

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, JULY 11, 2007
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.

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.

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 pull Items 12, 13, and 14 from the agenda.

PROCLAMATIONS:

1. **Solana Beach Little League Baseball**
2. **Tom Blakistone's 90th Birthday**
3. **Parks and Recreation Month**

PRESENTATIONS:

1. **SDG&E Powerlink Update**
2. **Beach Nourishment**
3. **WiFi**

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 1-17)

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.

COUNCIL ACTION: Approved 5/0 to approve. (Nichols recused himself from Items 6 and 9 due to past professional conflicts of interest).

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

- B. Approve the Minutes of the Special City Council meeting held March 31, 2007 and the Regular and Special Meetings held April 11, 2007.

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

3. List of Demands

- A. Ratify the List of Demands dated June 9 - 22, 2007.

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

COUNCIL ACTION: Approved 5/0.

4. Proposed National Pollutant Discharge Elimination System (NPDES) Fee - Proposition 218.

- A. Adopt Resolution No. 2007-101 authorizing the City Manager to execute a contract with Koppel & Gruber Public Finance for Proposition 218 noticing services for the proposed National Pollutant Discharge Elimination System (NPDES) fee increase and amending the FY 2007-08 Budget.

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

COUNCIL ACTION: Approved 5/0.

6. Fletcher Cove Park Improvement Project, Bid No. 2006-11, Notice of Completion and a No Parking Zone

- A. Adopt Resolution No. 2007-092:
1. Accepting as complete the Fletcher Cove Park Improvement Project, Bid No. 2006-11, constructed by Sierra Pacific West, Inc.
 2. Authorize the City Clerk to file a Notice of Completion.
 3. Approve the proposed "No Parking" zone along the west side of N. Sierra Avenue extending from 63 feet north of the stop sign at Plaza Street and the proposed no parking zone along the west side of S. Sierra/Pacific Avenue extending from 38 feet north of the stop sign at Pacific Avenue to the parking stalls along S. Sierra Avenue just south of Plaza Street.

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

COUNCIL ACTION: Approved 4/0/1 to approve. Councilmember Nichols recused himself due to professional conflicts of interest. (Recused: Nichols)

7. First Amendment to the Current National Pollutant Discharge Elimination System (NPDES) Regional Memorandum of Understanding.

- A. Adopt Resolution No. 2007-096 approving the first amendment to the current NPDES regional MOU.

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

COUNCIL ACTION: Approved 5/0.

8. Professional Services Agreement with Planning Consultant.

- A. Adopt Resolution No. 2007-102 authorizing the City Manager to execute a professional services agreement with Lori Naylor to assist with the Cedros Crossings EIR (Environmental Impact Report) review process.

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

COUNCIL ACTION: Approved 5/0.

9. Lomas Santa Fe Plaza Street Improvements to Mitigate for the Interchange Modification and Closure of Marine View.

- A. Adopt Resolution 2007-086:
1. Authorizing American Assets to award a contract to Southland Paving to construct the street and private driveway improvements associated with the Interchange Modification and closure of Marine View Drive.
 2. Authorize the City Manager to execute a contract with American Assets for the construction of improvements associated with the closure of Marine View Drive for an amount not to exceed \$1,624,183 for the construction.
 3. Authorizing the City Finance Director to fund the escrow account in the amount of contract price plus 20% contingency per the agreement with American Assets executed on May 24, 2006.

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

COUNCIL ACTION: Approved 4/0/1 to approve. Councilmember Nichols recused himself due to professional conflicts of interest. (Recused: Nichols)

10. Agreement with Cedros Market, LLC, for the Operation of a Farmers' Market.

- A. Adopt Resolution No. 2007-095 authorizing the City Manager to execute an agreement with Cedros Market, LLC for the management of a Solana Beach Certified Farmers' Market.

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

COUNCIL ACTION: Approved 5/0.

11. League of California Cities 2007 Annual Business Meeting Designated Voting Representative.

- A. Appoint Councilmember Roberts as voting delegate and Deputy Mayor Kellejian as alternate voting delegate, for the 2007 Annual Business Meeting at the League of California Cities Annual Conference being held September 5-8, 2007 in Sacramento, CA.
- B. Authorize the City Clerk to attest to the appointments and submit to the League of California Cities.

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

COUNCIL ACTION: Approved 5/0.

12. Council Meeting Date Changes

- A. Adopt Resolution No. 2007-094 to re-instate the September 12, 2007 Regularly Scheduled Meeting and cancel the September 19, 2007 Special Meeting.

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

13. 311 and 319 Pacific Avenue - Hajjar Properties with Terra Costa Consulting (Case: 17-06-17).

- A. Adopt Resolution 2007-061, as revised, approving a Conditional Use Permit for construction of a 75-foot long seawall from the elevation of 15-feet to the elevation of 35-feet to support the upper half of the sea cliff and the toe of the sloping upper bluff against failure at 311 and 319 Pacific Avenue, Solana Beach north of Fletcher Cove.

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

14. 417 and 423 Pacific Avenue - Burns/ Matchinske with Terra Costa Consulting (Case No:# 17-06-18).

- A. Adopt Resolution 2007-084, as revised, approving a Conditional Use Permit for construction of an emergency request Bluff Retention Device consisting of an existing 20 foot deep sea cave with concrete, and a 170-foot long, 35 foot high, free form, structural shotcrete tied back wall extending along the base of the bluffs for the properties and geogrid reinforced rebuilt sloping upper bluff.

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

15. Solana Beach Firefighters Association Memorandum of Understanding with the City - Effective July 1, 2007.

- A. Adopt Resolution 2007-105 approving the Memorandum of Understanding between the City and the Solana Beach Firefighters Association (SBFA)

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

COUNCIL ACTION: Approved 5/0.

16. Solana Beach Employees Association/ Marine Safety Unit Resolution Approving the Memorandum of Understanding with the City - Effective July 1, 2007.

- A. Adopt Resolution 2007-104 Approving the Memorandum of Understanding Between the City and the Solana Beach Employees Association (SBEA), Marine Safety Unit

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

COUNCIL ACTION: Approved 5/0.

17. North Cedros Avenue Drainage and Hardscape Improvements, Bid No. 2007-08.

- A. Adopt the Resolution No. 2007-099 approving the construction plans for the North Cedros Avenue Drainage and Hardscape Improvement Project, Bid No. 2007-08, and authorizing the City Engineer to advertise the project for construction bids.

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

5. Status Report on Major FY 2006/07 Capital Improvement Projects.

- A. Receive report.

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

STAFF REPORTS: (Item 18-19)

Submit speaker slips to the City Clerk.

18. Adoption of the updated National Pollutant Discharge Elimination System (NPDES) Solid Waste Fee Schedule.

- A. Adopt Resolution No. 2007-106 setting the public hearing on September 26, 2007, to receive the results of the mailed-ballot election to implement new fee schedule and receive updated NPDES Program Solid Waste Fee Study Report.

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

COUNCIL ACTION: Approved 5/0.

19. FY 2007/08 and FY 2008/09 Salary and Compensation Plans for All Employees.

- A. Adopt Resolution 2007-103 approving FY 07/08 - FY 08/09 Salary and Compensation Plans for Appointive Management, Mid-Management, Confidential, Non-Represented, Represented Fire and Marine Safety Unit employees.

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

COUNCIL ACTION: Approved 5/0.

PUBLIC HEARINGS continued: (Items 20-25)

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 Council Dais.

20. Solana Beach Coastal Rail Trail Maintenance District Fiscal Year 2007/2008 Engineer's Report.

- A. Accept public testimony
- B. Adopt Resolution No. 2007-100 amending and/or approving the Fiscal Year 2007/2008 Engineer's Report regarding the Coastal Rail Trail Maintenance District.

[Item 20 Report \(Click Here\)](#)

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

COUNCIL ACTION: Approved 5/0.

21. 241 Pacific Avenue - Sharon A. Hawkins (Case No: 17-07-15)

- A. Find the project exempt from the requirements of CEQA pursuant to 2007 State California CEQA Guidelines §15269(b) as a documented emergency exists; and
- B. Adopt Resolution 2007-097, approving a conditional use permit for construction of a 50-foot long, caisson and tieback upper bluff retention system to support the MID and upper bluff against failure at 241 Pacific Avenue Solana Beach North of Fletcher Cove.

[Item 21 Report \(Click Here\)](#)

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

COUNCIL ACTION: Approved 5/0 to continue the item to August 22, 2007.

22. 360 North Granados Avenue - Andrew & Annette Contasti and Joe Hernandez (Case: 17-07-02).

- A. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
- B. Adopt Resolution ~~2007-400~~ conditionally approving a Development Review Permit and Structure Development Permit to construct a new 4,031 square foot single-family residence on Lot 9 at 360 North Granados Avenue, subject to the conditions of approval stated therein.

The Resolution was incorrectly numbered in Staff Report and on agenda, the Resolution adopted was 2007-108.

[Item 22 Report \(Click Here\)](#)

COUNCIL ACTION: Approved 4/0/1 to the close the public hearing. (Recused: Nichols)

COUNCIL ACTION: Approved 4/0/1 to approve Resolution 2007-108 with additional conditions. (Recused: Nichols)

23. 360 North Granados Avenue - Andrew & Annette Contasti and Joe Hernandez (Case: 17-07-04).

- A. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
- B. Adopt Resolution ~~2007-404~~ conditionally approving a Development Review Permit and Structure Development Permit to demolish an existing church and construct a new 4,387 square foot single-family residence on Lot 10 at 360 North Granados Avenue, subject to the conditions of approval stated therein.

The Resolution was incorrectly numbered in Staff Report and on agenda, the Resolution number was 2007-109.

[Item 23 Report \(Click Here\)](#)

COUNCIL ACTION: Approved 4/0/1 to continue the item to August 22, 2007. (Recused: Nichols)

24. 354 Pacific Avenue - Cenci Properties, LP (Case No: 17-07-05).

- A. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
- B. Adopt Resolution 2007-085 conditionally approving a Development Review Permit and 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 property at 354 Pacific Avenue, subject to the conditions of approval stated therein.

[Item 24 Report \(Click Here\)](#)

COUNCIL ACTION: Approved 5/0 to continue this item to August 22, 2007.

25. 134 South Granados Avenue -Tim & Ann McCormick (Case No.: 17-06-33).

- A. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
- B. Determine if the proposed project to construct a new 5,182 square-foot two-story resident plus basement is within the scale of residential structures within the surrounding LR zoned residential neighborhood.
- C. If so, adopt Resolution 2007-046 conditionally approving 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 located at 134 South Granados Avenue.

[Item 25 Report \(Click Here\)](#)

ORDINANCE INTRODUCTION: 1st Reading (Item 26)

Submit speaker slips to the City Clerk.

26. Prohibit the Sale and Distribution of Novelty Lighters in Solana Beach.

- A. Introduce Ordinance No. 367 prohibiting the sale of novelty lighters in the City of Solana Beach.

[Item 26 Report \(Click Here\)](#)

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:

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) - 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 & 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 - 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, whichever is first..
2. Sand Replenishment Alternative Review - Kellejian, Campbell. Expires November 8, 2007.
3. Views and Vegetation Subcommittee - Roberts, Nichols. Expires November 8, 2007.
4. Development Review - Heebner, Nichols. Expires November 29, 2007.
5. La Colonia Park Needs Assessment - Heebner, Nichols. Expires June 13, 2008.
6. Condo-Hotel - Heebner, Campbell. Expires October 24, 2007.

ADJOURN: