

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, JANUARY 27, 2010
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 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

PROCLAMATIONS:

PRESENTATIONS:

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

1. Solana Beach Civic and Historic Society
2. Green Chamber of San Diego
3. Del Mar Firefighters

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. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for December 19, 2009 - January 8, 2010.
[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 month of October 2009.
[Item A.3. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.4. Resolution of Denial of an amendment to a Development Review Permit (DRP), Structure Development Permit (SDP) and Planned Unit Development (PUD) at 505 North Cedros Avenue, Applicants: Tad and Christa Keyser, Case # 17-09-04. (File 0600-40)

Recommendation: That the City Council

1. Adopt Resolution 2010-014 denying the request for an amendment to a Planned Unit Development, Development Review Permit and Structure Development Permit at 505 North Cedros Avenue.
[Item A.4. Report \(click here\)](#)

COUNCIL ACTION: Approved 3/1/1 (Noes: Kellejian. Abstain: Nichols)

A.5. City Donation Policy. (File 0410-90)

Recommendation: That the City Council

1. Adopt Resolution 2010-004 establishing a City Donation Policy.

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

A.6. Annual Report for the Redevelopment Agency for the Year Ended June 30, 2009. (File 0115-20)

Recommendation: That the City Council

1. Accept and file this report.

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS:

Submit speaker slips to the City Clerk

C.1. Support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010. (File 0480-70)

Recommendation: That the City Council

1. Adopt Resolution 2010-016 supporting the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010.

COUNCIL ACTION: Approved 5/0

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

C.2. 2010 Annual Citizen Commission Appointments. (File 0120-05)

Recommendation: That the City Council

1. Appoint 2 members to the Budget and Finance Commission:
 - a. Two (2) vacancies nominated/appointed by individual Councilmembers (Campbell, Nichols) for a two year term until January 2012.

COUNCIL ACTION: Approved 5/0 to appoint Craig Nelson and Jeff Anderman to the Budget and Finance Commission.

2. Appoint 3 members to the Parks and Recreation Commission.

- a. Three (3) vacancies nominated/appointed by the council at large for a two year term until January 2012.

COUNCIL ACTION: Approved 5/0 to appoint Christine Antonelli, Geri Retman-Opper, and Kelly Harless to the Parks and Recreation Commission.

3. Appoint 4 members to the Public Arts Advisory Commission:

- a. Four (4) vacancies nominated/appointed by the council at large for a two year term until January 2012.

COUNCIL ACTION: Approved 5/0 to appoint Tara Gordon, Michael Swanson, Nicolle Selby-Thomas, and Alli Dixon to the Public Arts Advisory Commission.

4. Appoint 3 members to the Public Safety Commission:

- a. Three (3) vacancies nominated/appointed. One by individual Councilmember (Campbell) for a two year term until January 2012. - Two by the council at large for a two year term until January 2012.

COUNCIL ACTION: Approved 5/0 to appoint Steven Goetsch, Kristi Day, and Deanne Borer to the Public Safety Commission.

5. Appoint 4 members to the View Assessment Commission:

- a. Four (4) vacancies nominated/appointed. Two by individual Councilmembers (Campbell, Kellejian) for a two year term until January 2012. - Two by the council at large for a two year term until January 2012.

COUNCIL ACTION: Declined 2/3 to appoint Paul Bishop. (Noes: Campbell, Heebner, Nichols.)

COUNCIL ACTION: Approved 4/1 to appoint Reed Phillips, Pat Coad, David Zito, and John Scales to the View Assessment Commission. (Noes: Kellejian.)

[Item C.2. 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. Minor Subdivision (SUB), Development Review Permit (DRP) and Structure Development Permit (SDP) for 209 East Cliff Street, Applicants: Louis Schooler and Alice Jacobson, Case# 17-07-22. (File 0600-40)

The proposed project meets the minimum objective requirements under the

SBMC, 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 SUB, DRP and administratively issue a SOP., therefore:

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 2010-009 conditionally approving a SUB, DRP and an administrative SOP for the project to construct a two-story, attached two-family dwelling for private ownership on a commonly owned lot at 209 East Cliff Street.

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

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

COUNCIL ACTION: Approved 3/1/1 to deny without prejudice. (Noes: Kellejian. Recuse: Nichols.)

B.2. Development Review Permit 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 2010-010 conditionally approving a Development Review Permit to remodel an existing single-family residence on property at 509 Pacific 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: (Continued).
Submit speaker slips to the City Clerk

C.4. Proposed Business Tax Ordinance. (File 0400-10)

Recommendation: That the City Council

1. Receive the report, discuss, and provide Staff with direction.

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

C.6. Adopt (2nd Reading) Ordinance 411 to Delete and Amend Certain Sections and Chapters, of the Solana Beach Municipal Code relating to Adopting and Incorporating by Reference the San Diego County Code of Regulatory Ordinances. (File 0800-90)

Recommendation: That the City Council

1. Adopt Ordinance 411 deleting and amending certain sections, and amending the names of certain sections and chapters, of the SBMC, which sections and chapters of the SBMC relate to adopting and incorporating, by reference, certain provisions of the County Code.

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

COUNCIL ACTION: Approved 5/0

C.3. Mid-Year 2009/2010 Budget Amendments. (File 0330-30)

Recommendation: That the City Council

1. That the City Council discusses potential solutions to the projected budget deficit and direct Staff on how to proceed in addressing the deficit.

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

C.5. Consultation of Current Solana Beach Elections Code. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-013 appropriating funds and expenditure of up to \$14,999 in the FY 2009-10 budget General Fund reserves to provide for an extensive review of the Solana Beach election code.

[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, appointed by this Council)

- 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 8, 2010.
- b. Development Review - Nichols, Heebner. Expires November 17, 2010.
- c. Environmental Sustainability - Roberts, Heebner. Expires December 8, 2010.
- d. Fletcher Cove - Campbell, Heebner. Expires November 17, 2010.

- e. La Colonia Park - 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 1-12-2011
- h. View Assessment - Nichols, Heebner. Expires August 25, 2010

ADJOURN: