

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

JOINT **REGULAR** MEETING

MINUTES

**WEDNESDAY, FEBRUARY 13, 2008
6:00 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: Kellejian, Roberts, Nichols, Campbell, and Heebner.

Absent: None.

Also Present: Angela Ivey, City Clerk
David Ott, City Manager
Lisa Foster, Assistant City Attorney
Dennis Coleman, Finance Director
Park Morse, Interim Deputy City Mgr.
Chandra Collure, City Engineer
Steve Didier, Management Analyst
Tina Christiansen, Community Development Dir.

FLAG SALUTE:

List Foster, Deputy City Attorney, led the flag salute.

APPROVAL OF AGENDA:

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

PROCLAMATIONS: None

PRESENTATIONS:**1. Bell Presentation to the Solana Beach Fire Dept.**

David Ott, City Manager, spoke about the symbol of the bell and joined Mayor Kellejian in accepting the donation of the bell to the Firefighter station from Carol Childs and Peter House.

2. Sand Compatibility and Opportunistic Use Program Plan (SCOUP)

Shelby Tucker, Sandag, presented a powerpoint.

Council and the presenter discussed the fact that the amount of sand worthwhile to transport to the beach would be up the City.

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. Items can be referred to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES as per SBMC . (Be aware of the timer lights on the Council dais.)

Scott Billington stated that he had been in the process of obtaining a building permit from the Coastal Commission, he showed a picture of his property and the boundary constraints that the Coastal Commission staff recommendations that would result in 50% of his property being unbuildable, and asked if Council could assist.

David Ott, City Manager, said that the City had spoken with Mr. Billington many times, that the City had attempted to meet with Coastal staff but they have not been able to make it yet, that the City's goals are to work with Coastal on managing protection of environment, protection of owner rights, and fire issues.

Council discussed adding this issue onto the agenda for further discussion, that Mr. Billington is asking Council to advocate for him, that the City is making that effort, and whether other cities are experiencing the same issues.

Marilyn Kalabsa stated that she would like to redefine her past request about dogs at Fletcher Cove in the winter time to a request for a pass-through during

low tide, that it would help keep dogs off the street, and that it was a request from COOSA.

Council and speaker discussed that COOSA had voted on the the request for dogs on Fletcher Cove but not on the new pass-through request and to consider this issue as a workplan discussion.

COMMUNITY ANNOUNCEMENTS:

Council made their announcements.

COMMENTARY:

Council reported commentary.

CONSENT CALENDAR: (Action Items) (Items 1-10)

Items listed on the Consent Calendar are considered routine; however, any member of the public may address the City Council on an item of concern by submitting to the City Clerk a request to speak 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 all other Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

1. Waive text reading of ordinances.

Recommendation: That the City Council

- A. Approve waiving the text reading of ordinances on this agenda pursuant to Solana Beach Municipal Code Section 2.04.460.

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

2. Minutes of City Council.

Recommendation: That the City Council

- A. Approve the Minutes of the Regular City Council meeting held October 10, 2007, and Special meetings held November 13 and November 21, 2007.

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

3. List of Demands. (File 0300-30)

Recommendation: That the City Council

- A. Ratify the List of Demands dated January 5 - January 18, 2008.

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

4. Monthly Investment Reports. (File 0350-45)

Recommendation: That the City Council

- A. Accept and file the attached Cash and Investment Reports for the months of October through December 2007.

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

5. Driscoll Building Permit Second Extension Request (Driscoll, 445 Marview Drive). (File 600-40)

Recommendation: That the City Council

- A. Grant the request for a second extension of the building permit for a maximum period of 120 days.

MOTION: Moved by Roberts and seconded by Campbell **Motion carried 4/0/1** (Absent: Heebner.)

6. Re-establishing the Local Coastal Plan Ad Hoc Committee. (File 0410-48)

Recommendation: That the City Council

- A. Adopt Resolution 2008-028 re-establishing the Local Coastal Plan Ad Hoc Committee until February 12, 2009 or the California Coastal Commission's adoption of the Solana Beach Local Coastal Plan.

- B. Re-appoint the current Councilmembers serving on the

committee, Deputy Mayor Roberts and Councilmember Campbell.

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

7. Castro and Gonzales Street Improvement Plans. (File 0400-10)

Recommendation: That the City Council

- A. Adopt Resolution 2008-034 approving the Castro and Gonzales Street improvement plans, Drawing No. CG-3115 and authorizing the City Engineer to advertise the first phase for construction bids.

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

8. 4-way Stop on San Rodolfo Drive at Dixieline Driveway. (File 0860-50)

Recommendation: That the City Council

- A. Adopt Resolution 2008-033 approving a 4-way stop on San Rodolfo Drive at the Solana Beach Towne Centre private driveway, near Dixieline Lumber, approximately 650-feet east of Stevens Avenue.

Councilmember Nichols disclosed that his employer did work on this project but he had nothing to do with it so he did not have a conflict.

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

10. Fiscal Year 2006-07 Redevelopment Agency Basic Financial Statements. (File 0115-20)

Recommendation: That the City Council

- A. Accept and file the Basic Financial Statements for the Solana Beach Redevelopment Agency for the fiscal year ending June 30, 2007.

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

9. Foothill South Toll Road Resolution of Opposition. (File 0480-70)

Recommendation: That the City Council

- A. Adopt Resolution 2008-35 opposing the Foothill South Toll Road project.

David Ott, City Manager, introduced the item.

Councilmember Heebner stated that she delivered the letter of opposition to the meeting and entered into the record. The issue was that these lands were set aside as mitigation lands for development by past Presidents, that there were thousands of people in attendance, and that the final vote was 8/2 opposing the issue.

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

PUBLIC HEARINGS: (Items 11-12)

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 designee 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 three-minute timer light on the Council Dais.

11. "Nonconforming Uses and Structures" Ordinance Adoption (File 0610-10) NO ACTION

Recommendation: That the City Council

- A. Open the public hearing and take testimony from the public.
- B. Close the public hearing.

- C. Make the requisite findings supporting adoption of Ordinance No. 372.
- D. Adopt the negative declaration prepared for the amendments to SBMC Chapter 17.16 "Nonconforming Uses and Structures."
- E. Waive further reading and introduce Ordinance No. 372, amending SBMC Chapter 17.16 "Nonconforming Uses and Structures.
- F. Set this matter for adoption at the next regularly scheduled City Council meeting.

Councilmember Nichols left the meeting at 6:50 p.m.

David Ott, City Manager, introduced the item.

Council discussion ensued regarding referring the issue to the Development Review Permit Ad Hoc Committee for a final review and return to Council.

12. Development Review Permit and a Structure Development Permit for 147 North Sierra Avenue. (Case: 17-07-20; Applicant: David Martin). (File 0600-40)

Recommendation: That the City Council

- A. Adopt Resolution 2008-30:
 - a. Finding the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
 - b. Conditionally approving a Development Review Permit and Structure Development Permit to construct a new multi-level, single-family residence on property at 147 North Sierra Avenue, subject to the conditions of approval stated therein.
- B. Or continue the project to a later City Council meeting if the City Council does not support staff's recommendation and require modifications to the project related to the building height measurement from subterranean light-wells.

David Ott, City Manager, introduced the item.

Corey Johnson, Assistant Planner, presented a PowerPoint.

Council discussed a letter received from Steven Miller asking about what precautions would be taken regarding his property due to the large amount of dirt excavated, that certain requirements are provided at the permitting time, and that any issues would be a civil matter between two property owners.

Mayor Kellejian opened the public hearing.

Dave Martin, applicant, presented his project.

Dean Meredith, architect, reviewed efforts in the design, displayed the handout he submitted of pictures of the project and the Del Mar code, and described other solutions he had used in the past instead of grates for lightwells.

Council and applicant discussed clarifications on the design choices.

Gary Coad said he lived on Glenmont Dr. and worked with Dean Martin. He said that he supported the project.

Gary Martin said that he supported staff's position and that it should be a City policy to measure from the bottom of lightwell rather than case by case, that most cities say that if there is a 3 ft. clearance that a grate is not required, and that the City seems to imply that one is needed.

Tina Christiansen, Community Development Dir., stated that there were three proposed designs for the grate and all would be acceptable.

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

MOTION: Moved by Campbell and seconded by Roberts to approve. **Motion carried 4/0/1** (Absent: Nichols.)

Councilmember Heebner stated that she agreed with having a method of determining height and define it such as the Del Mar Code has done for future community development.

STAFF REPORTS: (Item 13-15)

Submit speaker slips to the City Clerk.

13. 2008 Public Opinion Survey. (File 0160-70) NO ACTION

Recommendation: That the City Council

- A. Discuss and provide feedback on the draft performance measurement 2008 Public Opinion Survey.

David Ott, City Manager, introduced the item.

Steve Didier, Management Analyst, presented a PowerPoint.

Council and Staff discussion ensued regarding cost and when survey calls would be made, whether a telephone survey is the right approach, that everyone should be offered the opportunity to provide feedback, that some people will not take the time to do the survey, and to consider holding off the survey until after the National election when its polling is over.

Deputy Mayor Roberts altered his suggestion to not do the survey at this time and support staff bringing back the survey at a later date.

Council discussed concerns about a telephone survey, preference to have the Cedros Crossing mailout first and table this survey for consideration at the workplan, and whether 400 calls will make a difference.

14. Guidelines for the Placement of Utility Facilities in the Public Rights-of-Way. (File 1000-10) NO ACTION

Recommendation: That the City Council

- A. Introduce Ordinance No. 378 amending Chapter 13.20 and Section 17.68.030 of the SBMC to provide reasonable regulations regarding the installation and placement of surface mounted utility facilities in City streets and rights-of-way.
- B. Adopt Resolution 2008-29 establishing a new Council Policy to create guidelines for the placement of utility facilities in the public rights-of-way.

David Ott, City Manager, introduced the item.

Steve Didier, Management Analyst, presented a PowerPoint. He stated that the City's proposal would not require a public hearing but instead director approval and it would allow an appeal process.

Council, City Attorney and Staff discussed whether the City could require conditions to minimize the impact, how to handle neighbor complaints, alternative locations, whether the City could require the utility to remove any box no longer being used after a six month period or longer or the City removes it and bills them, that fees are limited due to state law, who enforces the landscaping around the boxes, whether painting could be permitted, that there is a warranty on the boxes that is affected when painted, implementing an administrative review at the Director level, balancing their operational need with some level of review and noticing, and whether the City could implement a longer noticing period.

John Osborne, AT&T, spoke about their technology to highlight the benefits including enabling higher internet service, voice, telephone service, and the next level of technology.

Council asked the City Attorney to review any other concerns that can be addressed.

15. Fire Stations as Safe Havens for babies to be safely surrendered. (File 0250-40)

Recommendation: That the City Council

- A. Adopt Resolution No. 2008-026 designating fire stations as safe surrender sites for infants.

David Ott, City Manager, introduced the item.

Dismas Abelman, Deputy Fire Chief, reviewed the purpose of the recommendation.

Council discussed education and concerns about access to the Fire Station.

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

Mayor Kellejian recessed the meeting at 7:30 p.m. for a break and reconvened the meeting at 7:35 p.m.

ORDINANCE INTRODUCTION: 1st Reading (Items 11, 14 and 16)

Submit speaker slips to the City Clerk.

16. Stormwater Management, Standard Urban Stormwater Mitigation Plan and Grading and Excavation Ordinance Amendments. (File 0850-40)

- A. Waive further reading and introduce Ordinance No. 379, An Ordinance Amending Chapter 13.10 "City of Solana Beach Storm Water Management" to the Solana Beach Municipal Code.
- B. Waive further reading and introduce Ordinance No. 380, An Ordinance Adding a new Chapter 13.30 to Title 13 of the Solana Beach Municipal Code regarding the Solana Beach Standard Urban Storm Water Mitigation Plan.
- C. Waive further reading and introduce Ordinance No. 381, An Ordinance Amending Chapter 15.40 "Excavation and Grading" of the Solana Beach Municipal Code.

David Ott, City Manager, introduced the item.

Dan Goldberg, Interim City Engineer, reviewed the purpose of each ordinance and related mandates.

David Ott, City Manager, said that Councilmember Nichols asked that he convey that in the future he would like to look at landscape guidelines, grading permit requirements, permit limitations and conditions and the planting of slopes.

Lisa Foster, Deputy City Attorney, read the titles of the three ordinances.

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

ORDINANCE ADOPTION: 2nd Reading NONE
Submit speaker slips to the City Clerk.

WORKPLAN COMMENTS: (Adopted June 27, 2007)
Material is located in front section of agenda binder.

David Ott, City Manage, stated that the workplan process would begin soon sending out worksheets to Council.

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 reported their compensation.

COUNCIL COMMITTEE REPORTS:

Please state the committee you are speaking to before making each report.

Regional Committees: (outside agencies)

Council made their reports.

1. **California Cities Contract Association (CCCA) - Roberts, Heebner (alternate).**
2. **City Selection Committee - Kellejian (meets twice a year).**
3. **County Service Area 17 - Campbell, Nichols (alternate).**
4. **Escondido Creek Watershed Authority - Nichols, Roberts (alternate).**
5. **League of Ca. Cities' San Diego County Executive Committee and its' Subcommittees - Roberts, Kellejian (alternate).**
6. **League of Ca. Cities' Local Legislative Committee - Roberts, Kellejian (alternate).**
7. **League of Ca. Cities' Coastal Cities Issues Group (CCIG) - Kellejian, Roberts (alternate).**
8. **North County Dispatch JPA - Nichols, Campbell (alternate).**
9. **North County Transit District - Roberts, Heebner (alternate).**
10. **Regional Solid Waste Association (RSWA) - Nichols, Kellejian (alternate).**
11. **SANDAG & its' subcommittees - Heebner (Primary), Roberts (1st alternate), Nichols (2nd alternate).**
12. **SANDAG Shoreline Preservation Committee - Kellejian, Roberts (alternate).**
13. **San Dieguito River Valley JPA - Roberts, Nichols (alternate).**

14. San Elijo JPA - Campbell, Roberts (both primary members) (no alternates).
15. 22nd Agricultural District Association Community Relations Committee - Campbell, Roberts.

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

1. Business Liaison Committee - Roberts, Campbell.
2. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
3. I-5 Construction Committee - Kellejian, Roberts.
4. Public Arts Committee - Roberts, Nichols.
5. School Relations Committee - Roberts, Campbell.

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

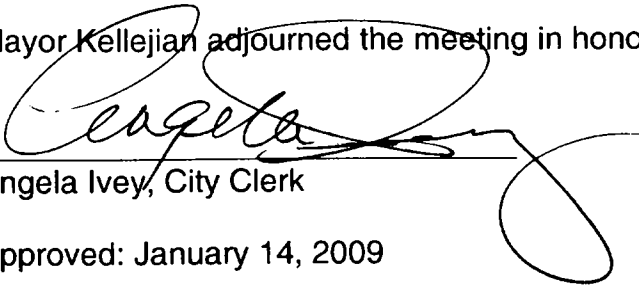
1. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires January 9, 2009.
2. Development Review - Nichols, Heebner. Expires November 29, 2008.
3. Environmental Sustainability - Roberts, Heebner. Expires January 9, 2009.
4. Fletcher Cove - Campbell, Heebner. Expires November 28, 2008.
5. La Colonia Park Needs Assessment - Nichols, Heebner. Expires June 13, 2008.
6. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 14, 2008 or at the California Coastal Commission adoption.
7. Solana Beach Mixed-Use Train Station Project Ad Hoc Committee

- Nichols, Heebner.

8. Views and Vegetation - Roberts, Nichols. Expires October 24, 2008.

ADJOURN:

Mayor Kellejian adjourned the meeting in honor of Mike "Mountain" McKay.



A handwritten signature in black ink, appearing to read 'Angela Ivey', is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

Angela Ivey, City Clerk

Approved: January 14, 2009