

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, JUNE 10, 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 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:

PRESENTATIONS:

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

1. North County Transit District Budget Briefings
2. Regional Impacts of the Carlsbad Energy Center Project (CECP)
3. Santa Fe Irrigation Drought Water Use Restrictions

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** (SSMC 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 May 2 - 15, 2009.
[Item A.2. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

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

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Reports for the months of February 2009 through March 2009.
[Item A.3. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.4. Award Construction Contract for the Fire Station Exterior Painting Project. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-041
 - a. Accepting the bid submitted by Southwest Coatings, Inc. in the amount of \$13,000 for the Exterior Painting of the Fire Station Project, Bid No. 2009-03.
 - b. Authorizing an amount of \$1,300 for construction contingency.
 - c. Authorizing the City Manager to execute the construction contract on behalf of the City.

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

COUNCIL ACTION: Approved 5/0

A.5. Award 2009 Asphalt and Concrete Repair Project. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-063
 - a. Awarding the construction contract for the 2009 Asphalt and Concrete Repair Project, Bid No. 2009-02, in the amount of \$166,310.55 to Frank and Son Paving, Inc.
 - b. Approving an amount of \$31,689.45 for construction contingency.
 - c. Authorizing the City Manager to execute the construction contract on behalf of the City.

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

COUNCIL ACTION: Approved 4/0/1 (Recuse: Roberts.)

A.6. Summit Environmental Group Agreement Amendment #3. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-052 authorizing the City Manager to execute Amendment No. 3 to the Agreement between Summit Environmental Group and the City to provide professional planning project management services through the June 30, 2010 not to exceed \$16,500.

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

COUNCIL ACTION: Approved 5/0

A.7. Harvey-Meyerhoff Consulting Group Professional Services Agreement Amendment 5. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-051 authorizing the City Manager to execute Amendment No. 5 to the Agreement with the Harvey-Meyerhoff Consulting Group for Shoreline Management Program and Local Coastal Program Services.

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

COUNCIL ACTION: Approved 5/0

A.8. Highland Drive Speed Feedback Signs. (File 0860-50)

Recommendation: That the City Council

1. Adopt Resolution 2009-065

- a. Approving the private installation and maintenance of two radar speed feedback signs on Highland Drive, between San Andres and San Lucas Drives.
- b. Authorizing the City Manager to execute an encroachment and maintenance agreement with the Isle Verde Home Owners Association for the radar speed feedback signs.

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

COUNCIL ACTION: Approved 5/0

A.9. Adoption of the Fiscal Year 2009-10 Fire Benefit Fee. (File 0390-23)

Recommendation: That the City Council

1. Set the Fiscal Year 2009-10 Fire Benefit Fee at \$10.00 per unit.
2. Adopt Resolution 2009-067 setting the Fee for levying on the tax roll.

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

COUNCIL ACTION: Approved 5/0

A.10. Adoption of the Fiscal Year (FY) Municipal Improvements Districts Benefit (MID) Fees. (File 0495-20)

Recommendation: That the City Council

1. Approve Resolution 2009-068, setting the Benefit Charges for MID No. 9C, Santa Fe Hills at \$232.10 per unit for FY 2009-10.

COUNCIL ACTION: Approved 5/0

2. Approve Resolution 2009-069, setting the Benefit Charges for MID No. 9E, Isla Verde at \$68.74 per unit for FY 2009-10.

COUNCIL ACTION: Approved 4/0/1 (Recuse: Roberts.)

3. Approve Resolution 2009-070, setting the Benefit Charges for MID No. 9H, San Elijo Hills# 2 at \$289.58 per unit for FY 2009-10.

COUNCIL ACTION: Approved 5/0

4. Approve Resolution 2009-071, setting the Benefit Charges for MID No. 33, Highway 101/Railroad Right-of-Way at \$3.12 per unit for FY 2009-10.

COUNCIL ACTION: Approved 5/0

[Item A.10. 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. Completion of Revised Local Coastal Program (LCP) Land Use Plan (LUP). (File 0610-12)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, receive public testimony, close the public hearing.
2. Receive the Report and provide direction to City Staff.

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

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

COUNCIL ACTION: Approved 5/0

B.2. Development Review, Structure Development and Conditional Use Permits at 233, 235 and 237 North Rios Avenue, Applicant: Peter C. McNally, Case: 17-07-18. (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; and
4. Adopt Resolution 2009-040 conditionally approving a Development Review Permit, Structure Development Permit and Conditional Use Permit for the

project to construct two (2) new single-family residences and an accessory dwelling unit at 233, 235 and 237 North Rios Avenue.

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

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

COUNCIL ACTION: Approved 5/0

B.3. Building Valuation Table Update. (File 0800-90)

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 15061 (b)(3) of the CEQA Guidelines.
4. Adopt Resolution 2009-066, adopting the 2008-09 ICC Building Valuation Table used by the City of Solana Beach to cover the current costs of providing Building Department services.

[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. Adopt (2nd Reading) Ordinance 402 for Fiscal Year 2009-10 Sewer Service Charge. (File 1040-70)

Recommendation: That the City Council

1. Adopt Ordinance 402 amending Solana Beach Municipal Code section 14.08.060 increasing the annual sewer service charge for each equivalent dwelling unit to \$560.

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

COUNCIL ACTION: Approved 5/0

C.2. Adopt (2nd Reading) Ordinance 398 - Alcohol Consumption. (File 0270-30).

Recommendation: That the City Council

1. Adopt Ordinance 398 amending the Solana Beach Municipal Code section 11.12.095(A) to extend the ban on alcohol consumption at city beaches year-round regardless of the time of day.

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

COUNCIL ACTION: Approved 5/0

C.3. Fiscal Year 2009-10 Appropriations Limit. (File 0330-60)

Recommendation: That the City Council

1. Adopt Resolution 2009-072 establishing the 2009-10 Appropriations Limit in accordance with Article XIIB of the California Constitution and Government Code Section 7910.

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

COUNCIL ACTION: Approved 5/0

C.4. Introduce (1st Reading) of Ordinance 405 Prohibiting Urinating or Defecating in Public. (File 0270-30)

Recommendation: That the City Council

1. Introduce Ordinance 405 adding Solana Beach Municipal Code Chapter 6.10 prohibiting urinating or defecating in public.

[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 - 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 May 26, 2010.
- 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: