

# 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, MARCH 10, 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](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**

**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) (A.1. - A.4.)**

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 City Council meeting held January 27, 2010 (Regular).

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 February 2 - 19, 2010.

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

**COUNCIL ACTION: Approved 5/0**

**A.4. 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 November 2009.

[Item A.4. 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: (B.1. - B.4.)**

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. FY 2009-10 User Fee Amendment. (File 0390-20)**

Recommendation: 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. Finding that the adoption of an amendment to the 2009/2010 Schedule of Fees is not a project as defined by CEQA.
4. Adopt Resolution 2010-005 amending the FY 2009/2010 Schedule of Fees to recover the City's costs for six services.

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

**COUNCIL ACTION: Approved 5/0 to close the public hearing.**

**COUNCIL ACTION: Approved 5/0**

**B.2. Development Review Permit (DRP) and Structure Development Permit (SDP) for 190 S. Rios Avenue, Applicant: Land Holdings III, LLC, Case # 17-09-17. (File 0600-40)**

Recommendation: 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 2010-021 conditionally approving a DRP and an administrative SOP for the project for new single family residence at 190 S. Rios Avenue.

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

**COUNCIL ACTION: Approved 5/0 to close the public hearing.**

**COUNCIL ACTION: Approved 5/0 to approve the project and adding a deed restriction for two areas, the front area that is U shaped open to the sky and**

surround on 3 sides by walls, and rear area was the uncovered rear court outside of kitchen and guest room.

**B.3. Amendment to Development Review Permit (DRP), Structure Development Permit (SDP) for 403 Mar View Drive, Applicants: Jack and Susie Burger, Case# 17-09-23. (File 0600-40)**

1. Report Council disclosures;
2. Conduct the Public hearing: Open the Public Hearing, Receive Public Testimony, Close the Public Hearing;
3. Finding 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 2010-029 conditionally approving an amendment to DRP/SDP (Case No. 17-08-15) for a new single-family residence on a vacant lot at 403 Mar View Drive.

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

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

**COUNCIL ACTION: Approved 4/0/1 (Recuse: Heebner.)**

**B.4. Participation in the CaliforniaFIRST Property Assessed Clean Energy (PACE) Program. (File 0230-25)**

1. Report Council disclosures.
2. Conduct the Public Hearing: Open the public hearing, Receive public testimony, Close the public hearing.
3. Adopt Resolution 2010-030 approving the City's participation in the CaliforniaFIRST Property Assessed Clean Energy Program.

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

**COUNCIL ACTION: Approved 5/0 to close the public hearing.**

**COUNCIL ACTION: Approved 5/0**

**C. STAFF REPORTS: (C.1. - C.3.)**

*Submit speaker slips to the City Clerk*

**C.1. Extension Request of Development Review Permit (DRP) and Structure Development Permit (SDP) for 700 Stevens Avenue, Applicant: Stevens Street LLC/Brio Investment Group, Case No. 17-06-22. (File 0600-40)**

Recommendation: That the City Council

1. Deny the request for an extension because the application was not filed within the time required by the SBMC Section 17.72.110 B.2.

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

**C.2. Second Extension Request of Development Review Permit (DRP) and Structure Development Permit (SDP) for 1128 Solana Drive, Applicants: Michael Hall, Case No. 17-06-25. (File 0600-40)**

Recommendation: That the City Council

1. Grant the request for a second extension to set a new 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 5/0**

**C.3. Adopt (2nd Reading) of Ordinance 413 Relating to Sidewalk Maintenance. (File 0820-45)**

Recommendation: That the City Council

1. Adopt Ordinance 413 repealing Solana Beach Municipal Code Section 11.24.110 relating to sidewalk maintenance.

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

**COUNCIL ACTION: Approved 5/0**

**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:**