

# 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, NOVEMBER 14, 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 to approve including Item #12 as part of the Consent items.**

**PROCLAMATIONS:**

1. **Red Ribbon Week Awards**

**PRESENTATIONS:**

2. **Solana Beach Emergency Operations Center for October 2007 Fires**

**PROCLAMATIONS:**

2. **Firestorm of October 2007**

**PRESENTATIONS:**

1. **Beach Monitoring Program - Coastal Frontiers Corp. This presentation was pulled from the agenda.**
3. **Noise and Air Pollution on 1-5**  
presentation # 3 - supplemental documents

**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 SSMC . (Be aware of the timer lights on the Council dais.)

**COMMUNITY ANNOUNCEMENTS:**

**COMMENTARY:**

**CONSENT CALENDAR: (Action Items) (Items 1 - 7.6)**

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. (from October 24th meeting)**

Recommendation: That the City Council

- A. Approve the Minutes of the Regular City Council meeting held June 27, 2007.

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

ADDENDUM TO AGENDA - Adding Minutes from the November 9, 2007 Council Meeting.

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

**3. List of Demands. (from October 24th meeting)**

Recommendation: That the City Council

- A. Ratify the List of Demands dated August 31 - September 14, 2007 and September 15 - September 28, 2007.

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

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

**3.1 List of Demands.**

Recommendation: That the City Council

- A. Ratify the List of Demands dated September 29 - October 12, 2007 and October 13 - October 26, 2007.

[Item 3.1 Document \(click here\)](#)

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

**4. Amendment to Agreement with Geopacifica, Inc. for As-Needed Geotechnical Engineering Services. (from October 24th meeting)**

Recommendation: That the City Council

A. Adopt Resolution No. 2007-157

1. Authorizing the City Manager to enter into a Professional Service Agreement amendment with Geopacifica, Inc. for as-needed geotechnical engineering services and emergency bluff evaluations in the amount not to exceed \$40,000.
2. Authorizing the City Manager to renew the agreement with Geopacifica, Inc. for two additional one-year terms at the discretion of the City Manager.

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

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

**5. Re-Establish the Condohotel, View and Vegetation, and Sand Replenishment Alternative Review Council Ad Hoc Committees. (from October 24th meeting)**

Recommendation: That the City Council

A. Adopt Resolution 2007-154 re-establishing:

1. Condohotel Ad-Hoc Committee for a term until October 24, 2008.
2. Views and Vegetation Ad Hoc Committee for a term until October 24, 2008.
3. Sand Replenishment Alternative Review Ad Hoc Committee for a term until January 25, 2008.

B. Appoint two Council members to serve on each Committee:

1. Either the current standing members OR \* Condohotel Ad-Hoc Committee - Heebner and Campbell. \* Views and Vegetation Ad Hoc Committee - Roberts and Nichols. \* Sand Replenishment Alternative Review - Kellejian and Campbell.
2. Appoint new members.

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

**COUNCIL ACTION: Approved 5/0 to approve re-appointing current members.**

**6. Xerox Machine Contract Update. (from October 24th meeting)**

Recommendation: That the City Council

- A. Adopt Resolution 2007-155 authorizing the City Manager to enter into a contract with Xerox Corporation for a 60 month term at the cost of \$771.92 per month.

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

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

**7. Support of United States House Resolution No. 3479 Amending the Americans with Disabilities Act. (from October 24th meeting)**

Recommendation: That the City Council

- A. Consider adoption of Resolution No. 2007 - 158 in support of H.R. 3479 that amend title III of the Americans with Disabilities Act of 1990 to require, as a precondition to commencing a civil action with respect to a place of public accommodation or a commercial facility, that an opportunity be provided to correct alleged violations.

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

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

#### **7.1 Re-Establish the Development Review Ad-Hoc Committee.**

Recommendation: That the City Council

- A. Adopt Resolution 2007-159 re-establishing the Development Review Ad Hoc Committee; and
- B. Appoint two City Councilmembers to serve on the Development Review Ad Hoc Committee:
  1. Either the current standing members (Heebner, Nichols) OR
  2. Appoint new members.

[Item 7.1 Document \(click here\)](#)

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

#### **7.2 Community Mass Notification System (Reverse 9-1-1) County of San Diego to Access Agreement.**

Recommendation: That the City Council

- A. Adopt Resolution 2007-169, authorizing the City Manager to sign a Memorandum of Agreement with the County of San Diego to Access a Community Mass Notification System.

[Item 7.2 Document \(click here\)](#)

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

#### **7.3 Santa Fe Irrigation District Reimbursement Agreement for Marine View Drive Waterline Removal.**

- A. Adopt Resolution 2007-167:
  1. Authorizing the City Manager to execute a reimbursement agreement between the City and Santa Fe Irrigation District, in the amount of \$45,210, for removing the waterline in Marine View Drive between San Andres Drive and Lomas Santa Fe Drive, as required for the Interchange Project.
  2. Authorizing the City Engineer to execute a change order in the amount of \$41,100 with American Assets, Inc. for removal of the waterline.

3. Authorizing a transfer of \$45,210, to be reimbursed by Santa Fe Irrigation District, into the Reimbursement Agreement Revenue Account for Capital Projects (459-4870) and appropriating the same amount into Budget Unit 459-9356-6510-6530 Project Number 9356.01-6661.
4. Authorizing the City Treasurer to amend the Fiscal Year 2007-2008 Adopted Budget accordingly.

[Item 7.3 Document \(click here\)](#)

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

#### **7.4 Testing Services for Cliff Street Bridge Agreement Amendment.**

Recommendation: That the City Council

- A. Adopt Resolution 2007-166:
  1. Authorizing the City Manager to enter into Amendment No. 2 to the Professional Services Agreement with MACTEC for additional testing services on the Cliff Street Bridge and to increase the compensation portion of the agreement from \$10,000 to \$21,000.

[Item 7.4 Document \(click here\)](#)

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

#### **7.5 Northbound Highway 101 Rubberized Asphalt Concrete Overlay Project, Bid No. 2007-01, Notice of Completion.**

Recommendation: That the City Council

- A. Adopt Resolution 2007-126:
  1. Authorize the City Council to accept as complete the Northbound Highway 101 Rubberized Asphalt Concrete Overlay Project, Bid No. 2007-01.
  2. Authorize the City Clerk to file a Notice of Completion.

[Item 7.5 Document \(click here\)](#)

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

#### **7.6 Solana Circle Guardrail, Bid No. 2007-05, Notice of Completion.**

Recommendation: That the City Council

- A. Adopt Resolution 2007-163:
  1. Authorizing the City Council to accept as complete the Solana Circle Guardrail, Bid No. 2007-05, installed by Area West Fence Company.
  2. Authorizing the City Clerk to file a Notice of Completion.

[Item 7.6 Document \(click here\)](#)

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

**12. North Cedros Avenue Drainage and Hardscape Improvements, Bid No. 2007-08. (from October 24th meeting)**

Recommendation: That the City Council

A. Adopt Resolution No. 2007-146:

1. Awarding the contract to Burtech Pipeline, Inc., in the amount of \$64,500 for the North Cedros Avenue Drainage and Hardscape Improvements, Bid No. 2007-08.
2. Approving an amount of \$6,500 for construction contingency.
3. Authorizing the City Manager to execute the construction contract on behalf of the City.

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

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

**PUBLIC HEARINGS continued: (Items 8 - 8.2)**

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.

**8. 354 Pacific Ave (Case 17-07-05 DRP/SDP; Applicant: Cenci Properties) Development Review Permit and Structure Development Permit**

City Council continue the matter to the November 28, 2007 Council meeting.

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

**COUNCIL ACTION: Approved 5/0 to continue the hearing to November 28, 2007.**

**8.1 432 North Cedros Avenue (Case 17-07-12 DRP/SDP; Applicant: Laura Randolph, SSBL LLC) Development Review Permit and Structure Development Permit. (File 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 2007-165 conditionally approving a Development Review Permit and Structure Development Permit to construct a new mixed-use project consisting of a dental office on the first floor and one residential apartment unit on the second floor, along with other related site improvements, subject to the conditions of approval stated therein.

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

[Item 8.1 Document \(click here\)](#)

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

**8.2 130 South Granados Avenue (Case: 17-06-32; Applicants: Tim and Ann McCormick) Development Review Permit and Structure Development Permit.**

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 2007-164 conditionally approving a Development Review Permit and Structure Development Permit for the project to construct a new residence with a basement at 130 S. Granados Avenue.

[Item 8.2 Document \(click here\)](#)

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

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

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

**COUNCIL ACTION: Approved 5/0 to deny the project and allow the applicant to return to council within the next 12 months without prejudice and payment of fees and if the applicant seeks an amendment to the neighboring project that they may be allowed to return to Council for that amendment.**

**STAFF REPORTS: (Item 9 - 12)**

Submit speaker slips to the City Clerk.

**9. San Diego Association of Governments (SANDAG) MOU to Contribute Funding for Planning Studies in Support of a Second Regional Beach Sand Project. (from October 24th meeting)**

Recommendation: That the City Council

- A. Adopt Resolution 2007-124:
  - 1. Adopting the MOU with SANDAG to pay a fair share contribution of \$17,500 for necessary project planning studies for a second Regional Beach Sand Project.



2. Finding the project exempt from the California Environmental Quality Act pursuant to Section §15262 of the State CEQA Guidelines; and
- B. Direct staff to continue to work collaboratively with the SANDAG Shoreline Preservation Working Group members to plan for the implementation of a second Regional Beach Sand Project.

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

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

**10. Fletcher Cove Community Center and Lifeguard Station Improvement Options. (from October 24th meeting)**

Recommendation: That the City Council

- A. Discuss and provide direction to Staff regarding which improvement option to pursue for the Fletcher Cove Community Center and Fletcher Cove Life Guard Station.

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

**COUNCIL ACTION: Approved 5/0 to establish a Council Ad Hoc Committee.**

**11. Year-End Budget Adjustments for Fiscal Year 2006/2007. (from October 24th meeting)**

Recommendation: That the City Council

- A. That the City Council approve Resolution No. 2007-156 revising appropriations in the Fiscal Year 2006/2007 Budget, and
- B. That the Board of Directors of the Solana Beach Redevelopment Agency approve Resolution RDA 030 revising the revenue estimates and appropriations in the Fiscal Year 2006/2007 Budget.

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

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

**ORDINANCE INTRODUCTION: 1st Reading (Item 13)**

Submit speaker slips to the City Clerk.

**13. Citizen Commissions and Committees Solana Beach Municipal Code Update. (from October 24th meeting) NO ACTION. DIRECTION TO BRING BACK WITH MODIFICATIONS FOR A RE-INTRODUCTION**

Recommendation: That the City Council

- A. Introduce Ordinance 370 amending Chapters 2.60, 2.62, 2.64, 2.72, and 17.63 and adding Chapters 2.74 and 2.84 revising the five Citizen Boards, Commissions and Committees.
- B. Adopt Resolution 2007-160 identifying specific duties for the Budget and Finance Committee.

- C. Provide direction regarding background check requirements.

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

**ORDINANCE ADOPTION: 2nd 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:**

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 November 14, 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 November 9, 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., November 14, 2007, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California. Angela Ivey, City Clerk City of Solana Beach, CA