

# 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** **REDEVELOPMENT AGENCY and PUBLIC FINANCING AUTHORITY**

#### **JOINT REGULAR MEETING**

**WEDNESDAY, JANUARY 10, 2007**  
**06:00 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.*

#### **NOTICE**

In compliance with the Americans with Disabilities Act, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202 of the Americans with Disabilities Act of 1990. 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 at (858) 720-2400 at least 48 hours before 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.

The Regular Meetings of the City Council are scheduled for 2nd and 4th Wednesdays and are broadcast live on Cox Communications, Channel 19, and Time Warner, Channel 24.

A full City Council agenda packet with all backup information is available at City Hall and the Solana Beach branch of the San Diego County Library the Friday before each Council meeting and on the web at [www.ci.solana-beach.ca.us](http://www.ci.solana-beach.ca.us).

#### **CITY COUNCILMEMBERS**

**LESA HEEBNER, MAYOR**  
**JOE G. KELLEJIAN, DEPUTY MAYOR**  
**DAVID W. ROBERTS, COUNCILMEMBER**  
**MIKE NICHOLS, COUNCILMEMBER**  
**THOMAS M. CAMPBELL, COUNCILMEMBER**

DAVID OTT  
CITY MANAGER

JAMES P. LOUGH  
CITY ATTORNEY

ANGELAIVEY  
CITY CLERK

**Please submit your speaker slip to the City Clerk prior to the meeting or the announcement of**

**the Item.**

**CALL TO ORDER AND ROLL CALL**

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 5/0 to approve and adding Item #15 to the Consent Calendar**

**PRESENTATIONS:**

**PROCLAMATION:**

Captain Gary Williams

**COUNCIL COMMENTARY:**

**COMMUNITY ANNOUNCEMENTS:**

**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 to the City Clerk (located on the back table). 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 speaker podium.)

**CONSENT CALENDAR:**

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 form 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**

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

**COUNCIL ACTION: Approved 5/0.**

**2. MINUTES OF CITY COUNCIL MEETING**

- A. Approve the Minutes of the Regular City Council meeting held October 4, 2006, October 11, 2006 (Regular and Closed) and October 25, 2006 (Regular and Closed).

**Approved Minutes** <https://www.cityofsolanabeach.org/en/government/public-meetings/agendas-minutes-videos>

**COUNCIL ACTION: Approved 5/0.**

**3. LIST OF DEMANDS (File No. 0300-30)**

- A. Ratify the List of Demands dated November 11-24, 2006 and November 25, 2006 - December 8, 2006.

[Item 3 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

**4. MONTHLY INVESTMENT REPORT (File No. 0350-45)**

- A. Accept and file the Cash and Investment Report for the months of July through September 2006.

[Item 4 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

**6. APPROVE A JOINT POWERS AGREEMENT CREATING THE CSAC EXCESS INSURANCE AUTHORITY AND EXECUTING A MEMORANDUM OF UNDERSTANDING WHICH AMEND THE EXCESS WORKERS' COMPENSATION PROGRAM (File No. 0400-10)**

- A. Adopt Resolution 2007-010 approving a Joint Powers Agreement creating the CSAC Excess Insurance Authority and approving a Memorandum of Understanding for Excess Workers' Compensation Program.

[Item 6 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

**7. AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH THE FURMAN GROUP TO SECURE FEDERAL FUNDING FOR SEWER CAPITAL IMPROVEMENT PROJECTS. (File No. 0400-10)**

- A. Adopt Resolution 2007-008 authorizing the City Manager to execute a Professional Services Agreement with the Furman Group through December 31, 2008 to seek federal funding for the City's Sewer Capital Improvement Projects at a monthly cost of \$6,000.

[Item 7 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

**8. AUTHORIZE THE CITY MANAGER TO EXECUTE A LIEN AGREEMENT FOR THE SEWER CAPACITY FEE FOR FUTURE SEWER CONNECTIONS (File No. 0400-10)**

- A. Adopt Resolution 2007-006 authorizing the City Manager to execute a lien agreement with property owners within a sewer assessment district for the sewer capacity fee for future sewer connections, the amount of the lien will be equal to the sewer capacity fee, and the lien will be recorded against the property.

[Item 8 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

**9. AUTHORIZE THE CITY ENGINEER TO QUITCLAIM CERTAIN PORTIONS AND ACCEPT OTHER PORTIONS OF A RECORDED IRREVOCABLE OFFER TO DEDICATE REAL PROPERTY FOR ROADWAY PURPOSES AT 804 IDA AVENUE (File No. 0490-30)**

- A. Adopt Resolution 2007-005 authorizing the City Engineer to quitclaim certain portions and accept other portions of a recorded irrevocable offer to dedicate real property for roadway purposes at 804 Ida Avenue.

[Item 9 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

- 10. CONFIRMATION OF APPOINTMENTS TO COUNCIL REGIONAL BOARDS/COMMISSIONS/COMMITTEES WITH STIPENDS (File No. 0410-20)**
  - A. Appoint Councilmember Nichols as the primary delegate to North County Dispatch JPA (Nichols abstention)
  - B. Appoint Councilmember Campbell as alternate to the North County Dispatch JPA (Campbell abstention)
  - C. Appoint Councilmember Roberts as the primary delegate to the North County Transit District (Roberts abstention)
  - D. Appoint Mayor Heebner as the alternate delegate to the North County Transit District (Heebner abstention)
  - E. Appoint Councilmember Nichols as the primary delegate to the Regional Solid Waste Association (Nichols abstention)
  - F. Appoint Deputy Mayor Kellejian as the alternate delegate to the Regional Solid Waste Association (Kellejian abstention)
  - G. Appoint Mayor Heebner as the primary delegate to SANDAG (Heebner abstention)
  - H. Appoint Councilmember Roberts at SANDAG 1st alternate (Roberts abstention)
  - I. Appoint Councilmember Nichols as SANDAG 2nd alternate (Nichols abstention)
  - J. Appoint Councilmember Campbell as a delegate to the San Elijo JPA (Campbell abstention); and
  - K. Appoint Councilmember Roberts as a delegate to the San Elijo JPA (Roberts abstention)

[Item 10 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

- 11. AUTHORIZATION TO DEPOSIT PUBLIC FUNDS (File No. 0320-20)**
  - A. Adopt Resolution 2007-009 approving a public entity resolution between the City of Solana Beach and the Union Bank of California, authorizing the City Treasurer and the City Manager as authorized officers, and authorizing the City Treasurer to execute various agreements with the bank.

[Item 11 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

12. **ACCEPT THE DISTILLERY PARKING LOT IMPROVEMENTS, BID NO. 2006 -12, AND AUTHORIZE THE CITY CLERK TO FILE A NOTICE OF COMPLETION (File No. 0400-10)**  
A. Adopt Resolution 2007-007 accepting as complete the distillery parking lot improvements, Bid No. 2006-12, and authorizing the City Clerk to file a Notice of Completion.

[Item 12 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

13. **REJECT CONSTRUCTION BIDS FOR THE STORM DRAIN AT 336/346 GLENCREST DRIVE (File No. 0850-40)**  
A. Adopt Resolution 2007-004 rejecting all bids for Glencrest Storm Drain, Bid No. 2006-01.

[Item 13 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0.**

15. **COUNCIL STANDING AND REGIONAL COMMITTEES-REVISING THE COMMUNITY/SCHOOL RELATIONS STANDING COMMITTEE (File No. 0410-20)**  
A. Adopt Resolution 2007-011 renaming and redefining the Community/School Relations Committee as the School Relations Standing Committee, and red-define the purpose as handling relations with San Dieguito Union High School District. Make official appointments. Currently Councilmembers Roberts and Campbell are attending these meetings.  
B. Place the 22nd District Agricultural Association's Community Relations Committee on the Council Regional Boards/ Committees/Commissions chart as an outside Council Committee. Make official appointments. Currently Councilmembers Roberts and Campbell are attending these meetings.

[Item 15 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0 to approve adding Item #15 to the Consent calendar for approval.**

**PUBLIC HEARINGS:**

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 to the City Clerk (located on the back table). 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 podium.

14. **A REQUEST FOR A DEVELOPMENT REVIEW PERMIT TO CONSTRUCT A NEW TWO-STORY RESIDENCE AND REQUIRING 360 CUBIC YARDS OF GRADING ON A VACANT LOT LOCATED AT 734 IDA AVENUE (CASE NO: 17-06-28; JAMES & CAROLINE SANCHEZ) (File No. 0600-40)**  
A. Find the project exempt for the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and

- B. Adopt Resolution 2007-001 approving a request for a Development Review Permit to construct a new two-story single-family residence on a vacant lot with associated grading in the amount of 360 cubic yards located at 734 Ida Avenue.

[Item 14 Report \(Click Here\)](#)

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

**COUNCIL ACTION: Approved 5/0 to approve**

**STAFF REPORTS:**

Submit speaker slips to the City Clerk.

**16. COUNCIL REGIONAL COMMITTEES CITY SELECTION COMMITTEE AND CONSIDERATION OF CONTRACT CITIES ASSOCIATION (File No. 0410-20)**

- A. Mayor designate herself or a designee to the City Selection Committee for 2007.

**COUNCIL ACTION: Approved 5/0 to appoint Deputy Mayor Kellejian to the City Selection Committee**

- B. Provide staff direction regarding whether to add the CCCA (California Contract Cities Association) to the Council's current list of outside agencies. If approved, make appointments of a primary and alternate position as customary of all other agencies.

[Item 16 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 4/1 to appoint Councilmember Roberts as primary and Mayor Heebner as alternate to the California Contract Cities Association (Noes: Deputy Mayor Kellejian)**

**17. A SUBSTANTIAL CONFORMANCE REQUEST TO A PREVIOUSLY APPROVED DEVELOPMENT REVIEW PERMIT AND STRUCTURE DEVELOPMENT PERMIT FOR DEVELOPMENT OF PROPERTY AT 153 NORTH HIGHWAY 101 (File No. 0600-40)**

- A. Find the design in conformance with the previously approved project.

[Item 17 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0 to approve with the change of bringing the building to grade with a maximum height of 28.24 ft**

**18. REPORT ON CONDO-HOTEL ISSUE AND REQUEST TO ADOPT AN INTERIM ORDINANCE TO PROHIBIT MAPS OR PERMITS FOR CONDOMINIUM MAPS OR PERMITS FOR CONDO-HOTELS DURING A 45-DAY STUDY PERIOD (File No. 0610-10)**

- A. Consider the issues contained herein and give appropriate direction to Staff as to the areas of study required for the impacts associated with condo-hotel financing.
- B. Adopt interim Ordinance 359 as an urgency measure prohibiting condominium hotel maps during a 45-day special study period to take effect immediately upon passage.

[Item 18 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0 to approve and include the consideration of holding a public workshop**

**19. ORDINANCE AMENDING THE SHORELINE AND COASTAL BLUFF PROTECTION ORDINANCE (File No. 0630-05)**

- A. Adopt Ordinance 351 amending Section 17.62.080 (A)(5) of the Solana Beach Municipal Code and adopting CEQA findings and statement of overriding considerations, all related to the Solana Beach Shoreline and Coastal Bluff Management Strategies.

[Item 19 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0 to approve**

**5. CANCELLATION/RESCHEDULING OF 2007 CITY COUNCIL MEETINGS (File No. 0410-05)**

- A. Adopt Resolution No. 2007-003 authorizing the rescheduling and cancellation of Council meetings for the 2007 calendar year.

[Item 5 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0 to approve the schedule retaining the February 14th Council meeting date**

**WORKPLAN COMMENTS:**

Material is located in front section of agenda binder.

**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)**

1. City Selection Committee - Kellejian (meets twice a year)
2. County Service Area 17 - Campbell, Nichols (alternate).
3. Escondido Creek Watershed Authority - Nichols, Roberts (alternate).
4. League of Ca. Cities San Diego County Executive Committee - Roberts, Kellejian (alternate).
5. North County Dispatch JPA - Nichols, Campbell (alternate).
6. North County Transit District - Roberts, Heebner (alternate)
7. Regional Solid Waste Association (RSWA) - Nichols, Kellejian (alternate).
8. SANDAG- Heebner (primary), Roberts (1st alternate), Nichols (2nd alternate).
9. SANDAG Shoreline Preservation Committee - Kellejian, Roberts (alternate).
10. San Dieguito River Valley JPA - Roberts, Nichols (alternate).
11. San Elijo JPA- Campbell, Roberts (both primary members, no alternates).
12. 22nd Agricultural District Association Community Relations Committee - Roberts, Campbell (alternate).

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

1. Business Liaison Committee - Roberts, Campbell.
2. School Relations Committee - Roberts, Campbell.
3. Public Arts Subcommittee - Roberts, Nichols.
4. Traffic Transportation - Heebner, Kellejian.

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

1. Local Coastal Plan Ad Hoc Committee- Roberts, Campbell. Expires February 14, 2007 or at the Coastal Commission adoption.
2. San Replenishment Alternative Review- Kellejian, Campbell. Expires November 8, 2007.
3. Views and Vegetation Subcommittee - Roberts, Nichols. Expires November 8, 2007.
4. User Fee Ad Hoc Committee - Roberts, Campbell. Expires June 30, 2007.
5. Development Review - Heebner, Nichols. Expires November 29, 2007.
6. Highway 101 Improvement Ad Hoc Committee - Heebner, Nichols. Expires June 13, 2007.
7. La Goiania Park Master Plan Committee - Heebner, Roberts. Expires June 30, 2007.
8. Condohotel - Heebner, Campbell. Expires October 24, 2007.