

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

And

TELECONFERENCE LOCATION (Councilmember Roberts)

79 JFK St. Room L-140, Cambridge, MA 02138

Meeting

WEDNESDAY, SEPTEMBER 23, 2009

5:59 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 4/0 to approve the agenda with the exception of Item C.5. which would be pulled from the agenda and returned to a future meeting.

PROCLAMATIONS:

Community Resource Center

2. Stand for Less
1. Fire Prevention Week

PRESENTATIONS:

1. Scripps Encinitas Multi-Phase Expansion

Friends of the Library

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: Kellejian)

A.2. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the Special City Council meeting held March 12, 2008, April 21, 2008, July 9, 2008, September 23, 2008 and Regular Meetings held October 8, 2008, and October 22, 2008.

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

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

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

Recommendation: That the City Council

1. Ratify the list of demands for August 22 - September 4, 2009.
[Item A.3. Report \(click here\)](#)

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

A.4. Three Lot Parcel Map for 755 S. Cedros. (File 0600-20)

Recommendation: That the City Council

1. Adopt Resolution 2009-109:
 - a. Approving the final parcel map for the three lot minor subdivision at 755 S. Cedros Avenue.
 - b. Authorizing the City Surveyor to sign the final parcel map as technically correct.
 - c. Authorizing the release of the final parcel map for recordation.

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

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

A.5. Professional Services Agreement with Hanson Bridgett, LLP. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-114 approving a Professional Services Agreement with Hansen Bridgett, LLP for legal services.

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

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

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. Fiscal Year 2010-2011 Community Development Block Grant Funds - Eden Gardens. (File 0390-30)

Recommendation: That the City Council

1. Report City Council disclosures;
2. Conduct the Public hearing: Open the Public Hearing, Receive Public Testimony, Close the Public Hearing;
3. Adopt Resolution 2009-110:

- a. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.
- b. Requesting Fiscal Year 2010-2011 Community Development Block Grant Funds for the Eden Gardens Master Plan.
- c. Finding that all of Fiscal Year 2010-2011 CDBG funds, presently estimated at a total of \$76,552 (a combination of \$52,284 and the one-time CDBG-R grant, which comes from the American Recovery and Reinvestment Act of 2009, in the amount of \$24,268) for this current fiscal year (FY09-10). These funds are designated to be used for the continued implementation of the Eden Gardens Master Plan design work and/or subsequent construction, which is anticipated to include curbs, gutters and sidewalks and additional drainage improvements specified in the Master Plan. The primary focus will be to use these funds to construct improvements on Castro and Gonzales Streets. Furthermore, the County is encouraged to advance future years CDBG funding to allow a more cost-effective and less community-impacting implementation.

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

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

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

C. STAFF REPORTS:

Submit speaker slips to the City Clerk

C.1. Public Arts Advisory Commission Member Appointment. (File 0120-80)

Recommendation: That the City Council

1. Make one appointment by the Council-at-large to the Public Arts Advisory Commission with a term expiration date of January 2010.

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

COUNCIL ACTION: Approved 4/0/1 to appoint Michael Swanson. (Absent: Kellejian)

C.2. Development Review Permit (DRP) and Structure Development Permit (SDP) Extension Request at 1128 Solana Drive, Applicants: Michael Hall, Case No. 17-06-25. (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 to set a final expiration date of September 26, 2011 for the approval of 17-06-25 DRP/SDP for the construction of a new 4,598 square foot (not including 400 square feet of garage), two-story residence on property at 1128 Solana Drive.

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

COUNCIL ACTION: Approved 4/0/1 to approve the recommendation with the modification of the time to a six (6) month extension. (Absent: Kellejian)

C.3. Sanitary Sewer Maintenance Plan Agreements. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-104
 - a. Authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Affordable Drain Services dba, Affordable Pipeline Services, Inc. in the amount of \$23,400 to increase the linear feet of annual sewer maintenance from 205,000 feet to 250,000 feet per year and to extend the term of the agreement to June 30, 2010.
 - b. Authorizing the City Treasurer to amend the Fiscal Year 2009-2010 Adopted Budget to appropriate \$23,400 from Sanitation District Undesignated Reserves (509-3200) into the Sanitation District Professional Services Budget (509-0000-7700-6530).
2. Adopt Resolution 2009-105
 - a. Authorizing the City Manager to execute a Professional Services Agreement with RBF Consulting in an amount not to exceed \$35,700 to review the closed circuit television (CCTV) information associated with the City sanitary sewer pipeline system and prepare a report related to the findings making specific recommendations for each of the sewer lines identified in the report as needing urgent repair.
 - b. Authorizing the City Treasurer to amend the Fiscal Year 2009-2010 Adopted Budget to appropriate \$35,700 from Sanitation District Undesignated Reserves (509-3200) into Sanitation District Professional Services Budget (509-0000-7700-6530).

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

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

C.6. Building Services Consultant and Agreement for Professional Services with EsGil Corporation. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-111 authorizing the City Manager to execute an Agreement with EsGil Corporation and authorizing the City Manager to extend the agreement for four (4) additional one-year time periods.

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

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

C.4. 2009-10 Community Grant Program. (File 0330-25)

Recommendation: That the City Council

1. Adopt Resolution 2009-112 that authorizes the annual solicitation of grant proposals from community service organizations who meet the grant program guidelines for the Community Grant Program.

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

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

C.5. Joint Use Agreement with the Boys and Girls Club of San Dieguito. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2009-108 authorizing the City Manager to enter into a Joint-Use Agreement with the Boys and Girls Club of San Dieguito.

[Item C.5. 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 - Nichols, Heebner. Expires January 13, 2010.
- h. View Assessment - Nichols, Heebner. Expires August 25, 2010

ADJOURN: