

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, DECEMBER 10, 2008

5:51 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 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 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

C. STAFF REPORTS:

Submit speaker slips to the City Clerk

C.1. CITY COUNCIL REORGANIZATION (File 0410-05)

1. Administration of Oaths to Appointed Councilmembers for new terms December 2008 - December 2012
2. Recognition of Mayor Roberts for his service as Mayor from June 25 - December 2008.
3. In accordance with the policies established by Resolution No. 96-17, appoint the Mayor and Deputy Mayor for the term of December 10, 2008 to December 9, 2009.
 - a. Nominations for Mayor by Motion and Second. Majority Vote.

COUNCIL ACTION: Approved 5/0 to appoint Mike Nichols as Mayor December 10, 2008 - December 9, 2009.

- b. Nominations for Deputy Mayor by Motion and Second. Majority Vote.

COUNCIL ACTION: Approved 5/0 to appoint Thomas Campbell as Deputy Mayor December 10, 2008 - December 9, 2009.

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

PRESENTATIONS:

(Ceremonial items that do not contain in-depth discussion and no action/direction.)

1. Retirement Recognition

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. List of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the List of Demands dated October 25 - November 7, 2008 and November 8 - November 21, 2008.

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

COUNCIL ACTION: Approved 5/0

A.3. Monthly Investment Report. (File 0350-45)

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Report for the months of July 2008 through September 2008.

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

COUNCIL ACTION: Approved 5/0

A.4. Barbara/Granados Underground Utility District Undergrounding Construction Management Contract. (File 1010-90)

Recommendation: That the City Council

1. Adopt Resolution 2008-198 authorizing the City Manager to execute the second amendment to the Professional Service Agreement with Infrastructure Engineering Corporation in the amount of \$9,125 for construction management services associated with the Barbara/Granados Underground Utility District construction project.

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

COUNCIL ACTION: Approved 5/0

A.5. Re-establish the Army Corps of Engineers and Regional Beach Nourishment Projects and the Environmental Sustainability Council Ad Hoc Committees. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2008-196 re-establishing the Army Corps of Engineers (ACOE) and Regional Beach Nourishment Projects Ad Hoc Committee to expire on December 9, 2009.
2. Adopt Resolution 2008-197 re-establishing the Environmental Sustainability Ad Hoc Committee to expire on December 9, 2009.
3. Appoint two existing (ACOE: Kellejian, Campbell and Environmental Sustainability: Roberts, Heebner) or new Councilmembers to serve on the Committees.

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

COUNCIL ACTION: Approved 5/0

A.6. Seascapes Access Stairway Pier Rehabilitation Notice of Completion. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2008-199:
 - a. Authorizing the City Council to accept as complete the Seascapes Access Stairway Pier Rehabilitation, Bid No. 2008-12, constructed by

RMV Construction.

b. Authorizing the City Clerk to file a Notice of Completion.

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

COUNCIL ACTION: Approved 5/0

A.7. Year End Budget Adjustments Fiscal Year 2007-08. (File 0330-30)

This item was adjourned from December 9, 2008, formerly listed as C.4. on that agenda and now heard:

Recommendation: That the City Council and the Redevelopment Agency Board of Directors:

1. Adopt Resolution 2008-194 revising appropriations in the Fiscal Year 2007-08 Budget.

COUNCIL ACTION: Approved 5/0 to approve the modified resolution.

2. Adopt Resolution 2008-195 revising revenue estimates and appropriations for the General Fund and Asset Replacement Fund.
3. Adopt Resolution RDA 034 revising the appropriations in the Fiscal Year 2007-08 Budget.

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

COUNCIL ACTION: Approved 5/0 to approve the modified resolution.

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. Development Review Permit and Structure Development Permit for 920 Avocado Place. (Case No.: 17-08-13; Applicants: Tony and Angie Chen) (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. Adopt Resolution 2008-164:
 - a. Finding the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
 - b. Conditionally approving a Development Review Permit and Structure Development Permit to demolish the existing residence and construct a new residence of 5,090 square feet (including garage) with a detached guest house of 400 square feet at 920 Avocado Place.

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

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

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

B.2. Introduction (1st Reading) Ordinance 392 Amending SBMC 17.20.050 Density Bonus Regulations (File 0630-10)

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. Introduce Ordinance 392 amending Solana Beach Municipal Code section 17.20.050.

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

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

COUNCIL ACTION: Approved 5/0 to approve with modifications of requiring the applicant to submit development proformas and documentation to support proforma financials.

C. STAFF REPORTS: cont'd
Submit speaker slips to the City Clerk

C.2. Community Grant Program Fiscal Year 2008-09 Requests. (File 0330-25)

Recommendation: That the City Council

1. Select the Fiscal Year 2008-09 Community Grant recipients and identify an award amount to each recipient.
2. Adopt Resolution 2008-200 authorizing the funding for the selected community grant recipients for financial assistance under the Fiscal Year 2008-09 Community Grant Program.

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

COUNCIL ACTION: Approved 5/0 the following allocations:
Community Resource Center \$3,000
Casa De Amistad \$2,600
Kids Korps USA \$3,500
Project Turnaround \$2,500
Solana Beach PTA \$3,000
Solana Beach Little League Skyline/CDC Improvements \$2,000
Solana Beach Little League Solana Vista Improvements \$3,500
Solana Beach Soccer Club \$4,000
Virginia Ann Sheunmann Memorial Fund \$900

C.3. Adopt (2nd Reading) Ordinance 374 Golf Carts on Local Highways. (File 0840-40)

Recommendation: That the City Council

1. Adopt (2nd reading) 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.

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

COUNCIL ACTION: Approved 5/0

C.4. City Council Appointment Bi-Annual Review. (File 0410-05)

Recommendation: That the City Council

1. Review all Council appointments and provide any changes to the current listings chart.
 - a. Regional Boards, Commissions, and Committees
 - b. Council Standing Committees
 - c. Council Ad Hoc Committees

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

COUNCIL ACTION: Approved 5/0 to appoint Nichols (primary) and Campbell (alternate) to the North County Dispatch (stipend).

COUNCIL ACTION: Approved 5/0 to appoint Roberts (primary) and Heebner (alternate) to the North County Transit District (stipend).

COUNCIL ACTION: Approved 5/0 to appoint Nichols (primary) and Kellejian (alternate) to Regional Solid Waste Association (stipend).

COUNCIL ACTION: Approved 5/0 to appoint Heebner (primary), Roberts (1st alternate), and Nichols (2nd alternate) to Sandag (stipend).

COUNCIL ACTION: Approved 5/0 to appoint Campbell and Roberts to the San Elijo Joint Powers Authority (stipend).

COUNCIL ACTION: Approved 5/0 to maintain the status of all remaining Regional, Standing, and Ad Hoc Committees with these exceptions I-5 Construction Ad Hoc – Heebner will take Kellejian’s place, and City Selection Committee – Roberts.

This item was continued from December 9, 2008

C.5. **Acceptance of Public Donations. (File 0160-15)**

Recommendation: That the City Council

1. Adopt Resolution 2008-201:
 - a. Accept a donation of \$2,000 toward the Matching Grant from the Seth Sprague Educational and Charitable Foundation; and
 - b. Accept the donation of \$19,476 from Peter House and Carol Childs toward the Sun Sculpture fountain and Plaza Street Improvement projects; and
 - c. Accept the donation of \$15,000 from James Harker toward the Plaza Street Improvement project; and
 - d. Accept the donation of the reconstructed public counters at City Hall from Steigerwald-Dougherty, Peter House and Carol Childs; and
 - e. Accept the Oktoberfest donation of \$58,772.63 to support the purchase of a replacement lifeguard boat for the Marine Safety Department.

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

COUNCIL ACTION: Approved 5/0

This item was continued from December 9, 2008

**C.6. Voluntary Green Building Program. (File 0600-35)
Adjourned Item from December 9, 2008**

Recommendation: That the City Council

1. Adopt Resolution 2008-138:

- a. Adopting the Build it Green, Green Building Guidelines for New Homes, Existing Homes, and Multi-Family Homes as the City's green building reference documents for residential projects.
- b. Adopting Build it Green's GreenPoint Rated system as the City's recognized voluntary minimum standard for residential green building certification and City incentive qualification.
- c. Adopting the USGBC's LEED program as the City's green building reference documents for commercial and public projects.
- d. Adopting the USGBC's LEED-Silver criteria as the voluntary minimum standard for commercial green building certification and City incentive qualification.
- e. Adopting the USGBC's LEED-Silver criteria as the required minimum standard for City projects or projects that receive funding from the City or the City's Redevelopment Agency.

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

COUNCIL ACTION: Approved 4/1 (Noes: Campbell.)

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 18, 2009.
- c. Environmental Sustainability - Roberts, Heebner. Expires January 9, 2009.
- d. Fletcher Cove - Campbell, Heebner. Expires November 18, 2009.
- e. La Colonia Park Needs Assessment - Nichols, Heebner. Expires June 10, 2009.
- 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 26, 2009

ADJOURN: