

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, JULY 14, 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:

1. MiraCosta College

PRESENTATIONS: None

(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) (A.1. -A.15.)

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 meetings held February 24, 2010 and April 14, 2010.

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 June 5 - 18, 2010.

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

COUNCIL ACTION: Approved 5/0

A.4. Section 125 Cafeteria Plan/Flexible Spending Account Agreement (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-074 approving and authorizing the City Manager to execute the agreement with WageWorks Company to administer the City's Cafeteria Plan and Flexible Spending Accounts.

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

COUNCIL ACTION: Approved 5/0

A.5. Community Development Department Agreements. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-064:

- a. Authorizing the City Manager to execute a professional services agreement with Everest international Consultants, Inc.
 - b. Appropriate \$5,000 from the Transient Occupancy Tax (T.O.T.) Sand Replenishment Fund's Undesignated Reserves to the Sand Replenishment Project (Local Share).
 - c. Authorize the City Treasurer to amend the adopted FY 2010/2011 budget accordingly.
2. Adopt Resolution 2010-088 authorizing the City Manager to execute the First Amendment to the professional services agreement with Marlowe & Company.
 3. Adopt Resolution 2010-090 authorizing the City Manager to execute a professional services agreement with Harvey-Meyerhoff Consulting Group.
 4. Adopt Resolution 2010-092 authorizing the City Manager to execute a professional services agreement with Summit Environmental Group.
 5. Adopt Resolution 2010-102 authorizing the City Manager to execute a professional services agreement with GeoPacifica, Inc.

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

COUNCIL ACTION: Approved 5/0

A.6. Shoreline Management LCP (Local Coastal Plan) - Professional Services Agreement with Pacific Municipal Consultants (PMC). (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-063:
 - a. Authorizing the City Manager to execute Amendment #1 to the professional services agreement with PMC.
 - b. Authorizing the expenditure of \$32,900 in the City's FY 2010/2011 Budget, CIP Project #9903, "Shoreline Management LCP" to pay for Amendment #1 to the PMC Agreement.

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

COUNCIL ACTION: Approved 5/0

A.7. Eden Gardens Sewer Pump Station, Bid No. 2008-01. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-100:

- a. Authorizing the City Manager to execute a final change order with T.C. Construction Company for a cumulative amount of \$90,936 as itemized in Table 2.
- b. Accepting as complete the Eden Gardens Sewer Pump Station, Bid No. 2008-01, constructed by T.C. Construction Company.
- c. Authorizing the City Clerk to file a Notice of Completion.

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

COUNCIL ACTION: Approved 5/0

A.8. Vacate Utility Easement at Cofair east of Marsolan Avenue, adjacent to 766 Marsolan Avenue. (File 0820-50)

Recommendation: That the City Council

1. Adopt Resolution 2010-068 authorizing the vacation of the utility easement over that portion of Cofair Avenue vacated by Resolution 94-88.

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

COUNCIL ACTION: Approved 5/0

A.9. June 8, 2010 Special Election Official Certification. (File 0430-20)

Recommendation: That the City Council

1. Adopt Resolution 2010-104 reciting the fact of the Special Municipal Election held on June 8, 2010 declaring the result and other such matters as provided by law.

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

COUNCIL ACTION: Approved 5/0

A.10. November 2, 2010 General Municipal Election. (File 0430-20)

Recommendation: That the City Council

1. Adopt Resolution 2010-096 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 2, 2010, for the election of certain officers as required by the provision of the laws of the State of California relating to general law cities.
2. Adopt Resolution 2010-097 requesting the Board of Supervisors of the County of San Diego to Consolidate the General Municipal Election to be held on November 2, 2010, with the Statewide General Election to be held on that date, pursuant to Section 10403 of the Elections Code.

3. Adopt Resolution 2010-099 adopting regulations for candidates for elective office pertaining to candidate's statements submitted to the voters at an election. (To be held on Tuesday, November 2, 2010).

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

COUNCIL ACTION: Approved 5/0

A.11. Extend Street Sweeping Contract for Fiscal Year 2010/11. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-086 authorizing the City Manager to execute Amendment #4 with CleanStreet for street sweeping services for Fiscal Year 2010/2011.

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

COUNCIL ACTION: Approved 5/0

A.12. Fletcher Cove Community Center ADA Improvements, Bid No. 2010-02. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-094
 - a. Awarding the construction contract, including the alternate bid item, for the Fletcher Cove Community Center ADA Improvements, Bid No. 2010-02, in the amount of \$71,724.61, to MJC Construction.
 - b. Approving an amount of \$14,275.39 for construction contingency.
 - c. Authorizing the City Manager to execute the construction contract on behalf of the City.

[Item A.12. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.13. Chamber of Commerce Visitor Center Agreement. (File 0400-10)

Recommendation: That the City Council

1. Authorize the City Manager to execute the agreement between the City and the Solana Beach Chamber of Commerce on behalf of the City, and
2. Adopt Resolution 2010-091, authorizing funding in the amount of \$15,000 with the Solana Beach Chamber of Commerce for operation of the Visitor Center.

[Item A.13. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.14. Cannon Copier Machine Lease. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-111 authorizing the City Manager to enter into agreements with South Coast Copy Systems and Canon Financial Services, for a 60 month lease of a Cannon Image Runner 3245i Copier.

[Item A.14. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.15. Purchase of a Smoke Extractor Using Grant Funds. (File 0370-26)

Recommendation: That the City Council

1. Adopt Resolution 2010-107 approving the purchase of a new smoke extractor from Best Way Laundry Solutions at a cost of \$18,489.09 and
2. Appropriating in the Public Safety Special Revenue fund \$19,950 to Federal Grant revenue, \$10,000 to Fire Revenue from Other Agencies, and \$26,715.09 to Equipment.

[Item A.15. 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.2.)

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. Introduce (1st Reading) Ordinance 418 to amend the Solana Beach Floodplain Overlay Zone (Section 17.80.020) to comply with the National Flood Insurance Program. (File 0610-10)

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. If the Council could make the findings as required under SMBC section 17.76.070, introduce Ordinance 418 to amend the Solana Beach Floodplain Overlay Zone (Section 17.80.020) of the SBMC.

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

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

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

COUNCIL ACTION: Approved 5/0

B.2. Mitigated Negative Declaration (MND) Public Hearing for the Fletcher Cove Community Center Project. (File 0730-30)

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. Adopt Resolution 2010-109
 - a. Adopting the Mitigated Negative Declaration and Initial Study prepared for the project, and the Mitigation Monitoring Program (Attachment 2) and finding that they are consistent with CEQA and the 2009 State CEQA Guidelines.
 - b. Approving the project plans for Phases 1 and 2.

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

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

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS: (C.1. - C.7.)

Submit speaker slips to the City Clerk

C.1. Exclusive Negotiation Agreement with Hitzke Development Corporation for the Development of an Affordable Housing Project at the 500 block of South Sierra Avenue. (File 0040-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-110
 - a. Authorizing the City Manager to execute the Exclusive Negotiation Agreement between the City of Solana Beach, Solana Beach Redevelopment Agency and Hitzke Development Corporation for the development of an affordable housing project at the 500 block of South Sierra Avenue.
 - b. Appointing the City Manager as lead negotiator for the City during the negotiation period.
2. Adopt Resolution RDA-040
 - a. Authorizing the Executive Director to execute the Exclusive Negotiation Agreement between the City of Solana Beach, Solana Beach Redevelopment Agency and Hitzke Development Corporation for the development of an affordable housing project at the 500 block of South Sierra Avenue.
 - b. Appointing the Executive Director as lead negotiator for the Agency during the negotiation period.

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

COUNCIL ACTION: Approved 5/0

C.2. 1-5 Expansion Project Draft Environmental Impact Report Review Process and Agreement. (File 0830-30)

Recommendation: That the City Council

1. Adopt Resolution 2010-095
 - a. Amending the FY 2010-11 Budget by an amount not to exceed \$75,000 from the General Fund Undesignated Reserve Account 001-3200 and appropriating this amount to the Engineering Professional Services account number 001-6500-6510-6530, to review the Interstate 5 freeway expansion project Draft EIR.
 - b. Authorizing the City Manager to negotiate and enter into professional services agreements, on behalf of the City, regardless of the amount of the agreements with various experts to assist for reviewing and commenting on the Draft EIR, provided that the total costs of all agreements do not exceed \$75,000.

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

COUNCIL ACTION: Approved 5/0 to approve and include adding a comment

to study particulate matter including reaching out to the American Lung Association, and send a letter to Caltrans that the City will videotape the open house walk through of stations to capture the information.

C.3. Annual Audit for the City of Solana Beach for Fiscal Years (FY) Ending June 30, 2010 through June 30, 2012. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-108, authorizing the City Manager to execute an agreement with Caporicci & Larson, Inc. for professional audit services.

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

COUNCIL ACTION: Approved 5/0

C.4. Various Traffic Related Matters. (File 0870-40)

Recommendation: That the City Council

1. Adopt Resolution 2010-087 approving the restriping of angled parking spaces on South Sierra, in front of the Post Office and Las Brisas, to reverse angle back-in/head-out parking stalls.
2. Adopt Resolution 2010-093 approving the change from 2-hour parking to 3-hour parking on South Cedros, between Lomas Santa Fe Drive and approximately 300-feet north of Marsolan, where 2-hour parking is currently posted.

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

COUNCIL ACTION: Approved 5/0 to approve Resolution 2010-093 only at this time.

C.5. Establish Three Ad Hoc Committees: General Plan Update, 25th Anniversary, Fire Department Management Governance and Organizational Evaluation Ad Hoc Committee. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2010-085 establishing a General Plan Ad Hoc Committee to expire on July 13, 2011.

COUNCIL ACTION: Approved 5/0 to approve and appoint Campbell and Nichols.

2. Adopt Resolution 2010-105 establishing the City's 25th Anniversary Ad Hoc Committee to expire on July 13, 2011.

COUNCIL ACTION: Approved 5/0 to approve and appoint Heebner and Kellejian.

3. Adopt Resolution 2010-106 establishing the Fire Department Management Governance and Organizational Evaluation Ad Hoc Committee to expire on July 13, 2011.

COUNCIL ACTION: Approved 5/0 to approve and appoint Kellejian and Roberts.

4. Appoint two Councilmembers to serve on each Committee.
[Item C.5. Report \(click here\)](#)

C.6. Application of Initiation Proceedings for Geologic Hazard Abatement District to the City. (File 0610-12)

Recommendation: That the City Council

1. Receive the report and provide direction.
[Item C.6. Report \(click here\)](#)

C.7. Adopt (2nd Reading) Ordinance 420 - Election Code Revisions. (File 0430-20)

Recommendation: That the City Council

1. Review proposed changes reached by consensus at prior meetings to amend the Solana Beach Election Code.
2. Adopt Ordinance 420 amending Solana Beach Municipal Code 2.24 regarding Elections.
[Item C.7. 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 11, 2011.
- 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: