

# 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, MARCH 25, 2009  
**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 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 COUNCIL MEMBERS**

**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**

**PROCLAMATIONS:**

1. Support of a Voluntary Ban on Foie Gras

**PRESENTATIONS:**

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

1. San Dieguito River Valley JPA (Joint Powers Authority)
2. Relay for Life

**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 September 19, 2007 and June 11, 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 February 1 - 27, 2009.  
[Item A.3. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.4. Del Mar Shores Beach Access Stairway. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2009-025:
  - a. Authorizing the transfer of the Fiscal Year 2008/2009 funding for the past and future expenditures associated with the purchase order for the preliminary design contract with Noble Consultants, Inc. from the City's CIP Fund (Budget Unit 459-9444-6510-6530, Project No. 9444-6661) to the Sand Replenishment/Retention and Coastal Access CIP (Budget Unit 450-9444-6510-6530, Project No. 9444-6661 ). To date, past expenditures on this purchase order are \$9,406 and the remaining balance on the purchase order is \$35,312 for a total of \$44,718.
  - b. Authorizing the closing of the project budget in the City's CIP Fund.
  - c. Appropriating \$50,505, which includes the preliminary design contract with Noble, a miscellaneous encumbrance of \$905 and a \$4,882 unencumbered contingency, from the Sand Replenishment/Retention

and Coastal Access CIP Undesignated Reserves (450-3200) into the project account (Budget Unit 450-9444-6510-6530, Project No. 9444-6661).

- d. Authorizing the City Treasurer to amend the Fiscal Year 2008/2009 Adopted Budget accordingly.

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

**COUNCIL ACTION: Approved 5/0**

**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. Annual Housing Element Progress Report for 2009. (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. Adopt Resolution 2009-026:
  - a. Finding that the proposed action is not a project, and is therefore exempt from the California Environmental Quality Act pursuant to Section 21065 of the State CEQA Guidelines.
  - b. Approve the 2009 Housing Element Annual Progress Report as submitted and directing the City Staff to file the report with the Department of Housing and Community Development and the Governor's Office of Planning and Research.

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

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

**COUNCIL ACTION: Approved 5/0**

**8.2. Update on the Status of the Solana Beach North Local Coastal Program (LCP) Land Use Plan (LUP). (File 0610-12)**

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. Receive the Report.
4. Adopt Resolution 2009-029 authorizing the City Manager to execute Amendment No. 4 to the professional services agreement with the Harvey-Meyerhoff Consulting Group in the amount of \$16,000 from the LCP Shoreline Management Project (459-9903-6190-6530).

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

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

**COUNCIL ACTION: Approved 5/0**

**8.3. Adjusting the Fee Schedule for Parking Violation Enforcement and Introduce (1st reading) Ordinance 395. (File 0390-23)**

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 2009-028 approving the new fee schedule for Parking Violation Enforcement.
4. Introduce (1st reading) Ordinance 395 amending Solana Beach Municipal Code Section 10.32.010.

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

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

**COUNCIL ACTION: Approved 5/0**

**C. STAFF REPORTS:**

*Submit speaker slips to the City Clerk*

**C.1. Shop Solana Beach First Campaign Update. (File 0400-10)**

Recommendation: That the City Council

1. Receive the update from Staff and the Campaign partners regarding the Shop Solana Beach First Campaign.

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

**COUNCIL ACTION: Approved 5/0**

**C.2. Introduce (1st Reading) Ordinance 394 Authorizing Mail Ballots. (File 430-10)**

Recommendation: That the City Council

1. Introduce (1st Reading) Ordinance 394 amending the Solana Beach Election Code.

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

**COUNCIL ACTION: Approved 5/0**

**C.3. Introduce (1st Reading) Ordinance 396 - Submittal Expiration. (File 0600-05)**

Recommendation: That the City Council

1. Make a finding that this action is not a "project" as defined under California Environmental Quality Act (CEQA) pursuant to Public Resource Code, section 21065.
2. Introduce Ordinance 396 amending SBMC section I7.72.010.F to clarify the City's policy for the closure of project case files after five months of inactivity or failure to bring the application into completion after five months.

[Item C.3. 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 - 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 - Heebner (Primary), Roberts (1st alternate), Nichols (2nd alternate) and any subcommittees.
- 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 Goiania Park Needs Assessment - Nichols, Heebner. Expires June 10, 2009.
- f. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 10, 2010 or at the California Coastal Commission adoption.
- g. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires 1-13-2010
- h. View Assessment - Nichols, Heebner. Expires August 26, 2009

**ADJOURN:**