

# 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, JUNE 27, 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.**

**PROCLAMATIONS: NONE**

**PRESENTATIONS:**

1. **Sandag - Regional Comprehensive 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 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 Council dais.)

**COMMUNITY ANNOUNCEMENTS:**

**COMMENTARY:**

**CONSENT CALENDAR: (Action Items)(Items 1-4)**

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 March 24, 2007 and the Special meeting held March 28, 2007.

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 May 26, 2007 through June 8, 2007.

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

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

**4. Professional Services Agreement for Federal Legislative and Administrative Beach Shoreline Advocacy Issues. (File No. 0400-10)**

- A. Adopt Resolution 2007-089 authorizing the City Manager to execute Amendment No. 5 to the Marlow & Co. Agreement for Federal Legislative and Administrative Beach Shoreline Advocacy Issues extending the existing agreement for one year not to exceed \$4,350 a month.

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

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

**PUBLIC HEARINGS continued: (Items 5-9)**

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 SSMC 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.

**5. Fiscal Year 2007-08 Resolution of City Fees. (File No. 0390-20)**

- A. Receive report
- B. Adopt Resolution 2007-067 establishing a schedule of fees and charges for City services.

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

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

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

**6. Adoption of the Fiscal Year (FY) 2007-08 Solid Waste Rate Increase for EDCO Waste and Recycling Services. (File No. 1030-15)**

- A. Adopt Resolution No. 2007-091 approving EDCO's rate review request increasing commercial solid waste rates for FY 2007-08 in accordance with the Franchise Agreement.

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

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

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

**7. Adoption of the Fiscal Year (FY) 2007-08 Solid Waste Rate Increase for Coast Waste Management. (File No. 1030-15)**

- A. Adopt Resolution No. 2007-090 approving Waste Management rate review request increasing residential solid waste rates from current \$18.30 per month to \$19.02 per month for FY 2007-08 in accordance with the Franchise Agreement.

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

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

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

8. A request for a Development Review Permit and a Structure Development Permit to demolish an existing single-family residence and construct a new single-family residence with 2,480 square feet of gross floor area on a property located at 354 Pacific Avenue, Solana Beach (Case: 17-07-05 DRP/SDP; Applicant: Cenci Properties, LP). (File No. 0600-40)

A. Continue the matter to the July 11, 2007 Council meeting.

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

**COUNCIL ACTION: Approved 5/0 to continue the matter to the July 11, 2007 Council meeting.**

9. A Request for a Development Review Permit and Structure Development Permit to construct a new two-story residence with a basement and associated grading on a vacant lot at 134 South Granados Avenue (Case No.: 17-06-33; Applicants: Tim & Ann McCormick). (File No. 0600-40)

A. Continue the matter to the July 11, 2007 Council meeting.

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

**COUNCIL ACTION: Approved 5/0 to continue the matter to the July 11, 2007 Council meeting.**

**STAFF REPORTS: (Items 10 - 10.5)**

Submit speaker slips to the City Clerk.

10. Declare the intention to provide for an annual levy and collection of assessments in a special maintenance district; approve Engineer's "Report" for proceedings for the assessment in a special maintenance district; and set time and date for public hearing for the Solana Beach Coastal Rail Trail Maintenance District. (File No. 0495-20)

A. Adopt Resolution 2007-087, initiating the proceedings and for the annual levy of assessments within a special maintenance district.

B. Adopt Resolution 2007-078, approving the Engineer's "Report" for proceedings of the annual levy of assessments within a special maintenance district.

C. Adopt Resolution 2007-079, declaring intention to provide of the annual levy and collection of assessment in a special maintenance district and setting a time and date for a public hearing; and scheduling the public hearing for July 11, 2007.

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

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

**10.5 Condo-Hotel. (File No. 0610-10)**

- A. Give Staff direction as to whether to process a regulatory ordinance to develop a ban of the condo-hotel ownership method for hotels in the Commercial Zone or allowing for restrictions on condo-hotel uses.

[Item 10.5 Report \(Click Here\)](#)

**COUNCIL ACTION: Approved 5/0 move forward with process to ban.**

**ORDINANCE INTRODUCTION: 1st Reading NONE**

Submit speaker slips to the City Clerk.

**ORDINANCE ADOPTION: 2nd Reading (Items 11-13)**

Submit speaker slips to the City Clerk.

**11. State and City Video Franchises (File No. 1000-10)**

A. Waive further reading and adopt Ordinance No. 363.

1. Authorizing the City of Solana Beach to receive a franchise fee of 5% of gross revenues and an additional 1% of gross revenues for Public Education and Government purposes.
2. Authorizing the City of Solana Beach to audit the business records of a state video franchisee once annually.
3. Establishing customer service penalties.

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

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

**12. Ordinance Describing the Redevelopment Agency's Eminent Domain Powers, As Required By California Health and Safety Code Section 33342.7(A)-(SB 53)-(File No. 0115-22)**

A. Waive further reading and adopt Ordinance 366.

B. Authorize publication of an ordinance summary in a newspaper of general circulation.

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

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

**13. Adopt the Fiscal Year 2007-08 (FY) Sewer Service Charge of \$508.00 per Equivalent Dwelling Unit (EDU) (File No. 1040-75)**

A. Waive further reading and adopt Ordinance 365.

B. Authorize publication of an ordinance summary in a newspaper of general circulation.

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

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

**WORKPLAN COMMENTS: (Adopted June 28, 2006)**

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:**

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

Regional Committees: (outside agencies)

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 it's 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) - Roberts, Kellejian (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 & it's 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 - 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 Committee - Roberts, Nichols.
4. Traffic Transportation - Heebner, Kellejian.
5. Highway 101 / Cedros Ave. Development Committee - Heebner, Nichols.

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

1. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 14, 2008 or at the California Coastal Commission adoption.
2. Sand 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. La Goiania Park Master Plan Committee - Heebner, Roberts. Expires June 30, 2007.
7. Condohotel - Heebner, Campbell. Expires October 24, 2007.

## **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 the Agenda for the June 27, 2007 Council Meeting as called by City Council, Redevelopment Agency, and the Public Financing Authority of the City of Solana Beach, California, was provided and posted on June 22, 2007 at 4:00 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., June 27, 2007, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk  
City of Solana Beach, CA