

## 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 19, 2008

**6:00 P.M.**

SPECIAL

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 or by email at least 72 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 the 2nd and 4th Wednesdays and are broadcast live on Cox Communications, Channel 19, and Time Warner, Channel 24. Council meetings are archived and available for viewing. The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings.

A full City Council agenda packet with backup information is available at City Hall, at the Solana Beach branch of the San Diego County Library (157 Stevens Ave.), 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 and that are received after the distribution of the agenda but at least 1 hour 30 minutes prior to the meeting will be available for public viewing at City Hall and posted online with the agenda.

#### **CITY COUNCILMEMBERS**

**DAVID W. ROBERTS, MAYOR**  
**MIKE NICHOLS, DEPUTY MAYOR**  
**THOMAS M. CAMPBELL, COUNCILMEMBER**

**LESA HEEBNER, COUNCILMEMBER  
JOE G. KELLEJIAN, COUNCILMEMBER**

DAVID OTT  
CITY MANAGER

JOHANNA N. CANLAS  
CITY ATTORNEY

ANGELAIVEY  
CITY CLERK

**SPEAKERS:**

Please submit your speaker slip to the City Clerk prior to the meeting or the announcement of the Item. Allotted times for speaking are outlined on the speaker's slip for Oral Communications, Consent, Public Hearings and Staff Reports.

**CALL TO ORDER AND ROLL CALL:**

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 5/0 to approve and pulling Item A.6. from the agenda and continuing Item 8.1. to December 9, 2008.**

**PROCLAMATIONS: None**

**PRESENTATIONS:**

1. Oktoberfest Check donation.

**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. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

**COMMUNITY ANNOUNCEMENTS:**

**COMMENTARY:**

**A. CONSENT CALENDAR: (Action Items)**

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker 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 Consent Calendar items removed by the P-Ublic will be discussed immediately after approval of the Consent Calendar.

**A.1. Waive the reading of Ordinances.**

Recommendation: That the City Council

1. 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**

**A.2. Minutes of the City Council.**

Recommendation: That the City Council

1. Approve the Minutes of the Regular City Council meeting held December 12, 2007.

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

**COUNCIL ACTION: Approved 5/0**

**A.3. Register Of Demands. (File 0300-30)**

Recommendation: That the City Council

1. Ratify the list of demands for October 11 - 24, 2008.

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

**COUNCIL ACTION: Approved 5/0**

**A.4. Re-establish the Fletcher Cove Council Ad Hoc Committee and Development Review Council Ad Hoc Committee. (File 0410-48)**

Recommendation: That the City Council

1. Adopt Resolution 2008-190 re-establishing the Fletcher Cove Ad Hoc Committee to expire on November 18, 2009.
2. Adopt Resolution 2008-191 re-establishing the Development Review Ad Hoc Committee to expire on November 18, 2009.
3. Appoint two existing (Fletcher Cove: Campbell, Heebner and Development Review: Nichols, Heebner) or new Councilmembers to serve on the Committees.

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

**COUNCIL ACTION: Approved 5/0**

**A.5. Castro Street Improvements Phase 1 Notice of Completion. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2008-186:
  - a. Authorizing the City Council to accept as complete Castro Street Improvements Phase 1, Bid No. 2008-09, constructed by Portillo Concrete.
  - b. Authorizing the City Clerk to file a Notice of Completion.

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

**COUNCIL ACTION: Approved 5/0**

**A.6. Lomas Santa Fe at 1-5 Interchange Artist Contract. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2008-189:
  - a. Accepting \$160,000 from Caltrans, via Coffman Specialties, for the installation of mosaic artwork on retaining walls constructed as part of the Interchange project and appropriating the same amount to Miscellaneous Income in the Lomas Santa Fe at 1-5 Interchange Project (459-4850-9356.01-4850).
  - b. Appropriating \$160,000 to the Lomas Santa Fe at 1-5 Interchange Project, Expenditure Budget Unit 459-9356-6510-6530, Project No. 9356.01-6661.
  - c. Authorizing the City Treasurer to amend the Fiscal Year 2008/2009 Budget accordingly.
  - d. Approving the contract with Mary Lynn Dominguez in an amount not-to-exceed \$159,400 for the installation of State-funded artwork, composed of four mosaic tile walls at the Lomas Santa Fe Drive at 1-5 Interchange.
  - e. Authorizing the City Manager to execute the contract with Mary Lynn Dominguez.

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

**C. STAFF REPORTS:**

*Submit speaker slips to the City Clerk*

**C.1. Community Grant Program Fiscal Year 2008-09 Requests. (File 0330-25)**

Recommendation: That the City Council

1. Receive presentations from grant applicants.

[Item C.1. Report \(click here\)](#)

**NOTE: The City Council shall not begin a new agenda item after 10:30 p.m. unless approved by a unanimous vote of all members present. (SBMC 2.04.070)**

**B. PUBLIC HEARINGS:**

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

(located on the back table) to the City Clerk. 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 designees 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 timer light on the Council Dais.

**B.1. Emergency Request for Conditional Use Permit to reconstruct an infill and seawall at 365-371 Pacific Avenue, Case 17-08-16, Applicant: Bennett Bloom. (File 0610-60)**

[Item B.1. Report \(click here\)](#)

**B.2. Development Review and Structure Development Permit request for 438 Rosa Street, Case 17-06-35, Applicant: Dennis Cramer). (File 0600-40)**

Recommendation: That the City Council

1. Report Council disclosures.

2. Conduct the Public hearing: Open the Public Hearing, Receive Public Testimony, Close the Public Hearing.
3. Find the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines.
4. Adopt Resolution 2008-193 conditionally approving a Development Review Permit and Structure Development Permit for the project to construct a new single-family residence at 438 Rosa Street.

[Item B.2. Report \(click here\)](#)

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

**COUNCIL ACTION: Approved 5/0**

**C. STAFF REPORTS: Cont'd**

*Submit speaker slips to the City Clerk*

**C.2. Introduce Ordinance 374 (1st Reading) Golf Carts on Local Highways. (File 0840-40)**

Recommendation: That the City Council

1. Introduce Ordinance 374 amending Chapter 10.44 of the Solana Beach Municipal Code by adding Section 10.44.110 relating to operation of golf carts on local highways.
2. Adopt Resolution 2008-171 setting the fee for the golf cart permit.

[Item C.2. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0 to approve with modifications including looking at international signage for the signage to post, making corrections noted from page 11 of the staff report that were suggested, and looking at Los Banderas and San Andres in the future.**

**C.3. Request to extend Conditional Use Permit 17-01-03 for upper bluff completion seawall at 357 Pacific Avenue, Case 17-07-34, Applicant: Mrs. Ninni Scism. (File 0610-60)**

Recommendation: That the City Council

- C.3.a.** Find the project categorically exempt from the requirements of CEQA pursuant to 2008 State California CEQA Guidelines Section 15304, minor alteration of land.

C.3.b. Adopt Resolution 2008-109 approving a two year extension of the Conditional Use Permit to reconstruct and stabilize the existing upper bluff at 357 Pacific Avenue.

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

**COUNCIL ACTION: Approved 5/0 to approve with modifications adding a condition to require that the entire wall be sculpted.**

**C.4. Conflict of interest Code Biennial Update Final Adoption. (File 0440-10)**

Recommendation: That the City Council

C.4.a. Adopt Resolution 2008-144 adopting the amended Solana Beach Conflict of Interest Code which will take affect immediately.

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

**COUNCIL ACTION: Approved 5/0**

**WORKPLAN COMMENTS:**

(Adopted June 25, 2008)

**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:**

**Regional Committees: (outside agencies)**

- a. City Selection Committee - Kellejian (meets twice a year).
- b. County Service Area 17 - Campbell, Nichols (alternate).
- c. Escondido Creek Watershed Authority - Nichols, Roberts (alternate).
- d. League of Ca. Cities' San Diego County Executive Committee and its' Subcommittees - Roberts, Kellejian (alternate).
- e. League of Ca. Cities' Local Legislative Committee - Roberts, Kellejian (alternate).
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) - Kellejian, Roberts (alternate).
- g. North County Dispatch JPA- Nichols, Campbell (alternate).
- h. North County Transit District - Roberts, Heebner (alternate).
- i. Regional Solid Waste Association (RSWA) - Nichols, Kellejian (alternate).
- j. SANDAG & its' subcommittees - Heebner (Primary), Roberts (1st alternate), Nichols (2nd alternate).
- k. SANDAG Shoreline Preservation Committee - Kellejian, Roberts (alternate).
- l. San Dieguito River Valley JPA- Roberts, Nichols (alternate).

- m. San Elijo JPA- Campbell, Roberts (both primary members) (no alternates).
- n. 22nd Agricultural District Association Community Relations Committee - Campbell, Roberts.

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

- a. Business Liaison Committee - Roberts, Campbell.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. 1-5 Construction Committee - Kellejian, Roberts.
- d. Public Arts Committee - Roberts, Nichols.
- e. School Relations Committee - Roberts, Campbell.

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires January 9, 2009.
- b. Development Review - Nichols, Heebner. Expires November 29, 2008.
- c. Environmental Sustainability - Roberts, Heebner. Expires January 9, 2009.
- d. Fletcher Cove - Campbell, Heebner. Expires November 28, 2008.
- e. La Colonia Park Needs Assessment - Nichols, Heebner. Expires June 13, 2008.
- f. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 12, 2009 or at the California Coastal Commission adoption.
- g. Solana Beach Mixed-Use Train Station Project Ad Hoc Committee - Nichols, Heebner.
- h. View Assessment - Nichols, Heebner. Expires August 28, 2009

**ADJOURN:**