

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, AUGUST 25, 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. Solana Beach Little League

PRESENTATIONS:

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

1. Solana Beach Foundation for Learning

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:

COMMUNITY ANNOUNCEMENTS:

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 the City Council meetings held April 20, 2010 and April 28, 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 19 - July 30, 2010.

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

COUNCIL ACTION: Approved 5/0

A.4. Grand Jury Responses. (File 0480-90)

Recommendation: That the City Council

1. Adopt Resolution 2010-124 approving the attached responses to the Grand Jury reports and authorize the Mayor and the City Manager to sign the responses.

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

COUNCIL ACTION: Approved 5/0

A.5. Re-establish the View Assessment Ad Hoc Committee. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2010-115 re-establishing the View Assessment Ad Hoc Committee until February 24, 2011; and
2. Appoint the existing two Councilmembers (Heebner, Nichols) to serve on the Committee.

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

COUNCIL ACTION: Approved 5/0

A.6. Authorize Amendment #2 Extending Traffic Signal Maintenance Contract with Republic ITS. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-098 authorizing the City Manager to:
 - a. Execute Amendment 2 with Republic ITS for traffic signal maintenance services for Fiscal Year 2010/2011 in the amount of \$24,720; and
 - b. Extend the agreement for up to two (2) additional years at the City's option at an amount not to exceed the amount budgeted for the work each year.

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

COUNCIL ACTION: Approved 5/0

A.7. Monthly Investment Reports. (File 0350-45)

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Reports for the months of March 2010, April 2010, and May 2010.

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

COUNCIL ACTION: Approved 5/0

A.8. Designation of Certain City Staff Members to Act on Behalf of the City in Matters Relating to the CSAC Excess Insurance Authority. (File 0320-20)

Recommendation: That the City Council

1. Adopt Resolution 2010-117 designating the City Manager, the City Treasurer, the Deputy City Manager and the Finance Manager to act on behalf of the City of Solana Beach regarding matters with the CSAC-Excess Insurance Authority.

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

COUNCIL ACTION: Approved 5/0

A.9. California Public Employees Retirement System (CalPERS) Employee Contributions and Tax Defer Member Paid Contributions. (File 0520-50)

Recommendation: That the City Council

1. Adopt Resolution 2010-120 approving members of the SBEA-Miscellaneous Unit, all unrepresented employees to pick up an additional 2.242% for a total of 3.515% of the 8% PERS employee contribution.
2. Adopt Resolution 2010-121 approving members of the SBEA-Miscellaneous Unit, all unrepresented employees to tax defer member paid contributions.
3. Adopt Resolution 2010-122 approving members of the SBEA-Marine Safety Unit to pick up the entire 9% employee share of the CalPERS retirement benefit.
4. Adopt Resolution 2010-123 approving members of the SBEA-Marine Safety Unit to tax defer member paid contributions.
5. Adopt Resolution 2010-126 modifying EPMC for the Fire employees.
6. Adopt Resolution 2010-127 approving members of the SBFA to tax defer member paid contributions
7. Adopt Resolution 2010-129 approving CITY COUNCIL members to pick up the entire 8% employee share of the CalPERS retirement benefit.
8. Adopt Resolution 2010-130 approving CITY COUNCIL members to tax defer member paid contributions.

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

COUNCIL ACTION: Approved 5/0

A.10. Adoption of FY 2010/11 Salary and Compensation Plan for All Employees. (File 0520-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-119 approving the FY 2010/11 Memorandum of Understanding between the City of Solana Beach and SBEA-Marine Safety Unit.
2. Adopt Resolution 2010-118 approving the FY 2010/11 through FY 2012/13, Memorandum of Understanding between the City of Solana Beach and

SBEA-Miscellaneous Unit.

3. Adopt Resolution 2010-112 approving the FY 2010/11 Salary and Compensation Plan for Executive Management, Mid-Management, Confidential, Non-Represented, Miscellaneous represented employees, Marine Safety Unit employees, and Fire employees.

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

COUNCIL ACTION: Approved 5/0

A.11. Impasse between the City and the Solana Beach Firefighters' Association regarding Compensation and Benefits. (File 0520-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-125:
 - a. Implementing the elements of the City's Last, Best, and Final offer to SBFA employees effective August 25, 2010.
 - b. Implementing changes to compensation and benefits for SBFA employees effective August 25, 2010.
 - c. Amending the FY 2010/11 Salary and Compensation Plan to reflect the 2% salary adjustment effective August 28, 2010 (Attachment 3).

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

COUNCIL ACTION: Approved 5/0

A.12. League of California Cities 2010 Annual Business Meeting Voting Delegates. (File 0140-10)

Recommendation: That the City Council

1. Appoint Councilmember Roberts as the voting delegate, Councilmember Kellejian as 1st alternate delegate, and Deputy Mayor Heebner as 2nd alternate delegate, for the 2010 Annual Business Meeting of the League of California Cities Annual Conference being held September 15-17, 2010.
2. Direct the City Clerk to attest to the appointments and submit the Official Voting Form to the League of California Cities.

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

COUNCIL ACTION: Approved 5/0

A.13. I.T. (Information Technology) Technical Support Agreement with the City of Del Mar. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-089 authorizing the City Manager to sign an I.T. support agreement with the City of Del Mar.

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

COUNCIL ACTION: Approved 5/0

A.14. Parcel Maps for 832 Valley and 241 South Granados. (File 0600-20)

Recommendation: That the City Council

1. Approve the final parcel maps for 832 Valley and 241 South Granados pursuant to Government Code Section 66458 and SBMC Sections 16.32.020 and 16.32.080.
2. Direct the City Engineer to execute all necessary signatures on behalf of the City pursuant to SBMC Section 16.32.080.

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

COUNCIL ACTION: Approved 5/0

A.15. Notice of Completion for the 2010 West Sewer Repair Project, Bid No. 2010-03. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-113:
 - a. Authorizing the City Council to accept as complete the 2010 West Side Sewer Pipeline Repair Project, Bid No. 2010-03, constructed by Scott Michael, Inc.
 - b. Authorizing the City Clerk to file a Notice of Completion.

[Item A.15. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.16. Stevens Avenue Emergency Storm Drain Repairs. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-128:
 - a. Receive this report detailing the specifics of the emergency nature of this project.
 - b. Making a finding, based on substantial evidence set forth in this staff report, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.
 - c. Ratify the construction contract with Scott Michael, Inc., in the amount of \$54,685, previously executed by the City Manager in accordance

with Section 22050 of the California Public Contract Code and Resolution 2008-091.

[Item A.16. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.17. Sustainable Communities Planning Grant and Incentives Program (File No. 0390-30)

Recommendation: That the City Council

1. Adopt Resolution 2010-132:
 - a. Authorizing City Staff to apply for grant funding under the Sustainable Communities Planning Grant and Incentives Program.

[Item A.17. 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. Conditional Use Permit (CUP) request for 1505 Lomas Santa Fe, Applicants: Clearwire US LLC, Case: Case# 17-09-21. (File 0610-60)

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 CUP. 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 15301 of the State CEQA Guidelines; and

4. If the City Council makes the requisite findings and approves the project, adopt Resolution 2010-116 conditionally approving a CUP to install a new wireless communications facility on an existing 55 foot tall mono-broadleaf owned by AT&T Wireless at 1505 Lomas Santa Fe.

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

B.2. Conditional Use Permit (CUP) request for 105 N. Cedros Avenue, Applicants: Clearwire US LLC, Case# 17-09-26. (File 0610-60)

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 CUP. 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 15301 of the State CEQA Guidelines; and
4. If the City Council makes the requisite findings and approves the project, adopt Resolution 2010-114 conditionally approving a CUP for the proposed modifications to an existing Sprint/Nextel Wireless Communications Facility (WCF) at 105 N. Cedros in the tower above the Solana Beach Train Station.

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

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

COUNCIL ACTION: Approved 5/0 to approve with modifications adding the reference to the acceptable federal standards.

B.3. Development Review Permit (DRP) request for 708 and 710 Midori Court, Applicants: Charles Gerst and Thomas Hipkins, Case # 17-08-20. (File 0600-10)

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 DRP. 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 2010-101 conditionally approving a DRP for the construction of retaining walls, two staircases and a trellis as well as grading at 708 and 710 Midori Court.

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

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS:

Submit speaker slips to the City Clerk

C.1. Economic Study of Affordable Housing Need. (File 0650-90)

Recommendation: That the City Council

1. Accept the Economic Study of Affordable Housing Need as prepared by Keyser Marston Associates, Inc.
2. Release the Economic Study of Affordable Housing Need for a 30-day public review period.

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

C.2. Water Efficient Landscape. (File 0610-80)

Recommendation: That the City Council

1. Direct Staff to prepare an ordinance to be introduced and adopted at a later City Council meeting.

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

COUNCIL ACTION: Approved 5/0 for Staff to prepare a Water Efficient Ordinance and return to Council with a matrix or graph to assist in clarifying when the permitting requirements would be triggered.

C.3. Introduce (1st Reading) Ordinance 419 of the Solana Beach Municipal Code regarding sidewalks. (File 0230-60)

Recommendation: That the City Council

1. Introduce Ordinance 419 adding, and amending certain sections of Chapter 6.12 and 11.16 of the SBMC, which relate to litter control and sidewalks.

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

COUNCIL ACTION: Approved 5/0 to approve Staff recommendation with revisions to Section 6.12.030 of the Municipal Code and a section would be added that enforcement provisions would be subject to Chapter 1 of the Municipal Code.

C.4. Adopt (2nd Reading) of Ordinance 418 to Amend the Solana Beach Floodplain Overlay Zone. (File 0610-10)

Recommendation: That the City Council

1. Adopt Ordinance 418 amending the Solana Beach Floodplain Overlay Zone (Section 17.80.020) of the SBMC.

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

COUNCIL ACTION: Approved 5/0

WORKPLAN COMMENTS:

(Adopted June 23, 2010)

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. City's 25th Anniversary - Heebner, Kellejian. Expires July 13, 2011.
- c. Development Review - Nichols, Heebner. Expires November 17, 2010.
- d. Environmental Sustainability - Roberts, Heebner. Expires December 8, 2010.
- e. Fire Department Management Governance-Kellejian,Roberts. Expires July 13, 2011.
- f. Fletcher Cove - Campbell, Heebner. Expires November 17, 2010.
- g. General Plan - Campbell, Nichols. Expires July 13, 2011.
- h. La Colonia Park - Nichols, Heebner. Expires May 11, 2011.
- i. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 10, 2010 or at the California Coastal Commission adoption.
- j. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires 1-12-2011
- k. View Assessment - Nichols, Heebner. Expires August 25, 2010

ADJOURN: