

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, AUGUST 22, 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.

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:

Rideshare Week - Mayor Heebner presented a proclamation for Rideshare Week.

PRESENTATIONS: None

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 1-15)

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 meeting Minutes of the Regular and Closed Sessions of the City Council held March 31, 2007, April 11, 2007, April 18, 2007, April 25, 2007.

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

COUNCIL ACTION: Approved 5/0.

3. List of Demands

- A. Ratify the List of Demands dated June 23 - July 6, 2007; July 7 - July 20, 2007; July 21 - August 3, 2007.

[Item 3 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

4. Monthly Investment Reports

- A. Accept and file the Cash and Investment Reports for the months of January through April 2007.

[Item 4 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

5. 417 and 423 Pacific Avenue - Burns/ Matchinske. (Case No: 17-06-18)

- A. Adopt Resolution 2007-084 approving a Conditional Use Permit for construction of an Emergency Request Bluff Retention Device consisting of a sea cave infill 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 located at 417 and 423 Pacific Avenue.

[Item 5 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

6. 311 and 319 Pacific Ave., north of Fletcher Cove - Hajjar Properties. (Case No: 17-06-17)

- A. Adopt Resolution 2007-061 Approving a conditional use permit for construction of a 75-foot long emergency seawall from the elevations of 15-feet to the elevation of 35-feet to support the upper half of the sea cliff and the tow of the sloping upper bluff against failure at 311 and 319 Pacific Avenue, Solana Beach, north of Fletcher Cove (Case No: 17-06-17); Applicant: Hajjar Properties.

[Item 6 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

7. Authorize Additional Payments to Two Property Owners for Soundwall Construction related to the Interchange Project.

- A. Adopt Resolution No. 2007-112 authorizing additional payments to two property owners for the reimbursement of landscape repair costs due to soundwall construction for the Interchange Project.

[Item 7 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

8. Authorizing the City Manager to Execute an Amendment to a Professional Services Agreement with Lori Naylor.

- A. Adopt Resolution No. 2007-113 authorizing the City Manager to amend the professional services agreement with Lori Naylor to increase the amount of the agreement to \$20,355.

[Item 8 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

9. **Cost Share Agreement For Implementation of Investigative Order R9-2006-076 for Lagoons in the Carlsbad Hydrologic Unit**
 - A. Adopt Resolution No. 2007-117 to approve the Cost-Share Agreement for Investigative Order R9-2006-076 for the Carlsbad Hydrologic Unit and authorize the City Manager to enter into the agreement.

[Item 9 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

10. **Professional Service Agreement with Infrastructure Engineering Corporation for Preparation of Construction Documents to Replace Streetlights within the Boundaries of the Barbara/Granados and Pacific/Circle Underground Utility Districts.**
 - A. Adopt Resolution No. 2007-118 authorizing the City Manager to Enter Into a Professional Service Agreement with Infrastructure Engineering Corporation for Preparation of Construction Documents to Replace Streetlights within the Boundaries of the Barbara/Granados and Pacific/Circle Underground Utility Districts

[Item 10 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

11. **First Amendment to the Professional Services Agreement between the City of Solana Beach and Jones & Stokes Associates, Inc., to provide Project Management Services.**
 - A. Adopt Resolution No. 2007-114
 1. Authorizing the City Manager to execute an Amendment to the Agreement between the City and Jones & Stokes Associations, Inc. to provide professional planning project management services for an additional one-year period, in an amount not too exceed \$25,000.00; and
 2. Authorizing use of available funds in the Community Development Department Professional Services account to fund the Amendment between the City and Jones & Stokes Associates, Inc.

[Item 11 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

12. **Appropriate \$819,900 to the State Grant Revenue Account (244-4680) and to the Lomas Santa Fe at 1-5 Interchange Project, Budget Unit 244-9356-6510-6530, Project No. 9356-6661.**
 - A. Adopt Resolution No. 2007-120
 1. Appropriating \$819,900 to the State Grant revenue account (244-4680) and to the Lomas Santa Fe at 1-5 Interchange Project, Budget Unit 244-9356-6510-6530, Project No. 9356-666.

2. Authorizing the City Treasurer to amend the Fiscal Year 2007/2008 Budget accordingly.

[Item 12 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

13. Authorize the destruction of obsolete records.

- A. Adopt Resolution No. 2007-111 authorizing the destruction of obsolete records as per the City's Records Retention Schedule.

[Item 13 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

14. Professional Services Agreement between the City of Solana Beach and SourcePoint to prepare the City's Annual Housing Report.

- A. Adopt Resolution No. 2007-116

1. Authorizing the City Manager to execute an Amendment to the Agreement between the City and SourcePoint to prepare and submit the City's Annual Housing Report to the State Office of Planning and Research and Department of Housing and Community Development, in an amount not to exceed \$8,990.00; and
2. Authorizing the use of available funds in the 459-9902-550-6530 Fund account to fund the agreement between the City and SourcePoint.

[Item 14 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

15. Contract with the City of Del Mar to provide I.T. technical support to the City of Solana Beach.

- A. Authorize the City Manager to sign and Information Technology Support Agreement for FY 2007/2008 not to exceed \$33,000.

[Item 15 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

PUBLIC HEARINGS continued: (Items 16-20)

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.

16. 241 Pacific Ave., North of Fletcher Cove - Sharon A. Hawkins (Case No.: 17-057-15)

- A. Continue the hearing to the September 19, 2007 Council meeting for a request for emergency issuance of 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, North of Fletcher Cove (Case No.: 17-057-15; Applicant: Sharon A. Hawkins).

[Item 16 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0 to continue the hearing to September 19, 2007.

17. 354 Pacific Ave. - Cenci Properties, LP (Case: 17-07-06 DRP/SDP)

- A. Continue the public hearing to the September 19, 2007 Council meeting requesting 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 located at 354 Pacific Avenue, Solana Beach (Case: 17-07-06 DRP/SDP; Applicant Cenci Properties, LP).

[Item 17 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0 to continue the hearing to September 19, 2007.

18. Re-certifying the Master Environmental Impact Report for an additional five years.

- A. Adopt Resolution 2007-121 adopting the Environmental Checklist and addendum and certifying the Master Environmental Impact Report for the Solana Beach Shoreline and Coastal Bluff Management Strategies for another five years.

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

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

COUNCIL ACTION: Approved 5/0.

19. 134 South Granados Avenue (Case No.: 17-06-33; Applicants: Tim & Ann McCormick) (File No. 0600-40)

- A. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
- B. Adopt Resolution 2007-046 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.

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

COUNCIL ACTION: Approved 3/2 to approve with conditions stated by Council in this discussion including fencing not to exceed 36", that vegetation not block any views from Brookdale, that only the use of standard non-reflective glass be allowed, that no temporary structures be constructed, that the fence not be constructed a solid material such as wood but instead a more transparent material, and that the tree planned for the top of the slope be relocated and not exceed the height of the slope. (Noes: Heebner, Campbell)

[Item 19 Document \(click here\)](#)

20. **360 North Granados Ave. (Lot 10) - Andrew & Annette Contasti and Joe Hernandez (Case: 17-07-04 DRP/SDP)**
- 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 3,728.25 square-foot two-story residence (which excludes 400 sq. ft. of garage area) is within the scale of residential structures within the surrounding LMRd zoned residential neighborhood.
 - C. If so, adopt the attached Resolution 2007-109 approving a demolition of a an existing church and conditionally approving a Development Review Permit and Structure Development Permit to construct a new single-family residence on Lot 10 at 360 North Granados Avenue.

[Item 20 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0 to continue this hearing to September 19, 2007.

STAFF REPORTS: (Item 21-23)

Submit speaker slips to the City Clerk.

21. **Support for the "Calling for 2-1-1" Act (S 211/HR 211)**
- A. Adopt Resolution No. 2007-110 supporting Federal legislative bills S 211 and HR 211 and authorize Staff to submit a contribution of \$2,000 to 2-1-1 San Diego for Fiscal Year 2007-08.

[Item 21 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

22. **Support for Senate Constitutional Amendment 12 to Add Stormwater Fees to the List of Exemptions under Proposition 218.**
- A. Adopt Resolution No. 2007-115 supporting SCA 12 and send letter of support to Senator Tom Torlakson.

[Item 22 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0.

23. **Parks and Recreation Commission Member Appointment.**
- A. Make one appointment to the vacant position on the Parks and Recreation Commission with a term expiration date of January 2008.

COUNCIL ACTION: Approved 5/0 to appoint Susan Murfin.

[Item 23 Document \(click here\)](#)

ORDINANCE INTRODUCTION: 1st Reading (Item 24)

Submit speaker slips to the City Clerk.

24. An Ordinance To 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 24 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0 to approve the introduction of the ordinance

WORKPLAN COMMENTS: (Adopted June 27, 2007)

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 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)

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:

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 August 22, 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 August 17, 2007 at 4:45 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., August 22, 2007, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk
City of Solana Beach, CA