

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, JULY 8, 2009

6:00 P.M.

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

And

TELECONFERENCE LOCATION (Councilmember Roberts)
79 JFK St. Room L-140, Cambridge, MA 02138

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

PROCLAMATIONS:

PRESENTATIONS:

(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. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the Regular and Special City Council meetings held September 10, 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 May 30 - June 19, 2009.

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

COUNCIL ACTION: Approved 5/0

A.4. Status Report on Major FY 2008/09 Capital Improvement Projects. (File 0810-05)

Recommendation: That the City Council

1. Receive report from staff.

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

COUNCIL ACTION: Approved 5/0

A.5. League of California Cities 2009 Annual Business Meeting Voting Delegates. (File 0140-10)

Recommendation: That the City Council

1. Appoint Councilmember Roberts as the voting delegate and Councilmember Kellejian as voting alternate delegate, for the 2009 Annual

Business Meeting at the League of California Cities Annual Conference being held September 16-18, 2009 in Long Beach, Ca.

2. Direct the City Clerk to attest to the appointments and submit the Official Voting Form to the League of California Cities.

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

COUNCIL ACTION: Approved 5/0

A.6. Lease Amendment for the Sand Compatibility and Opportunistic Use Program (SCOUP). (File 0400-10)

Recommendation: That the City Council

1. Receive this report.
2. Authorize the City Manager to sign the Lease Amendment.

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

COUNCIL ACTION: Approved 5/0

A.7. Marlowe & Company Agreement for Federal Legislative and Administrative Beach Shoreline Advocacy Issues. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-085 authorizing the City Manager to execute a new agreement for one year with Marlowe & Company.

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

COUNCIL ACTION: Approved 5/0

C.6. Save the Fairgrounds. (File 0480-75)

Recommendation: That the City Council

1. Adopt Resolution 2009-084 supporting the "Save the Fairgrounds" campaign.

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS:

Submit speaker slips to the City Clerk

C.1. Request for Extension of Development Review and Structure Development Permits at 360 N. Granados (Lot 9), Applicants: Contasti

and Hernandez, Case No. 17-07-02. (File 0600-40)

Recommendation: That the City Council

1. Find that there have been no significant changes in the General Plan, zoning ordinance, or character of the area that would cause the approved project to become inconsistent or nonconforming, and
2. Find that granting of an extension is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. Grant the request for an extension beginning on July 11, 2009 to set a final expiration date of July 11, 2011 for the approval of 17-07-02 DRP/SDP for the construction of a new 3,401 square foot (not including 400 square feet of garage), two-story residence on property at 360 N. Granados Avenue (Lot 9).

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

COUNCIL ACTION: Approved 3/1/1 to approve the extension for six months with conditions and prepare a minute order. (Noes: Kellejian. Recuse: Nichols.)

C.3. Fletcher Cove Community Center Disabled Access Improvements and Refurbishment Plan. (File 0730-30)

Recommendation: That the City Council

1. Proceed with preparation of project development plans and a budget for Council consideration this fall/winter, grant permission for the Citizens' Group non profit organizations to utilize concept plans for fund raising activities.

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

COUNCIL ACTION: Approved 5/0

C.2. Subdivision Regulations at 538 South Nardo Ave. (File 0600-40)

Recommendation: That the City Council

1. Receive the report and provide direction.

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

C.4. City Council Meeting Agenda Policy. (File 0410-05)

Recommendation: That the City Council

1. Receive report.

2. Provide direction.

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

C.5. Chamber of Commerce Visitor Center Agreement. (File 0400-10)

Recommendation: That the City Council

1. Authorize the City Manager to execute the agreement between the City and the Solana Beach Chamber of Commerce on behalf of the City, and

2. Adopt Resolution 2009-083 authorizing funding in the amount of \$15,000 with the Solana Beach Chamber of Commerce for operation of the Visitor Center.

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

COUNCIL ACTION: Approved 5/0 with modifications to the agreement.

C.7. Introduce (1st Reading) Ordinance 409 - Massage Ordinance Revisions. (File 0390-45)

Recommendation: That the City Council

1. Introduce Ordinance 409 amending Municipal Code section 4.04.010 and Chapter 4.28.

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

COUNCIL ACTION: Approved 5/0

C.8. Adopt (2nd Reading) Ordinance 406 - Reduce Parking Requirement for Barber and Beauty Shops. (File 0610-10)

Recommendation: That the City Council

1. Adopt Ordinance 406 amending Solana Beach Municipal Code section 17.52.040 A to reduce the parking requirements for barber and beauty shops to 1 space per 200 sq. ft. of gross floor area.

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

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

C.9. Adopt (2nd Reading) Ordinance 399 - Noise Abatement and Storm Water Management. (File 0270-30)

Recommendation: That the City Council

1. Adopt Ordinance 399 amending Chapter 7.34 and Chapter 13.10 of the Solana Beach Municipal Code.

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

COUNCIL ACTION: Approved 5/0

C.10. Adopt (2nd Reading) Ordinance 403 - Related to Smoking and Tobacco, Tobacco Retailer Licensing, and Public Property and Places. (File 0270-30).

Recommendation: That the City Council

1. Adopt Ordinance 403 amending Chapter 6.16 of Title 6 of the SBMC to provide for the prohibition of smoking in outdoor dining areas, bars, playgrounds and tot lots, and farmer's markets as well as to update the chapter and reduce accessibility of tobacco products to minors; adding Chapter 6.17 to Title 6 of the SBMC to provide for the licensure of tobacco retailers in Solana Beach for regulatory purposes; and amending Chapter 11.12. of Title 11 of the SBMC to ban smoking within the boundaries of the Coastal Rail Trail.

[Item C.10. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

C.11. Adopt (2nd Reading) Ordinance 407 - Extensions of Project Approvals. (File 0600-05)

Recommendation: That the City Council

1. Make a finding that the proposed amendments to SBMC 17.72.110 is consistent with the general plan and would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
2. Adopt Ordinance 407 amending Solana Beach Municipal Code section 17.72.110.

[Item C.11. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

C.12. SANDAG 2050 Regional Growth Forecast Update (0150-55) This Item was added to the agenda on July 2, 2009.

Recommendation: That the City Council

1. Discuss and provide direction.

[Item C.12. Report \(click here\)](#)

WORKPLAN COMMENTS:

(Adopted June 24, 2009)

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: