

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, APRIL 22, 2009

6:00 P.M.

CITY COUNCIL CHAMBERS
635 S. HIGHWAY 101,
SOLANA BEACH, CALIFORNIA

And

TELECONFERENCE LOCATION (Councilmember Roberts)

4300 Wilson Blvd., Suite 250
Arlington, Virginia

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 and moving C.3. to the first item to be heard.

PROCLAMATIONS:

2. Earl Warren Middle School - Distinguished California School 2009
3. Law Enforcement Officers Memorial Day
1. Earth Day 2009

PRESENTATIONS: None

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

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. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for March 15 - April 3, 2009.

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

COUNCIL ACTION: Approved 5/0

A.3. Urban Area Security Initiative Memorandum of Understanding. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-038 authorizing the City Manager to sign the Memorandum of Understanding with the City of San Diego to participate and receive the benefits of the Urban Area Security Initiative program.

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

COUNCIL ACTION: Approved 5/0

A.4. Asphalt and Concrete Repair Project, Bid No. 2009-02. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-039
 - a. Approving the list of streets scheduled for repairs as part of the 2009 Asphalt and Concrete Repair Project, Bid No. 2009-02.
 - b. Authorizing the City Engineer to advertise for construction bids for the 2009 Asphalt and Concrete Repair Project, Bid No. 2009-02.

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

COUNCIL ACTION: Approved 5/0**C.6. Consideration of the City Council's position regarding the proposed solid waste disposal operations at the Gregory Canyon site. (File 0480-50) This item was added on 4-19-09**

1. Receive report and consider adoption of Resolution 2009-043.
2. Provide direction.
[Item C.6. Report \(click here\)](#)

COUNCIL ACTION: Approved 4/0/1 (Abstain: Kellejian)**A.5. Voluntary Ban on Foie Gras. (File 0480-70)**

Recommendation: That the City Council

1. Adopt Resolution 2009-027 voluntarily banning the sale and purchase of foie gras.
[Item A.5. Report \(click here\)](#)

COUNCIL ACTION: Approved 4/1 (Noes: Campbell.)**C.3. Fiscal Year 2007-08 Audited Financial Report and Single Audit Report. (File 0310-22)**

Recommendation: That the City Council

1. Accept and file the City of Solana Beach Comprehensive Annual Financial Report (CAFR) for the fiscal year July 1, 2007 - June 30, 2008.
2. Accept and file the Single Audit Report for the year ended June 30, 2008.
3. Accept and file the Statement of Auditing Standards (SAS) No. 112 Management Letter.
4. Accept and file the Independent Accountants' Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets letter.
[Item C.3. 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. Development Review Permit (DRP) at 717 Seabright Lane, Applicant: Blayne Hartman, Case: 17-08-30. (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 categorically exempt from the California Environmental Quality Act pursuant to Section 15332 of the State CEQA Guidelines; and
4. Adopt Resolution 2009-037 conditionally approving a DRP for a residence of 3,900 square feet, a detached RV garage of 1,120 square feet and a detached garage and carport area of 504 square feet all of which requires approximately 570 cubic yards of grading and new retaining walls at 717 Seabright Lane.

[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. Fiscal Year 2009-10 Resolution of Fees. (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 2009-042 establishing a new schedule of fees and charges for City services for FY 2009-10.

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

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

COUNCIL ACTION: Approved 5/0

**B.3. Lomas Santa Fe Plaza Lifestyles Project (Case No. 17-05-29; DRP/SDP)
Applicant: American Assets. (File 0600-40)**

Recommendation: That the City Council

1. Report Council Disclosures.
2. Continue the Public Hearing: Receive public testimony, Close the public hearing.
3. Find that the Initial Study and MND prepared for the Project (SCH# 2008091002) has been prepared consistent with CEQA and the 2008 State CEQA Guidelines and certify the Initial Study and MND as a subsequent Project identified in the 2003 Master EIR (MEIR), as required by the California Environmental Quality Act (CEQA).
4. Adopt the Mitigation Monitoring and Reporting Program prepared for the Project.
5. Adopt Resolution 2009-17 conditionally approving the request for a DRP and SOP to redevelop a portion of the existing Lomas Santa Fe Plaza.

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

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

Nichols.)

COUNCIL ACTION: Approved 4/0/1 to approve with modifications. (Recuse: Nichols.)

C. STAFF REPORTS:

Submit speaker slips to the City Clerk

C.1. Development Review Permit and Structural Development Permit Extension Request for 762 N Granados, Applicants Scott & Jessica Billington, Case No. 17-07-01. (File 0600-43)

Recommendation: That the City Council

1. Grant the request for an extension beginning on May 23, 2009 to set a final expiration date of May 23, 2011 for the approval of 17-07-01 DRP/SDP for the construction of a new 3,794 square foot (including garage), two-story residence on property at 762 N. Granados Avenue.

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

COUNCIL ACTION: Approved 5/0

C.2. Second Building Permit Extension Request for 167 South Nardo Avenue, Applicant Mehrdad Yazdani. (File 0600-43)

Recommendation: That the City Council

1. Grant the request for a second extension to Building Permit #07-195 through February 15, 2011.

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

COUNCIL ACTION: Approved 5/0

C.4. Fiscal Year 2007-08 Redevelopment Agency Basic Financial Statements. (File 0115-20)

Recommendation: That the City Council

1. Accept and file the Basic Financial Statements for the Solana Beach Redevelopment Agency for the fiscal year ending June 30, 2008.

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

COUNCIL ACTION: Approved 5/0

C.5. Introduce (1st Reading) Ordinance 397 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 397 amending Solana Beach Municipal Code section 17.72.010 (F) to reflect the direction from the City Council that the Community Development Director is mandated to close all inactive files when the requisite time has elapsed.

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

COUNCIL ACTION: Approved 3/2 (Noes: Kellejian, Roberts.)

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 Colonia 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: