

# 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, JUNE 11, 2008**  
**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 online [www.ci.solana-beach.ca.us](http://www.ci.solana-beach.ca.us) at least 72 hours prior to the meeting. Agenda related writings or documents regarding an agenda item that are received after the distribution of the agenda and before 4:30 p.m. on the meeting day will be available for public viewing at City Hall and posted online with the agenda.

#### **CITY COUNCILMEMBERS**

**JOE G. KELLEJIAN, MAYOR**  
**DAVID W. ROBERTS, DEPUTY MAYOR**  
**MIKE NICHOLS, COUNCILMEMBER**  
**THOMAS M. CAMPBELL, COUNCILMEMBER**  
**LESA HEEBNER, COUNCILMEMBER**

DAVID OTT  
CITY MANAGER

JOHANNA N. CANLAS  
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 pulling Item 14 from the agenda.**

**PROCLAMATIONS: None**

**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 (located on the back table) to the City Clerk. 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.)

**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 slip (located on the back table) 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: 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: Recommendation: That the City Council

- A. Approve the Minutes of the Special City Council meeting held February 11, 2008.

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

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

**3. Tide Beach Seawall Maintenance Project, Bid No. 2007-09. (File 0400-10)**

Recommendation: Recommendation: That the City Council

A. Adopt Resolution 2008-094:

1. Authorizing the City Council to accept as complete the Tide Beach Seawall Maintenance Project, Bid No. 2007-09.
2. Authorizing the City Clerk to file a Notice of Completion.

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

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

**4. Re-establish the La Colonia Needs Assessment Ad Hoc. (File 0410-48)**

Recommendation: Recommendation: That the City Council

- A. Adopt Resolution 2008-078 re-establishing the La Goiania Needs Assessment Ad Hoc Committee until June 10, 2009.
- B. Re-appoint the current Councilmembers serving on the committee, Councilmembers Nichols and Heebner.

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

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

**5. 2008 Street Repair and Slurry Seal Project, Bid No. 2008-05 Construction Contract. (File 0400-10)**

Recommendation: Recommendation: That the City Council

A. Adopt Resolution 2008-093

1. Awarding the bid submitted by Frank and Son Paving, Inc., in the amount of \$193,553.20 for the 2008 Street Repair and Slurry Seal Project, Bid No. 2008-05.
2. Approving an amount of \$26,446.80 for construction contingency
3. Authorizing the City Manager to execute the construction contract on behalf of the City

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

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

**7. 2008-2009 Municipal Improvements Districts Benefit (MID) Fees. (File 0495-20)**

Recommendation: Recommendation: That the City Council

- A. Approve the fees for the Municipal Improvement Districts and adopt Resolutions 2008-101, 2008-102, 2008-103, 2008-104 setting the benefit charges for FY 2008-09 as follows: MID #33 - Highway 101/Railroad Right-of-Way \$ 3.12/unit- \$11,500, MID #9C - Santa Fe Hills\$ 232.10/unit - \$94,700, MID #9E - Isla Verde \$ 68.74/unit - \$6,000, MID #9H - San Elijo Hills #2 \$ 289.58/unit - \$ 34,200

**Resolution 2008-104**

**MID #33 - Highway 101/Railroad Right-of-Way \$ 3.12/unit - \$11,500**

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

**Resolution 2008-101**

**MID #9C - Santa Fe Hills\$ 232.10/unit - \$94,700**

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

**Resolution 2008-103**

**MID #9H - San Elijo Hills #2 \$ 289.58/unit - \$ 34,200**

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

**Resolution 2008-102**

**MID #9E - Isla Verde \$ 68.74/unit - \$6,000**

**COUNCIL ACTION: Approved 4/0/1. (Recused: Roberts)**

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

**8. Budget Amendment for Building Services. (File 0330-30)**

Recommendation: Recommendation: That the City Council

- A. Adopt Resolution 2008-107 amending the budget for the Building Services Department increasing the revenue appropriation and professional expenditures for a net increase in building revenue of \$43,000 to the general fund.

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

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

**6. Adoption of the 2008-09 Fire Benefit Fee. (File 0390-23)**

Recommendation: Recommendation: That the City Council

- A. Set the 2008-09 Benefit Fee at \$10.00 per unit, and  
B. Adopt the Resolution 2008-105 setting the Fee for levying on the tax roll.

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

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

**STAFF REPORT: (Item 9)**

9. **Introduce (1st Reading) Ordinance 388 and Adopt (1st and 2nd Reading) Urgency Ordinance 387 to Amend SBMC Section 11.12.095 as it Relates to Alcohol Consumption. (File 0270-30)**

Recommendation: Recommendation: That the City Council

- A. Introduce and Adopt (1st & 2nd Reading) Urgency Ordinance 387 Draft D amending SBMC section 11.12.095(A) to ban alcohol year-round regardless of the time of day for a period of one year; and
- B. Introduce (1st Reading) Ordinance 388 Draft D amending SBMC section 11.12.095(A) to ban alcohol year-round regardless of the time of day for a period of one year; OR
- C. Introduce and Adopt (1st & 2nd Reading) Urgency Ordinance 387 Draft E amending SBMC section 11.12.095(A) to ban alcohol during the summer months, specifically from midnight the Thursday before Memorial Day through Labor Day at midnight, for a period of one year; and
- D. Introduce (1st Reading) Ordinance 388 Draft E amending SBMC section 11.12.095(A) to ban alcohol during the summer months, specifically from midnight the Thursday before Memorial Day through Labor Day at midnight, for a period of one year.

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

**COUNCIL ACTION: Approved 5/0 to approve A. and B. banning alcohol consumption on City beaches for a period of one year.**

**PUBLIC HEARING: (Item 10)**

10. **Revised Local Coastal Program (LCP) Land Use Plan (LUP), (File 0610-12)**

Recommendation: Recommendation: That the City Council

- A. Report Council disclosures.
- B. Conduct the Public Hearing: Open the public hearing, Receive public testimony, Close the public hearing.
- C. Direct the City Manager to resubmit the Revised Draft LUP based on California Coastal Commission; authorize staff and consultant to continue coordinating with Coastal Commission staff to ensure initiation of review process and timely processing of LCP application.

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

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

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

**STAFF REPORTS continued: (Items 11-12)**

Submit speaker slips to the City Clerk.

**11. Approval of Professional Services Agreement for Sand Mitigation and Land Lease/Recreation Fee Development. (File No. 0400-10)**

- A. Adopt Resolution 2008-98, awarding the contract to PMC and authorize staff to enter into a professional services agreement with PMC and authorizing the City Treasurer to transfer \$126,200 from Designated Reserves-Beach Related, Account 001-3412, into Budget Unit 459-9903-6190-6530, and Project Number 9903-6661 and appropriate said amount.

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

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

**12. Solana Beach Lighting District. (File 0495-20)**

Recommendation: Recommendation: That the City Council

- A. Adopt Resolution 2008-095 declaring intention to provide for an annual levy and collection of assessment in a special maintenance district and setting a time and date for a public hearing; and scheduling the public hearing for July 9, 2008.
- B. Adopt Resolution 2008-096 approving the Engineer's Report for proceedings for the annual levy of assessments within a special maintenance district.

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

**COUNCIL ACTION: Approved 5/0 to NOT renew the district and suspend the fee for one year. A resolution to this effect will return to Council for approval.**

**PUBLIC HEARINGS continued: (Items 13-14)**

**13. Sand Compatibility and Opportunistic Use Program (SCOUP) Adoption and certification of the SCOUP Final Initial Study/Mitigated Negative Declaration. (File 0740-80)**

Recommendation: Recommendation: That the City Council

- A. Report Council disclosures.
- B. Conduct the Public Hearing: Open the public hearing, Receive public testimony, Close the public hearing.
- C. Adopt Resolution 2008-099
1. Certifying the Sand Compatibility and Opportunistic Use Program (SCOUP) Final Initial Study/Mitigated Negative Declaration, and
  2. Adopting the SCOUP project.

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

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

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

**14. Five-Year Regional Transportation Improvement Program (RTIP) for Fiscal Years 2009 through 2013. (File 0150-55)**

Recommendation: Recommendation: That the City Council

- A. Adopt Resolution 2008-097 adopting the TransNet Local Street Improvement Program of projects for Fiscal Years 2009 through 2013.

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

**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) - Kellejian, Roberts (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 - Campbell, Roberts.

**Standing Committees: (All Primary Members),(Permanent Committees)**

1. Business Liaison Committee - Roberts, Campbell.
2. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
3. 1-5 Construction Committee - Kellejian, Roberts.
4. Public Arts Committee - Roberts, Nichols.

5. School Relations Committee - Roberts, Campbell.

**Ad Hoc Committees: (All Primary Members) (Temporary Committees)**

1. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires January 9, 2009.
2. Development Review - Nichols, Heebner. Expires November 29, 2008.
3. Environmental Sustainability - Roberts, Heebner. Expires January 9, 2009.
4. Fletcher Cove - Campbell, Heebner. Expires November 28, 2008.
5. La Colonia Park Needs Assessment - Nichols, Heebner. Expires June 13, 2008.
6. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 12, 2009 or at the California Coastal Commission adoption.
7. Solana Beach Mixed-Use Train Station Project Ad Hoc Committee - Nichols, Heebner.
8. Views and Vegetation - Roberts, Nichols. Expires October 24, 2008.

**COMMUNITY ANNOUNCEMENTS:**

**COMMENTARY:**

**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 June 11, 2008 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 June 5, 2008 at 6:00 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., June 11, 2008, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk  
City of Solana Beach, CA