

**SOLANA BEACH CITY COUNCIL  
REDEVELOPMENT AGENCY AND PUBLIC FINANCING AUTHORITY**

JOINT **SPECIAL** MEETING

**MINUTES**

**WEDNESDAY, NOVEMBER 21, 2007  
5:00 P.M.**

CITY COUNCIL CHAMBERS  
635 S. HIGHWAY 101,  
SOLANA BEACH, CALIFORNIA

The City Council acts as the City of Solana Beach Redevelopment Agency and the Public Financing Authority.

**CALL TO ORDER AND ROLL CALL:**

**Present:** Heebner, Kellejian, Roberts, Nichols, and Campbell.

**Absent:** None.

**Also Present:** David Ott, City Manager  
Jeremy Jung, Deputy City Attorney  
Leticia Fallone, Deputy City Clerk  
Chandra Collure, City Engineer  
Dennis Coleman, Finance Director

Mayor Heebner called the meeting to order at 5:00 p.m.

**APPROVAL OF AGENDA:**

**MOTION:** Moved by Roberts and seconded by Nichols to approve the agenda.  
**Motion carried unanimously.**

**Status Update on the Recirculated Draft Environmental Impact Report (EIR)  
for the Mixed-Use Solana Beach Train Station Project (Cedros Crossing)  
and Request for Funding**

- A. Direct staff to pay any unpaid invoices to Jones & Stokes and Austin Foust Associates for work completed to-date on the Train Station EIR and to allocate the additional funds to complete the**

**Response to Comments on the Mixed-Use Train Station Project Recirculated Draft EIR; and**

- B. Authorize the City Treasurer to amend the budget by increasing an appropriation to account line item 001-5500-5550-6530 by \$64,928 and such funding to come from City's General Fund Undesignated Reserves account no. 001-3200.**

David Ott, City Manager, stated that the purpose of the meeting was to discuss the re-circulated Draft Environmental Impact Report (EIR) for the Mixed-Use Solana Beach Train Station project and to discuss the status of funding for the EIR. He stated that on July 19th the City Council approved the re-circulation of the EIR, that the document went out to the public for comment in August and the public review period ended on October 1st, and that the City ceased work on the project in mid October due to the applicants' (Shea Properties) resistant to provide payment for the augmentation provided by the City. He stated that the City was on a deadline to complete the project due to the six million grant funding which would expire on June 30, 2008 and that the City recommended advancement of the \$66,943 to the applicant so work could resume on the EIR and the project could move forward.

Council and City Manager discussion ensued regarding the EIR process, that historically the applicants paid for the EIR, that the City would advance funds to the applicant in order to complete the EIR, that historically funds were not taken out of the general fund for projects, and that the City would pursue re-payment from the applicant if the funds were advanced.

Council and City Attorney discussion ensued regarding the City's ability to legally pursue funding from the applicant if they failed to reimburse the City and that the City would have legal grounds to collect the funds from applicant.

Council and City Manager discussion ensued regarding that this project is unique due to the deadline to use the grant funding, and that this situation would not set a precedence for future projects.

Council and City Manager discussion ensued on whether funding could be taken from the City's Redevelopment Agency (RDA) budget, that RDA funds were used for overall public good, that using RDA funding would be more complicated, and that the City could charge interest to the applicant for the advanced funds.

There were no public speakers at this meeting.

**MOTION:** Moved by Roberts and seconded by Campbell to approve Staff recommendation with the addition of a third recommendation, to direct Staff to

seek full reimbursement plus interest of funds from the applicant. **Motion carried unanimously.**

**ADJOURN:**

Mayor Heebner adjourned the meeting at 5:29 p.m.

A handwritten signature in cursive script that reads "Leticia Fallone". The signature is written in black ink and is positioned above a horizontal line.

Leticia Fallone, Deputy City Clerk

Approved: February 13, 2008