

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 SPECIAL MEETING

WEDNESDAY, SEPTEMBER 19, 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:

1. **Emergency Preparedness Month**

PRESENTATIONS:

1. **2007 Solana Beach Movie Night**
2. **Solana Beach Library**

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 1-8)

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 all the Consent Items except for Item 7 which was pulled for discussion.

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.

2. Minutes of City Council meeting.

- A. Approve the Minutes of City Council meetings held May 9, May 23, May 30, 2007 (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 August 4, - August 17, 2007 and August 18 - August 31, 2007.

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

COUNCIL ACTION: Approved 5/0.

4. 2007/2008 Supplemental Law Enforcement State Funding (slesf) Grant also known as the Cops Grant. (File No. 0390-34)

- A. Adopt the Resolution 2007-140 approving the proposed expenditure plan for the SLESF (COPS) grant funds for FY 2007/08.

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

COUNCIL ACTION: Approved 5/0.

5. Major FY 2007/08 Capital Improvement Projects. (File No. 0810-05)

- A. Receive report from staff.

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

COUNCIL ACTION: Approved 5/0.

6. Lomas Santa Fe at 1-5 Interchange Project Appropriation of Funds. (File No. 0830-30)

- A. Adopt Resolution No. 2007-132

1. Authorizing the appropriation of \$117,647 from Reserve Account 459-3335 to the Lomas Santa Fe at 1-5 Interchange Project, Budget Unit 459-9356-6510-6530, Project No. 9356.01-6661.
2. Authorize the City Treasurer to amend the Fiscal Year 2007/2008 Budget accordingly.

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

COUNCIL ACTION: Approved 5/0.

8. Professional Services Agreement between the City of Solana Beach and Summit Environmental Group to provide Professional Planning Project Management Services. (File No. 0400-10)

- A. Adopt Resolution No. 2007-129 authorizing the City Manager to execute an Agreement between Summit Environmental Group and the City to provide professional planning

project management services for nine month period in an amount not to exceed \$100,000.00; and

- B. Authorize use of available funds in the Community Development Department salaries account to fund the Agreement between the City and Summit Environmental Group.

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

COUNCIL ACTION: Approved 5/0.

PUBLIC HEARINGS continued: (Items 9-11)

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.

9. **354 Pacific Avenue - Case: 17-07-06 DRP/SDP - Applicant: Cenci Properties, LP. (File No. 0600-40)**
 - A. Continue the matter to a subsequent or undetermined Council meeting to provide the applicant adequate time to work with surrounding property owners and pursue processing of a project redesign.

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

COUNCIL ACTION: Approved 5/0 to continue the hearing to the October 24, 2007 meeting.

10. **241 Pacific Avenue, North of Fletcher Cove - Case No.: 17-057-15 -Applicant: Sharon A. Hawkins. (File No. 0610-60)**
 - A. Continue the matter to an uncertain date with a requirement that the Applicant provide staff with new public notice materials to notify surrounding property owners and residents within a 300 foot radius of the subject property.

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

COUNCIL ACTION: Approved 5/0 to continue the hearing to September 26, 2007 meeting.

11. **360 North Granados Avenue - Case: 17-07-04 DRP/SDP - Applicant: Andrew & Annette Contasti and Joe Hernandez. (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. Determine if the proposed project to construct a new 3,987 square-foot two-story residence meets the required findings for residential structures within the surrounding LMRd zoned residential neighborhood. If so, direct staff to prepare a confirming resolution for the September 26, 2007 meeting to conditionally approve a Development Review Permit and Structure Development Permit to construct a new single-family residence on Lot 10 at 360 North Granados Avenue.

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

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

COUNCIL ACTION: Approved 4/0/1 to deny the project. (Absent: Nichols recused himself living within 500 ft. of the project area.) (Recused: Nichols)

STAFF REPORTS: (Item 12-16)

Submit speaker slips to the City Clerk.

12. 2007-08 Community Grant Program. (File No. 0330-25)

- A. Adopt Resolution No. 2007-131 that authorizes the annual solicitation of grant proposals from community service organizations who meet the grant program guidelines for the Community Grant Program appropriating a total of \$25,000.

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

COUNCIL ACTION: Approved 5/0.

13. Establishment of In-House Building Services Division. (File No. 1010-11)

- A. Adopt Resolution 2007-122
1. Authorizing the City Manager to create a Building Services Division to provide building services at Solana Beach City Hall for the cities of Solana Beach and Del Mar.
 2. Authorizing the City Manager to negotiate a Memorandum of Agreement with the City of Del Mar to provide building services and define a cost sharing agreement.
 3. Authorizing the Finance Director to adjust the FY 2007-08 operating budget accordingly and transfer funds from the Undesignated General Fund Reserves into the Building Services Division operating budget to cover the start up costs associated with creating a Building Services Division in the amount of \$126,915.
- B. Adopt Resolution 2007-123
1. Amending the FY 2007-08 Salary and Classification Plan to include the new classifications of Building Official, a salaried FLSA exempt Mid-Management position; and Building Inspector, an hourly FLSA non-exempt position.
 2. Amending the FY 2007-08 Salary and Classification Plan to include the reclassification of the Environmental Specialist from an hourly FLSA non-exempt position to a salaried FLSA exempt Mid-Management position.

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

COUNCIL ACTION: Approved 5/0.

14. Revised Public Art Policy (Master Art Policy - MAP). (File No. 0910-45)

- A. Adopt Resolution 2007-141 Establishing City Council Policy No. 17 - Master Art Policy and Rescinding Administrative Policy No. 14 - Public Art Policy.
- B. Direct staff to schedule a public hearing to adopt and implement the Public Art Fee and the Public Art Consignment Fees.

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

COUNCIL ACTION: Approved 5/0 to approve the policy with modifications with an upcoming public hearing regarding the fees.

15. Electronic Document Management Services. (File No. 0170-73)

- A. Adopt Resolution 2007-138 directing staff to proceed with the process of updating, converting and maintaining the General and Specific Plan documents.
- B. Utilize Code Publishing, Inc. for the administrative update project.

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

COUNCIL ACTION: Approved 5/0.

16. Impasse between the City and the Solana Beach Employees Association Regarding Compensation and Benefits Pursuant to City of Solana Beach Employer/Employee Relations Resolution. (File No. 0530-30)

- A. Adopt Resolution 2007-137
 - 1. Implements the first year elements of the City's Last, Best, and Final offer to SBEA employees dated July 3, 2007.
 - 2. Implements changes to compensation and benefits for SBEA employees retroactive to the first pay period of FY 2007/08.
 - 3. Amends the FY 2007/08 Salary and Compensation Plan to reflect the aforementioned changes (Attachment 3).

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

COUNCIL ACTION: Approved 5/0.

ORDINANCE INTRODUCTION: 1st Reading NONE

Submit speaker slips to the City Clerk.

ORDINANCE ADOPTION: 2nd Reading (Item 17)

17. Prohibit the Sale and Distribution of Novelty Lighters in Solana Beach. (File No. 0240-40).

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

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

COUNCIL ACTION: Approved 5/0.

7. Award Construction Contract for the La Colonia Park Basketball Court Reconstruction Project, Bid No. 2007-07. (File No. 0400-10)

- A. Adopt Resolution No. 2007-130
 - 1. Awarding the bid submitted by West Coast Engineering and Backhoe, in the amount of \$26,550.20 for the La Colonia Park Basketball Court Reconstruction Project, Bid No. 2007-07,

2. Approving an amount of \$3,449.80 for construction contingency, and
3. Authorizing the City Manager to execute the construction contract on behalf of the City.

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

COUNCIL ACTION: Approved 5/0.

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)

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 - 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:

Mayor Heebner adjourned the meeting 10:22 p.m.