

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, JANUARY 14, 2009

6:00 P.M.

Description

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

MIKE NICHOLS, MAYOR
THOMAS M. CAMPBELL, DEPUTY MAYOR
LESA HEEBNER, COUNCILMEMBER

**JOE G. KELLEJIAN, COUNCILMEMBER
DAVID W. ROBERTS, 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 the agenda and removing Item C.3.

PROCLAMATIONS:

PRESENTATIONS:

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

1. San Diego Regional Coastal Sediment Management Plan

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 meetings held February 13, 2008 and March 12, 2008.

Approved Minutes <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 November 22, 2008 - December 5, 2008.
[Item A.3. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.4. 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 October 2008 through November 2008.
[Item A.4. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.5. Agreement with Hinderliter, De Llamas and Associates for Sales Tax Information and Audit Services. (File 0400-10)

Recommendation: That the City Council

1. Authorize the City Manager to execute the agreement between the City and Hinderliter, De Llamas and Associates on behalf of the City, and
2. Adopt Resolution 2009-007, authorizing the examination of sales and use

Regular Council Meeting
tax records pursuant to California Revenue and Taxation Section 7056.

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

COUNCIL ACTION: Approved 5/0

A.6. NCTD/Train Station Site Ad Hoc Committee. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2009-006 establishing the NCTD (North County Transit District)/Train Station Site Ad Hoc Committee.
2. Appoint the past members of the prior committee (Heebner, Nichols) or appoint two new Councilmembers.

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

COUNCIL ACTION: Approved 5/0 to approve appointing Heebner and Nichols.

A.7. Proposed 2009 City Council Meeting Cancellations and Rescheduling. (File 0410-05)

Recommendation: That the City Council

1. Adopt Resolution 2009-001 authorizing the cancellation and/or rescheduling of Council meetings for the 2009 calendar year.

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

COUNCIL ACTION: Approved 5/0

A.8. Reserve Transfers from the Risk Management Fund to the Workers Compensation Fund. (File 0330-30)

Recommendation: That the City Council

1. Approve Resolution 2009-008 authorizing the City Treasurer to transfer \$89,000 from the Risk Management Fund to the Workers Compensation Fund and amend the FY 2008-09 Budget accordingly.

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

COUNCIL ACTION: Approved 5/0

A.9. Transfers of Reserves to the Asset Replacement Fund. (File 0330-30)

Recommendation: That the City Council

1. Approve Resolution 2009-009 authorizing the City Treasurer to Revise the FY 2008-09 Budget to transfer funds from the General Fund to the Asset

Replacement Fund and authorize the City Treasurer to amend the budget accordingly.

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

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

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 Structure Development Permits 403 Mar View Drive, Applicants: Jack and Susie Burger, Case: 17-08-15. (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. Finding the project exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
4. Adopt Resolution 2009-002 conditionally approving a Development Review Permit and Structure Development Permit for the project to demolish the existing structure and construct a new two-story, square foot, single-family residence at 403 Mar View Road.

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

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

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

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

COUNCIL ACTION: Approved 4/0/1 to approve with modifications of the Condition language and comment regarding lanscaping. (Recuse: Heebner.)

B.2. Emergency Request for Conditional Use Permit for coastal bluff stabilization at 611 West Circle Drive, Applicant/Owner: JRJ Partners, LLC. Case 17-08-18 (File 0610-10)

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. Find the project exempt from the requirements of CEQA pursuant to 2008 State California CEQA Guidelines Section 15269(b) as a documented emergency exists.
4. Adopt Resolution 2009-003 conditionally approving an emergency request for a Conditional Use Permit to construct and stabilize the existing bluff below 611 West Circle Drive.

[Item B.2. Report part 1 \(click here\)](#)

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

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

C. STAFF REPORTS:

Submit speaker slips to the City Clerk

C.1. Extension to approval of Case 17-06-12 Development Review and Structure Development Permits (Applicant: Ryan Gonzales). (File 0600-40).

Recommendation: That the City Council

1. Grant the request for an extension beginning on November 8, 2008 to set a final expiration date of November 8, 2010 for the approval of 17-06-12 DRP/SDP for the construction of a new 3,838 square foot (including garage), two-story residence on property at 614 Mar Vista Drive.

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

COUNCIL ACTION: Approved 5/0

C.2. Adopt (2nd Reading) Ordinance 392 Density Bonus Regulations. (File 0630-10)

Recommendation: That the City Council

1. Adopt Ordinance 392 amending Solana Beach Municipal Code section 17.20.050 relating to Density Bonus Regulations.

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

COUNCIL ACTION: Approved 5/0

C.3. Introduce (1st Reading) Ordinance 393 Related to Extensions of Project Approvals. (File 0600-05)

Recommendation: That the City Council

1. Adopt a City Council Policy regarding Application and Review Guidelines for Requests for Extension of Project Approvals.
2. Introduce Ordinance 393 amending SBMC section 17.72.110 related to extensions of project approvals.

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

C.4. Request for Proposal for Solana Solar Program. (File0370-32)

Recommendation: That the City Council

1. Authorize the release of the Request for Proposal for Professional Services, Administrative Support, and Bond Purchase Agreement for a Solar and Energy Efficiency Financing Program.

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

COUNCIL ACTION: Approved 5/0 to approve Staff recommendation with modifications made by Mayor Nichols, that the RFP would include an eligible equipment list that would be a non-proprietary element, that the equipment list could not be geared towards a particular manufacturer, and that a schedule of completion of tasks should be required under the submittal format section of the RFP.

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 - Roberts (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 - Roberts, Kellejian (alternate) and any Subcommittees.
- 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 - Heebner, 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 December 9, 2009.
- b. Development Review - Nichols, Heebner. Expires November 18, 2009.
- c. Environmental Sustainability - Roberts, Heebner. Expires December 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: