

# CITY OF SOLANA BEACH



## ACTION AGENDA

The Action Agenda of the City Council Meeting is a document provided immediately following the Council Meeting in order for staff and the public to be aware of the business transacted and actions taken by Council. This is a preliminary draft and not a public record. The meeting's legal record is the Minutes approved by the City Council.

**SOLANA BEACH CITY COUNCIL, Successor Agency for the Solana Beach Redevelopment Agency,  
PUBLIC FINANCING AUTHORITY, HOUSING AUTHORITY**

### Joint REGULAR Meeting

**Wednesday, February 10, 2016 6:00 P. M.**

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

- 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](#).

#### PUBLIC MEETING ACCESS

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live on Cox Communications-Channel 19, Time Warner-Channel 24, and AT&T U-verse Channel 99. The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's website.

#### AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is available at City Hall, the Solana Beach Branch Library (157 Stevens Ave.), La Colonia Community Ctr., and online [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org). Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. Writings and documents regarding an agenda of an open session meeting, received after the official posting, and distributed to the Council for consideration, will be made available for public viewing at the same time. In addition, items received at least 1 hour 30 minutes prior to the meeting time will be uploaded online with the courtesy agenda posting. Materials submitted for consideration should be forwarded to the City Clerk's department 858-720-2400. The designated location for viewing public documents is the City Clerk's office at City Hall during normal business hours.

#### SPEAKERS

Please submit a speaker slip to the City Clerk prior to the meeting, or the announcement of the Section/Item, to provide public comment. Allotted times for speaking are outlined on the speaker's slip for each agenda section: Oral Communications, Consent, Public Hearings and Staff Reports.

#### AMERICAN DISABILITIES ACT TITLE 2

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office (858) 720-2400 at least 72 hours prior to the meeting.

As a courtesy to all meeting attendees, please set cellular phones and pagers to silent mode and engage in conversations outside the Council Chambers.

#### CITY COUNCILMEMBERS

**David A. Zito, Mayor**

**Peter Zahn, Deputy Mayor**

**Mike Nichols, Councilmember**

**Ginger Marshall, Councilmember**

**Lesa Heebner, Councilmember**

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

**SPEAKERS:**

Please submit your speaker slip to the City Clerk prior to the meeting or the announcement of the Item. Allotted times for speaking are outlined on the speaker's slip for Oral Communications, Consent, Public Hearings and Staff Reports.

**READING OF ORDINANCES AND RESOLUTIONS:**

Pursuant to Solana Beach Municipal Code Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

**CALL TO ORDER AND ROLL CALL:**

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

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 5/0**

**PROCLAMATIONS/CERTIFICATES:**

*Ceremonial - None at the posting of this agenda*

**PRESENTATIONS:**

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

1. SANDAG: San Diego Forward – The Regional Plan

**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.

**COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:**

*An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.*

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

Recommendation: That the City Council

1. Ratify the list of demands for January 2, 2016 through January 22, 2016.

[Item A.1. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.2. General Fund Adopted Budget for Fiscal Year 2015-2016 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2015-2016 General Fund Adopted Budget.

[Item A.2. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.3. Conflict of interest Code Required Update.** (File 0440-20)

Recommendation: That the City Council

1. Adopt **Resolution 2016-017** adopting an amended Solana Beach Conflict of Interest Code.

[Item A.3. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.4. Quarterly Investment Report.** (File 0350-44)

Recommendation: That the City Council

1. Accept and file the Cash and Investment Report for the quarter ended December 31, 2015.

[Item A.4. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.5. City Clerk's Office Area Expansion Construction Contract Award.** (File 0400-10)

Recommendation: That the City Council

1. Adopt **Resolution 2016-013**:
  - a. Awarding a construction contract for the City Clerk's Office Expansion, Bid No. 2015-07, in the amount of \$18,414, to Evergreen Construction and Consulting, Inc. dba EvergreenCali.
  - b. Approving an amount of \$5,000 for construction contingency.
  - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

[Item A.5. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.6. City Hall Copier Replacement and Lease Agreement.** (File 0190-50)

Recommendation: That the City Council

1. Adopt **Resolution 2016-018** authorizing the City Manager to enter into a contract for a new copier lease at City Hall with Xerox Corporation for a 60-month term.

[Item A.6. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.7. Establishment of Pension Stabilization and Other Post- Employment Benefit (OPEB) Funds and Related Appropriations.** (File 0520-50)

Recommendation: That the City Council

1. Staff recommends that the City Council adopt **Resolution 2016-020**:
  - a. Establishing a Pension Stabilization committed fund balance reserve and an OPEB Obligation committed fund balance reserve in the General Fund.
  - b. Approving the transfer of \$500,000 to the Pension Stabilization committed reserve and \$135,000 to the OPEB Obligation committed reserve both from the General Fund unassigned fund balance.
  - c. Appropriating \$635,000 to the Fund Balance Reserve Recognition account in the General Fund.
  - d. Appropriating a transfer in of \$500,000 to the Pension Stabilization internal service fund from the Pension Stabilization committed reserve in the General Fund.
  - e. Appropriating a transfer in of \$135,000 to the OPEB Obligation internal service fund from the OPEB Obligation committed reserve in the General Fund.
  - f. Authorizing the City Treasurer to amend the Fiscal Year 2015-2016 Adopted Budget accordingly.

[Item A.7. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0 with modifications adding the investment strategy.**

**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.)

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. Public Hearing: 950 San Lorenzo Court Request for a Development Review Permit (DRP) and Structural Development Permit (SDP), Applicants: Sandy and Di Whiting, Case No. 17-15-31.** (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 2016-012** conditionally approving a DRP and an administrative SDP to add a new 1,215 square foot second floor and a 191 square foot addition to the first floor of an existing 2,311 square foot single-family residence and attached garage located at 950 San Lorenzo Court.

[Item B.1. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0 to close the public hearing.**

**COUNCIL ACTION: Approved 5/0**

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

*Submit speaker slips to the City Clerk.*

**C.1. Recreation Fee Study Update.** (File 0740-80)

Recommendation: That the City Council

1. Receive the report, take public testimony and provide comments.

[Item C.1. Report \(click here\)](#)

**Discussion**

**C.2. Investment Policy Amendment.** (File 0350-30)

Recommendation: That the City Council

1. Adopt **Resolution 2016-007** approving the City's Amended Investment Policy for FY 2015-2016.

[Item C.2. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**C.3. Citizen Commission Appointments.** (File 0120-05)

Recommendation: That the City Council

1. Appoint one (1) member to the Budget and Finance Commission nominated/appointed by *individual* Councilmember Marshall for a two-year term (ending January 2018).

**COUNCIL ACTION: Approved 5/0 to appointed Judith Hamilton (Marshall's appointment).**

2. Appoint two (2) members to the Public Arts Commission nominated/appointed by *Council-at-large*:

- a. One (1) vacancy (term ending January 2018).

**COUNCIL ACTION: Approved 5/0 to appoint Nellie High.**

- b. One (1) vacancy (term ending January 2017). **No action**

[Item C.3. Report \(click here\)](#)

**WORKPLAN COMMENTS:**

*Adopted June 10, 2015*

**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, 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 (1<sup>st</sup> alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols, Zahn (alternate).
- j. SANDAG – Heebner (Primary), Nichols (1<sup>st</sup> alternate), Zito (2<sup>nd</sup> 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. 22<sup>nd</sup> 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:**

**AFFIDAVIT OF POSTING:**

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF SOLANA BEACH

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the February 10, 2016 Council Meeting was called by City Council, Successor Agency to the Redevelopment Agency, Public Financing Authority, and the Housing Authority of the City of Solana Beach, California, was provided and posted on February 3, 2016 at 4:30 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., February 10, 2016, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk  
City of Solana Beach, CA

**UPCOMING CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:**

*Regularly Scheduled, or Special Meetings that have been announced, as of this Agenda Posting. Dates, times, locations are all subject to change. See the City's Commission's website or the City's Events Calendar for updates.*

- **Budget & Finance Commission**  
Thursday, February 18, 2016, 6:30 p.m. (City Hall)
- **Climate Action Commission**  
Meeting Schedule to be determined by the appointed members.
- **Parks & Recreation Commission**  
Thursday, February 18, 2016, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**  
Tuesday, February 23, 2016, 5:30 p.m. (City Hall)
- **View Assessment Commission**  
Tuesday, February 16, 2016, 6:00 p.m. (Council Chambers)