

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, AUGUST 26, 2009

6:00 P.M.

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

And

TELECONFERENCE LOCATION (Councilmember Campbell)
15 Grindel Ave., Dennis Sport, Massachusetts, 02369

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 4/0/1 to approve with the exception of Item A.8. (Absent: Campbell)

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 4/0/1 (Absent: Campbell)

A.2. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the Regular & Special City Council meetings held January 23, 2008, Regular Council meeting held November 12, 2008, and Special Council meeting held November 19, 2008.

ApprovedMinutes <https://www.cityofsolanabeach.org/en/government/public-meetings/agendas-minutes-videos>

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.3. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for June 20, 2009 through July 31, 2009.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.4. Re-Establish the View Assessment Ad Hoc. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2009-092 re-establishing the View Assessment Ad Hoc Committee until August 25, 2010.

2. Appoint the existing two Council members (Nichols, Heebner) to serve on the Committee or appoint two new members.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.5. North County Dispatch Joint Powers Authority (JPA) Agreement. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-094 authorizing the City Manager to sign the second restated and amended agreement with the North County Dispatch JPA.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.6. Reciprocal Agreement with Franchise Tax Board. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-097 authorize the City Manager to execute an Agreement with the Franchise Tax Board to exchange taxpayer and business information to help the City find unregistered businesses.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.7. Memorandum of Understanding with San Eljio Joint Powers Authority. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-089 authorizing the City Manager to execute the Memorandum of Understanding between the San Eljio Powers Authority for Pump Station Operation and Maintenance Services.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.8. Regional Computer Aided Dispatch (CAD) Interoperability Project. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-091 authorizing the City Manager to sign the Memorandum of Understanding, allowing for minor changes for the San Diego Urban Area Regional CAD Interoperability Project.

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

A.9. Professional Services Agreement with CleanStreet. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-087:

- a. Authorizing the City Manager to execute Amendment No. 3 to the Professional Services Agreement with CleanStreet to extend the agreement for one (1) year at a cost of \$31,700 for street and parking lot sweeping services throughout the City.
- b. Authorizing the City Manager to extend the agreement up to one additional year, at the City's option.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.10. Fire Station Exterior Painting Change Order No. 1. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-088:

- a. Approving Change Order No. 1 to the construction contract with Southwest Coatings, Inc. in the amount of \$5,000 for the Fire Station Exterior Painting Project, Bid No. 2009-03.
- b. Authorizing the City Manager to execute the change order on behalf of the City.
- c. Appropriating \$5,000 from the Reserves for Public Facilities into the capital project account established for the Fire Station Exterior Painting Project.
- d. Authorizing the City Treasurer to amend the Fiscal Year 2009-2010 Adopted Budget accordingly.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

A.11. Amended Memorandum of Understanding (MOU) with the California State Association of Counties (CSAC) Excess Insurance Authority. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2008-095 approving an amended MOU with the CSAC- Excess Insurance Authority for the Excess Workers' Compensation Program and authorizing the Risk Manager to execute the MOU.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

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. Adjusting the Fee Schedule for Parking Violation Enforcement. (File 0390-30)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, receive public testimony, close the public hearing.
2. Adopt Resolution 2009-096 approving the new fee schedule for Parking Violations.

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

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

C. STAFF REPORTS:

Submit speaker slips to the City Clerk

C.1. Surfsong Home Owners Association Mitigation Fees. (Related to Case: 17-04-15 CUP).(File 0610-60)

Recommendation: That the City Council

1. Receive Payment of additional mitigation fees/deposit in the amount of \$115,000 for the shoreline protective device constructed under the 2004 permit.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

C.2. Annual Solid Waste Rate Review. (File 1030-15)

Recommendation: That the City Council

1. Receive the report.

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

COUNCIL ACTION: Approved 3/0/1/1 (Absent: Campbell Recuse: Kellejian.)

C.3. Adopt (2nd Reading) Ordinance 409 Massage Ordinance. (File 0390-45)

Recommendation: That the City Council

1. Adopt Ordinance 409 amending Solana Beach Municipal Code section 4.04.010 and Chapter 4.28 relating to massage businesses.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

C.4. Adopt (2nd Reading) Ordinance 405 Prohibiting Urinating or Defecating in Public. (File 0270-30)

Recommendation: That the City Council

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

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)

C.5. Letters of Support for AB 1506 and AB 925. (File 0480-70)

Recommendation: That the City Council

1. Discuss the items and provide direction to Staff.

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

COUNCIL ACTION: Approved 4/0/1 to support AB 1506. (Absent: Campbell)

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: