

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, OCTOBER 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.

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 removing Item #7 from the agenda.

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.)

PROCLAMATIONS:

PRESENTATIONS: None

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.

1. Waive text reading of ordinances.

Recommendation: That the City Council

- 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.

Recommendation: That the City Council

- A. Approve the Minutes of the Regular City Council meeting held June 19, 2007.

COUNCIL ACTION: Approved 5/0.

3. City Manager Contract. (0400-10)

Recommendation: That the City Council

- A. Adopt Resolution 2007-151 establishing the City Manager's annual salary for a second year of the contractual employment agreement between the City of Solana Beach and Davit Ott of \$175,000.

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

COUNCIL ACTION: Approved 5/0.

4. 2007 Street Repair and Slurry Seal Project, Bid No. 2007-04 Notice of Completion. (0400-10)

Recommendation: That the City Council

- A. Adopt Resolution 2007-127:
1. Authorizing the City Council to accept as complete the 2007 Street Repair and Slurry Seal Project, Bid No. 2007-04.
 2. Authorizing the City Clerk to file a Notice of Completion.
 3. Appropriating \$244,283 from the Reserves for Gas Tax, Account 202-3200 to Budget Unit 202-9362-6510-6530 Project Number 9362.07-6661.
 4. Authorizing the City Treasurer to amend the Fiscal Year 2007-2008 Adopted Budget accordingly.

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

COUNCIL ACTION: Approved 5/0 to approve

5. Denial of Development Review Permit and Structure Development Permit: 360 North Granados Avenue (Lot 10) (Case: 17-07-04 DRP/SDP). (0600-40)

Recommendation: That the City Council

- A. Adopt Resolution 2007-125 denying a Development Review Permit and Structure Development Permit for the construction of a new single-family residence at 360 N. Granados Avenue (Lot10)

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

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

6. Monthly Investment Reports. (0350-45)

Recommendation: That the City Council

- A. Accept and file the Cash and Investment Reports for the months of May through June 2007.

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

COUNCIL ACTION: Approved 5/0.

7. **Northbound Highway 101 Rubberized Asphalt Concrete Overlay Project Notice of Completion. (0400-10)**

This item was removed after the agenda was distributed. This item will NOT BE HEARD at this meeting.

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

8. **Approve Parcel Map for 140 N. Rios Avenue. (0600-40)**

Recommendation: That the City Council

- A. Adopt Resolution 2007-149:
 1. Approving the final parcel map for the four unit condominium at 140 N. Rios Avenue.
 2. Authorizing the City Engineer to sign the final parcel map as technically correct.
 3. Authorizing the release of the final parcel map for recordation.

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

COUNCIL ACTION: Approved 4/0/1. (Absent: Nichols)

ORDINANCE ADOPTION: 2nd Reading (Items 9-10)

Submit speaker slips to the City Clerk.

9. **Revised National Pollutant Discharge Elimination System Pollution Management Fee Structure. (1030-15)**

Recommendation: That the City Council

- A. Adopt Ordinance 362 updating a solid waste fee for the collection of pollution not otherwise captured through franchise solid waste collection pursuant to Chapter 6.20 of the Solana Beach Municipal Code, and amending Section 6.20.295 relating to solid waste collection.

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

COUNCIL ACTION: Approved 5/0.

10. **Interim Condominium-Hotel ("Condotel") Moratorium to Prohibit Condominium Maps or Permits for Condo-Hotels during an Extended Study Period of 120 Additional Days. (0610-10)**

Recommendation: That the City Council

- A. Adopt Ordinance 369 extending and urgency measure prohibiting condominium hotel maps during a special study period for an additional 120 days to allow further study and preparation of permanent legislation and bring back a proposal to either ban or regulate condo hotel projects in the City of Solana Beach.

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

COUNCIL ACTION: Approved 5/0.

PUBLIC HEARINGS continued: (Items 11-15)

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.

11. Tentative Subdivision Map for a Minor Subdivision at 755 South Cedros Avenue (Case No. 17-07-23 SUB; Applicant: Joseph Driscoll). (0600-10)

Recommendation: That the City Council

- A. Find the project exempt from the California Environmental Quality Act pursuant to Section 15315 of the State CEQA Guidelines; and
- B. Adopt Resolution 2007-147 conditionally approving a tentative subdivision map for a minor subdivision to create three residential lots out of a 26,337 square-foot property at 755 South Cedros Avenue located on the west side of the street across from Cofair Avenue.

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

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

COUNCIL ACTION: Approved 5/0 to approve.

12. Fiscal Year 2008-2009 Community Development Block Grant Funds for Eden Gardens Master Plan Implementation. (0390-30)

Recommendation: That the City Council

- A. Adopt Resolution 2007-148:
 1. Requesting Fiscal Year 2008-2009 Community Development Block Grant Funds for the Eden Gardens Master Plan.
 2. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.

3. Finding that all of Fiscal Year 2008-2009 CDBG funds, presently estimated at \$55,000 are designated to be used for the continued implementation of the Eden Gardens Master Plan design work and/or subsequent construction, which is anticipated to include curbs, gutters and sidewalks and additional drainage improvements specified in the Master Plan. The primary focus will be to use these funds to construct improvements on Castro and Gonzales Streets. Furthermore, the County is encouraged to advance future years CDBG funding to allow a more cost-effective and less community-impacting implementation.

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

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

COUNCIL ACTION: Approved 5/0 to approve.

13. Development Review Permit and Structure Development Permit at 421 N. Granados Avenue (Case: 17-06-26 DRP-SDP; Applicant: Kip Boatcher). (0600-40)

Recommendation: That the City Council

- 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 5,566 square-foot two-story residence plus attached garage and basement is within the scale of residential structures in the surrounding LR zoned neighborhood.
- C. If so, adopt Resolution 2007-128 conditionally approving a Development Review Permit and Structure Development Permit to construct a new two-story residence and a basement at 421 N. Granados Avenue.

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

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

COUNCIL ACTION: Approved 4/0/1 Councilmember Nichols recused due to living within 500ft of project area. (Absent: Nichols)

14. Development Review Permit and a Structure Development Permit at 508 Glenmont Dr. (Case: 17-07-09; Applicant: John Lynch). (File No. 0600-40)

Recommendation: That the City Council

- A. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
- B. Adopt Resolution No. 2007-135 conditionally approving the request for a Development Review Permit and Structure Development Permit to construct a first story addition, new second-story and attached garage to an existing single-family residence at a maximum height of 23.24 feet and requiring a total of 86.2 cubic yards of grading at 508 Glenmont Drive.

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

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

COUNCIL ACTION: Approved 4/0/1 to approve with modification. Mayor Heebner recused due to living within 500 ft. of project area. (Absent: Heebner)

15. Emergency issuance of a Conditional Use Permit for construction of an upper bluff retention system at 241 Pacific Avenue, Solana Beach, North of Fletcher Cove. (CUP Case No: 17-07-15; Applicant: Sharon A. Hawkins). (0610-60)

Recommendation: That the City Council

- 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 upper bluff against failure and a shotcrete wall, subject to the conditions stated therein.

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

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

COUNCIL ACTION: Approved 5/0 to approve with modifications.

STAFF REPORTS: (Item 16-20)

Submit speaker slips to the City Clerk.

16. Upgrade of Pentamation Financial Software to FinancePLUS. (File No.)

Recommendation: That the City Council

- A. Adopt Resolution 2007-153
 1. Authorizing the City Manager to enter into an agreement with SunGard Pentamation to upgrade the Pentamation software to FinancePLUS and purchase the software modules, hardware components, training services, and other related costs per Attachment 1.
 2. Authorizing the City Treasurer to appropriate \$137,360 from 125-3200 (Undesignated Reserves - Asset Replacement Fund) into budget unit 125-5000-5300-6640 (Equipment Purchase - Asset Replacement Fund/Finance) for \$117,700 and budget unit 125-5000-5200-6640 (Equipment Purchase - Asset Replacement Fund/City Manager) for \$20,250.

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

COUNCIL ACTION: Approved 5/0.

17. Near term Plaza Street area Improvements as part of Highway 101 Street Improvements and Traffic Calming. (File No.)

Recommendation: That the City Council

- A. Adopt Resolution 2007-150
 - 1. Authorizing near term improvements on Plaza Street as proposed.
 - 2. If approved, authorize the City Engineer to advertise the project for bids.

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

COUNCIL ACTION: Approved 5/0.

18. Foothill South Toll Road Resolution of Support. (0480-70)

Recommendation: That the City Council

- A. Receive the report and discuss the Foothill-South Toll Road project.
- B. Determine if the Council would like to adopt a resolution in support of or opposition to the Foothill-South Toll Road project.

[Item 18 Document \(click here\)](#)

COUNCIL ACTION: Approved 5/0 to take a position of opposition to the project.

19. Signalized Intersection on North Highway 101 at Cliff Street. (0860-50)

Recommendation: That the City Council

- A. Adopt Resolution 2007-133:
 - 1. Approving a signalized crosswalk at the Highway 101/Cliff Street intersection and authorizing the City Engineer to request proposals/qualifications for design of the intersection improvements, consistent with the Highway 101 Street Improvement and Traffic Calming Plan, dated March 22, 2007.

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

COUNCIL ACTION: Approved 5/0.

20. Stipends for City Councilmembers. (0410-90)

Recommendation: That the City Council

- A. Discuss and provide direction regarding a vehicle allowance policy for Councilmembers.
- B. Direct staff to prepare an amended policy regarding reimbursement for actual expenses incurred by Council.

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

COUNCIL ACTION: Approved 5/0.

ORDINANCE INTRODUCTION: 1st Reading NONE

Submit speaker slips to the City Clerk.

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 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:

Approved: _____

Angela Ivey, City Clerk

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 this Agenda for the October 10, 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 October 4, 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., October 10, 2007, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk
City of Solana Beach, CA