

## 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, DECEMBER 9, 2009

**5:57 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](http://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**

**THOMAS M. CAMPBELL, MAYOR**

**LESA HEEBNER, DEPUTY MAYOR**  
**JOE G. KELLEJIAN, COUNCILMEMBER**  
**DAVID W. ROBERTS, COUNCILMEMBER**  
**MIKE NICHOLS, 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 except B.1. which would be removed from the agenda.**

**C. STAFF REPORTS:**

*Submit speaker slips to the City Clerk*

**C.1. Appointment of Mayor and Deputy Mayor. (File 0410-05)**

Recommendation: That the City Council

1. In accordance with the policies established by Resolution 96-17, appoint the Mayor and Deputy Mayor for the term of December 9, 2009 to December 8, 2010.

a. Nominations for Mayor by a Motion and Second. Majority vote.

**COUNCIL ACTION: Approved 5/0 to appoint Deputy Mayor Campbell as Mayor.**

b. Nominations for Deputy Mayor by a Motion and Second. Majority vote. BREAK

**COUNCIL ACTION: Approved 5/0 to appoint Councilmember Heebner as Deputy Mayor.**

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

**PROCLAMATIONS:**

**PRESENTATIONS:**

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

1. Fletcher Cove Community Center Fundraising and Project Update

**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 City Council meetings held February 2, 2009 (Regular & Special), February 11, 2009 (Regular & Special), April 22, 2009 (Regular & Special), April 29, 2009 (Special), and May 5, 2009 (Special).

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 October 24 - November 20, 2009.

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

**COUNCIL ACTION: Approved 5/0**

**A.4. 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 A.4. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**A.5. Asphalt and Concrete Repair Project Fiscal Year 2009/2010. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2009-141:
  - a. Approving the list of streets scheduled for repairs as part of the 2009/2010 Asphalt and Concrete Repair Project, Bid No. 2009-08.
  - b. Authorizing the City Engineer to advertise for construction bids for the 2009/2010 Asphalt and Concrete Repair Project, Bid No. 2009-08.

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

**COUNCIL ACTION: Approved 5/0**

**A.6. Re-establish the Army Corps of Engineers and Regional Beach Nourishment Ad Hoc Committee and the Environmental Sustainability Ad Hoc Committee. (File 0410-48)**

Recommendation: That the City Council

1. Adopt Resolution 2009-113 re-establishing the Army Corps of Engineers and Regional Beach Nourishment Ad Hoc Committee until December 8, 2010;and
2. Adopt Resolution 2009-140 re-establishing the Environmental Sustainability Ad Hoc Committee until December 8, 2010; and
3. Appoint two existing Councilmembers (Army Corps of Engineers and Regional Beach Nourishment Ad Hoc Committee: Campbell, Kellejian AND Environmental Sustainability Ad Hoc Committee: Heebner, Roberts) OR appoint two new Councilmembers to serve on the Committees.

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

**COUNCIL ACTION: Approved 5/0**

**A.7. Fiscal Year 2008-09 Community Grant Recipient Financial Expenditure Report. (File 0330-25)**

Recommendation: That the City Council

1. Accept and file this report.

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

**COUNCIL ACTION: Approved 5/0**

**A.8. Supplemental Law Enforcement State Funding (SLESF) Grant (COPS Grant). (File 0390-34)**

Recommendation: That the City Council

1. Adopt Resolution 2009-138 approving the proposed expenditure plan for the SLESF (COPS) grant funds for Fiscal Year 2009/10.

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

**COUNCIL ACTION: Approved 5/0**

**A.9. Energy Efficiency and Conservation Block Grant (EECBG) Application Authorization. (File 0390-30)**

Recommendation: That the City Council

1. Adopt Resolution 2009-143 authorizing the City Manager to submit EECBG grant fund application.

[Item A.9. 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) to Remediate an Unpermitted Remodel at 509 Pacific Avenue, Applicant: Sikura and Deburgh, Case No. 17-09-11. (File 0600-40)**

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. Find the project categorically exempt from the California Environmental Quality Act pursuant to Section 15301 of the 2009 State CEQA Guidelines; and
4. If the City Council makes the requisite findings and approves the Project, adopt Resolution 2009-100 conditionally approving a ORP to remodel an existing single-family residence on property at 509 Pacific Avenue.

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

**B.2. Development Review and Structure Development Permit Requests (DRP/SDP) for 638 Marsolan Avenue, Applicant: Robert Fromme, Case # 17-09-16. (File 0600-40)**

The proposed project meets the minimum objective requirements under the S8MC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a ORP and administratively issue a SOP. Therefore, Staff recommends 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. If the City Council makes the requisite findings and approves the project, adopt Resolution 2009-139 conditionally approving a ORP and an administrative SOP for the project for a square footage addition and a substantial remodel at 638 Marsolan Avenue.

[Item B.2. 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.2. Community Grant Program Awards Fiscal Year 2009-10. (File 0330-25)**

Recommendation: That the City Council

1. Select the Fiscal Year 2009-10 Community Grant recipients and identify an award amount to each recipient.
2. Adopt Resolution 2009-144 authorizing the funding for the selected community grants recipients for financial assistance under the Fiscal Year 2009-10 Community Grant Program.

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

**COUNCIL ACTION: Approved 4/1 to approve the following allocations:**

**Boys and Girls Club \$2,500**

**Buddy Bowl, Inc. \$3,000**

**Community Resource Center \$5,000**

**Kids Korps USA \$3,500**

**North Coast Repertory Theatre \$3,000**

**Solana Beach Community Sing-Along \$1,000**

**Solana Beach Little League \$3,500**

**Solana Beach Soccer Club \$3,500 (Noes: Campbell.)**

**C.3. Fiscal Year 2008-09 Comprehensive Annual Financial Report (CAFR). (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, 2008 - June 30, 2009.
2. Accept and file the Statement of Auditing Standards (SAS) No. 112 Management Letter.



3. Accept and file the Independent Accountants' Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets letter.
4. Accept and file the Independent Accountants' Letter disclosing on their responsibilities under U.S. Generally Accepted Accounting Standards.  
[Item C.3. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**C.4. Redevelopment Agency Basic Financial Statements Fiscal Year 2008-09. (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, 2009.  
[Item C.4. Report \(click here\)](#)

**COUNCIL ACTION: Approved 5/0**

**C.5. San Elijo Joint Powers Authority's Recycled Water Program Contributions and Improvements. (File 0150-80)**

Recommendation: That the City Council

1. Accept report and provide any direction warranted.  
[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 17, 2010.
- c. Environmental Sustainability - Roberts, Heebner. Expires December 9, 2009.
- d. Fletcher Cove - Campbell, Heebner. Expires November 17, 2010.
- 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 25, 2010

**ADJOURN:**