2 on the list and that it should be the first priority, whether the order of priority of projects on the list would affect the City being awarded grants for the project, that there was flexibility in the prioritization, and that the priority number given to projects on this list should not impact the City's chances of receiving grant funds because funding was typically distributed based on the need of the project and not the priority listed on this report. Discussion continued regarding requesting a study of the bike and pedestrian traffic counts during the summer months to demonstrate the seasonal differences in utilization of streets

Council Disclosures: Deputy Mayor Zito and Councilmember Nichols stated that they had participated in a working group related to the CATS study. Mayor Heebner and Councilmembers Zahn and Marshall reported no disclosures.

Motion: Moved by Zito and second by Nichols to close the public hearing. Motion carried unanimously.

Council and Staff discussed the cost estimate for the Stevens Avenue project and how funds would be managed in order to complete all the desired changes, that the timing of the traffic lights at Las Banderas and Lomas Santa Fe should be modified so that when the walk button was pressed the lights in all directions remain red for a short time in order to allow pedestrians time to enter the crosswalk prior to the lights turning green, and that this issue should be brought back to Council for further direction if needed. Discussion continued that once the CATS report was certified and adopted by the Council it would be the City's document to make changes or adjustments as desired without requiring SANDAG's approval or input, and that in addition to the summer bicycle / pedestrian counts a speed study should also be conducted on Highland Ave.

Council and Staff discussion continued regarding a separate item of placing a bike box on the southbound side of Highway 101 due to bike volume that stacked up along the corridor which prevented vehicles from making a right hand turn on a red light, and that this would be a separate item from the CATS report since it was not included in the study.

MOTION: Moved by Zito and second by Nichols. Motion carried unanimously.

C. STAFF REPORTS: (C.1. - C.2.)

Submit speaker slips to the City Clerk.

C.1. Adoption (2nd Reading) Ordinance 462 Relating to the Annual Sewer Service Charge for Fiscal Year 2015-16 through Fiscal Year 2019-20. (File 1040-70)

Recommendation: That the City Council

1. Adopt **Ordinance 462** related to the Sewer Service Charge for FY 2015-16 through 2019-20.

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

MOTION: Moved by Zito and second by Marshall. **Motion carried unanimously.**

C.2. Jurisdictional Urban Management Plan (JRMP) and Proposed Stormwater Municipal Code Changes Review. (File 0850-40)

Recommendation: That the City Council

1. Receive report and provide direction.

Gregory Wade, City Manager, introduced the item stating that under the new Regional Water Quality Permit there was a requirement by June 27th of this year to prepare water quality improvement plans, the new permit established looking at storm water pollution prevention measures on a watershed basis, the city is part of two different watersheds, the Carlsbad Watershed and the San Dieguito Watershed, as part of the City's Jurisdictional

Runoff Management Plan there were some code amendments recommended.

Mo Sammak, Director of Engineering/Public Works, stated that once the Board reviewed the document and provided any comments, it would return to Council for final adoption.

Council and Staff discussed past problem with Seascapes and runoff, that following one incident last year the storm water diverter was installed and was hoping that would address it, it was planned to return once more analysis was completed, that it was being constantly monitored, that SFID (Santa Fe Irrigation District) was acting as a consultant in this situation taking samples and monitoring, and that the City had less than 6 months of data and would like more time to monitor further before.

Discussion continued regarding grading and erosion control water control, that painters often are washing out in the runoff and whether the code had any designated wash out areas, that violations would be handled at the local level and had authority to issue citations as well as the Regional Water Quality Board doing so, whether permits issued included education regarding this type of practice, and confirmed that Best Practices are handed out,

Council reached consensus to have Staff proceed with the process and return with the final code changes for adoption.

Discussion.

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 activities.

Council stated that they would be interested in having David Ott, former City Manager, return to assist with the NCTD project.

Johanna Canlas, City Attorney, stated that the City Manager may bring in consulting as needed up to the purchasing authority as needed.

Regional Committees: (outside agencies, appointed by this Council)

- a. City Selection Committee (meets twice a year) – Nichols, Zahn (alternate).
- b. County Service Area 17 – Zahn, Marshall (alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities' San Diego County Executive Committee – Nichols, Zahn (alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee – Nichols, Zahn (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 – Marshall, Zito (both primary members) (no alternates).
- n. 22nd Agricultural District Association Community Relations Committee – Heebner, Nichols.

Standing Committees: (All Primary Members) (Permanent Committees)

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

ADJOURN:

Mayor Heebner adjourned the meeting at 7:18 p.m.

Angela Ivey, City Clerk

Approved: May 25, 2016