

SOLANA BEACH CITY COUNCIL
REDEVELOPMENT AGENCY AND PUBLIC FINANCING AUTHORITY

JOINT **SPECIAL** MEETING

MINUTES

WEDNESDAY, APRIL 14, 2010
6:00 P.M.

CITY COUNCIL CHAMBERS 635 S. HIGHWAY 101, SOLANA BEACH,
CALIFORNIA
And
TELECONFERENCE LOCATION (Councilmember Kellejian) 473 Glencrest
Drive, Solana Beach, CA 92075

The City Council acts as the City of Solana Beach Redevelopment Agency and the Public Financing
Authority.

CALL TO ORDER AND ROLL CALL:

Present: Campbell, Heebner, Kellejian, Roberts, and Nichols.

Absent: None.

Also Present: David Ott, City Manager
Johanna Canlas, City Attorney
Leticia Fallone, Deputy City Clerk
Angela Ivey, City Clerk
Dennis Coleman, Finance Director
Tina Christiansen, Community Dev. Dir.
Mo Sammak, City Engineer/Public Works Dir.

Mayor Campbell called the meeting to order with all members present and Councilmember Kellejian attending via teleconference, as noticed.

Johanna Canlas, City Attorney, stated that there was no reportable action from the Closed Session.

FLAG SALUTE:

Mayor Campbell led the flag salute.

APPROVAL OF AGENDA:

MOTION: Moved by Heebner and seconded by Roberts. **Motion carried unanimously.**

PROCLAMATIONS:

Child Abuse Prevention Month

Mayor Campbell presented a proclamation for Child Abuse Prevention Month to Harold Randall.

DelSol Lions Club

Mayor Campbell presented a proclamation for the DelSol Lions Club.

Childhood Obesity Prevention Month

Mayor Campbell presented a proclamation for Childhood Obesity Prevention Month.

PRESENTATIONS:

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

ORAL COMMUNICATIONS:

COMMUNITY ANNOUNCEMENTS:

Council made community announcements.

COMMENTARY:

Council made commentary reports.

A. CONSENT CALENDAR: (Action Items) (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 public 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.

MOTION: Moved by Nichols and seconded by Roberts. **Motion carried unanimously.**

A.2. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council meetings held December 9, 2009 (Regular & Special) and February 4, 2010 (Special).

MOTION: Moved by Nichols and seconded by Roberts. **Motion carried unanimously.**

A.3. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for March 6 - 19, 2010.

MOTION: Moved by Nichols and seconded by Roberts. **Motion carried unanimously.**

A.4. Extension Request for 700 Stevens Avenue, Development Review Permit and Structure Development Permit, Case No. 17-06-22, Applicant: Stevens Street LLC/Brio Investment Group. (File 0600-40)

Recommendation: That the City Council

1. Deny the request for an extension without prejudice because the application was not filed within the time required by the Solana Beach Municipal Code Section 17.72.110 B.2.

MOTION: Moved by Nichols and seconded by Roberts. **Motion carried 4/0/1** (Recuse: Nichols)

C. STAFF REPORTS: (Items C.1. - C.8.)

Submit speaker slips to the City Clerk

C.1. Fletcher Cove Reef Report - Southern California Reef Technology Study. (File 0740-80)

Recommendation: That the City Council

1. Receive the Staff Report and Direct the City Manager to post the draft report on the City's website for public review.

David Ott, City Manager, introduced the item.

Leslea Meyerhoff, consultant, presented a powerpoint. She stated that the purpose of the item was to formally present the draft report for review, that the concept of a reef had been under review for ten years, and that the purpose of the study was to determine whether an offshore reef was feasible for the City. She reviewed the project goals, the multi-purpose uses of the reef and reviewed the study summary of Phase 1 of the project.

David Cannon, Everest International Consultants, reviewed Phase 1 of the study. He stated that the primary purpose of the project was to design a reef that could retain sand, that in the past 10-20 years reefs were designed to enhance surfing and not built to retain sand. He showed diagrams of the reef, stated that the Fletcher Cove reef had a crest elevation of mean sea level, that half of the time the reef would be above water and half the time it would be below water, and that the design would be shaped in a way to enhance surfing conditions in the area.

Leslea Meyerhoff, consultant, continued the power point. She reviewed the next steps of the project, and stated that the Army Corps recommended that the City pursue funding from the Water Resources Development Act which had a focus on new and innovative technologies. She reviewed the potential schedule of the project, that the second phase could be initiated later this year with the appropriate funding, and that the draft report should be posted on the website for public review.

Council and Consultant discussion ensued regarding the purpose of the project, that the conceptual proposal would accomplish the project goals, that a reef was feasible, and that it required additional study.

Jim Jaffe, Vice President of Calbeach Advocates, (time donated by Johnny Papas) handed out a training flyer that was prepared for the Surfrider

Foundation. He stated that the reef would have an impact to the environment and he posed questions such as, what would be the impact on adjacent beaches, would the structure perform the same in all kinds of wave conditions, what would be the consequences of the reef, what were environmental consequences, and what potential conflicts that might arise if the structure was built. He stated he was concerned about public access issues, aesthetics of the coast line, whether the reef would cause erosion on adjacent beaches, and that there should be guidance for these types of hypothetical questions.

Ira Oppen stated that he had been surfing at Fletcher Cove for 25 years, that his profession was documenting surf, that artificial reefs were poor examples of natural reefs, and that he was concerned about the project. He questioned whether aesthetics had been analyzed, what would the reef smell like, that an exposed reef could be a safety hazard and not conducive to surfing, that there was already a natural reef at Fletcher Cove, that the location should be considered to move more North, and what the criteria for removal of the reef would be if it failed.

Council discussion ensued regarding the design criteria for the project, that surfing should not be affected by the reef, that additional study was needed on the conceptual design, whether the reef posed public safety concerns, that the reef device should be recreation friendly, and that answers to the Council's and Public's questions should be available after the additional study had been conducted.

MOTION: Moved by Roberts and seconded by Campbell. **Motion carried unanimously.**

C.2. Streetlight Master Plan Update. (File 0820-60)

Recommendation: That the City Council

1. Adopt Resolution 2010-035 accepting the Solana Beach Streetlight Master Plan Update, dated March 2, 2010, prepared by Republic ITS.

David Ott, City Manager, introduced the item.

Mo Sammak, City Engineer, presented a powerpoint including the assessment by ITS of the conditions of deteriorating issues of the City's lighting inventory, that the average life expectancy of streetlight poles in the City was 40-60 years depending on the exposure to the elements, that the current inventory was approximately 13% steel and fiberglass poles and 9% concrete poles that need immediate replacement, that all steel poles would need replacement in the next 10 years and all concrete poles would need replacement in the next 20-

30 years, that the estimate totals approximately \$2.41 million of steel and concrete poles, that ITS believed that the property tax, as the funding for the assessment district, cost grows at 3.35% per year, that they recommended an increase of fees by 2.51% per year, and that Council's approval of this report would not increase the fees but would allow Staff to look into the potential for the increase in the future, and that they provided some alternative lighting sources.

Council and Staff discussed the consultant ITS that did the study since they currently provided maintenance as well as traffic signal work, that they could participate in the bidding process for the final work, that pictures were provided to back up the study's findings of deterioration, and that the City had proceed with replacements on an as needed basis for those in the worst shape.

Johanna Canlas, City Attorney, stated that they would go through the bid process and may or may not be selected.

Council and Staff discussion continued regarding reviewing the lifecycle of the lighting and not necessarily aesthetics, to consider taking the time to develop the lighting pallet, that current requirements are in response to national standards, that the purpose of the report was provide an assessment of the street light inventory and conditions, to provide a master plan for the whole community in order to ultimately pick styles, the interest in LED, and to consider expediting maintenance on any energy savings effects.

Council and Staff discussion continued regarding a 1/3 of the City's inventory belongs to SDG&E and not to the City, that SDG&E has a condition assessment and replacement program and would replace them, that Staff was not sure if they would convert them to decorative poles and that it would be ideal to request that SDG&E assist in matching lighting to the City's poles.

Council discussed considering expediting at the Workplan level when it would be reviewed at that time, that they were not in support of any increase in the assessment fee at this time.

MOTION: Moved by Roberts and seconded by Nichols. **Motion carried unanimously.**

C.3. Flower Hill Promenade - Draft Environmental Impact Report Review Comments. (File 0620-10)

Recommendation: That the City Council

1. Adopt Resolution 2010-037 authorizing the City Manager to submit an Executive Summary letter and Comments Matrix containing the City's comments on the Flower Hill Promenade

DEIR to the City of San Diego.

David Ott, City Manager, introduced the item stated that depending on San Diego's responses the City may have more input to return to Flower Hill Promenade Shopping Center.

Rich Whipple, Principal Planner, presented a powerpoint. He stated that the City of San Diego is the lead agency on the project, that the City had prepared comments during the 45 day review period which would end on April 26th. He said that after a review of the project proposal that Staff identified inadequate mitigation that the lead agency failed to address including emergency response time since the City was a first respondent to the proximity, noise post-construction, air quality post-construction due to idling emission, best practices for water quality, sewer services, consideration of other projects such as the proposed Del Mar Fairgrounds and the Interstate 5 Widening. He stated that the City of San Diego would be required to respond to the City's comments and make revisions as appropriate.

Council and Staff discussed that there were very serious omissions, the suggested addition of addressees to include Pam Slater-Price, Sheri Lightner, San Diego District representative, Torrey Pines Planning Group, Del Mar HOA, and the California Coastal Commission, and to add to the letter the request to revise and recirculate the EIR, and to consider asking the Mayor or City Manager to sign the letter rather than the Community Development Dir.

MOTION: Moved by Heebner and seconded by Roberts to approve and add to the list of addressees San Diego County Supervisor Pam Slater-Price, San Diego Councilmember Sherri Lightner, Torrey Pines Planning Group, Lomas Del Mar Homeowners Association, and the California Coastal Commission, and add to the letter "revise and recirculate." **Motion carried unanimously.**

C.4. Introduction (1st Reading) of Ordinance 415 Regarding Establishing the Effective Dates for Permits and Approvals. (File 0600-95)

Recommendation: That the City Council

1. Introduce Ordinance 415 amending Solana Beach Municipal Code (SBMC) Sections 17.72.040, 17.72.050, 17.72.060, 17.72.070 and 17.72.080 regarding establishing effective dates for permits and approvals.

Johanna Canlas, City Attorney, introduced the item and stated that it was a clean up item. She read the title of the ordinance.

MOTION: Moved by Roberts and seconded by Heebner. **Motion carried unanimously.**

Mayor Campbell recessed the meeting at 7:50 p.m. for a break and reconvened at 7:55 p.m.

C.5. Draft Land Lease / Recreation Mitigation Fee Report. (File 0610-12)

Recommendation: That the City Council

1. Direct the City Manager to publish the draft report on the City's website and make it available for a 60-day public review period.

David Ott, City Manager, introduce the item.

Donna Snyder, PMC, introduced the team. She presented a powerpoint reviewing the study. She said that the Local Coastal Plan (LCP) provides for the use of seawalls to preserve and protect private interests and in return outlines a process for establishing a sand mitigation fee and a land use recreation fee for the loss of sand and recreation area due to construction of walls. She stated that the sand mitigation fee is consistent with the calculation with the Coastal Commissions calculation of this fee. She said that the focus is the methodology for the fees and the results of the surveys. She explained that travel cost time method was chosen and that data was collected from beach goers. She stated that the based on the data from a one year period resulted in a recommended land lease rate of 4.80 per sq. ft. each year and reviewed an example of a land lease/recreation fee for a 50' long wall, along a cliff with a land lease rate of 4.80 with an assumed erosion rate of 0.4/year multiplied by 50' wall, which resulted in a fee equal to a cumulative total over 72 year period at \$2,471 per linear ft. She said that the fee would depend on the number of years of the lease, that the report reviewed the offsets taking into consideration the public benefit by weighing public and private benefits, reviewed potential payment options, and that Staff recommended a 60 day review period.

Jim Jaffe (time donated by Johnny Pappas, Donna Lebert) thanked Council for doing the study, that this study would have a shot to mitigation the impact of building seawalls, that this was an important element, that logistics were identified in the LCP and the finance plan to spend money to buy houses at access points, the consultant showed that there would be beach behind a seawall, that they may be an inconsistency in the calculation, that a big chunk was going to erode intially and immediately, that the land lease area x 33% woudl be the total erosion over 75 year period would be a huge difference from the numbers already shared, that it would not be present value, there should be

some normalization of attendance for the impact of the blocking beach access, that there should be negative offsets and thought guidance was given to the Consultant to review this, that the erosion rate would equate to 1.6 ft. per year an 2.75 per year using the two required criteria, that an executive order says that all CEQA review must adhere, that a greater initial payment should be assessed to compensate for prevention and episodic event which would potentially result in the immediate deposit of quality sand and soil and potential for greater potential usable beach area, that he would ask that these questions be addressed immediately, and that in general it was a good report, and to use parameters to correct any problems.

Todd Cardiff stated that he noticed that the study did not weigh that beach attendance drops in the winter time, that a study Del Mar, published in 2009, that found that the vast majority of bluff erosion occurred in the winter time, that it was worth looking at whether this was a valid comparison, that there was a private benefit to the homeowner when they put up a deck so close to the bluff, the BBQ safety factor, and that bluffs are being held up and preventing tragedy from losing their decks.

Council said that there were some excellent comments by speakers and would ask that they be addressed, that comments should be submitted so that they could be addressed in the response, that there was no discussion about negative impacts about devices that counteract private benefit, that the methodology only counted for adults but not for teenagers, that the survey did include those over the age of 16, why the lease rate remained the same throughout the period and did not go up, that it did not seem to accounty for the loss of time it takes to turn it into sand and did not compensate for this, would like more discussion on potential beach nourishment project, how to calculate and assume future regional projects, and how it would take into consideration retreat of bluff over the years.

MOTION: Moved by Roberts and seconded by Campbell. **Motion carried unanimously.**

C.6. San Dieguito River Valley Joint Powers Authority (JPA) Re-Appointment. (File 0150-62)

Recommendation: That the City Council

1. Re-appoint a primary member to the San Dieguito River Valley Joint Powers Authority.

David Ott, City Manager, introduced the item.

Councilmember Nichols stated that he was the current alternate, that he could take on the primary but he would need a strong alternate because he would

have have meetings and would need back up approximately 20% of the time due to his work schedule.

Councilmember Roberts said that he served on four subcommittees of this JPA so it was not just the monthly meeting that was a requirement.

Council discussed the demand, the importance of the JPA due to its budget issues and the importance to the community, that the JPA and the committees require a quorum to meet, and that Council supported Roberts continuing and making 80% of the meetings and doing his best since they all have other commitments.

C.7. Eden Gardens Pump Station City Entry Sign. (File 0910-40)

Recommendation: That the City Council

1. Approve the recommended City sign for the Eden Gardens Pump Station and start the 30-day public review period.

David Ott, City Manager, introduced the item.

Anita Edman, Community Services Coordinator, presented a powerpoint.

Council and Staff discussed the 30 day review period, that the landscaping made it look great and that the sign would improve it more, the back lighting of the monument, to consider minimizing the lettering, depict the underground of the ocean in the landscaping, that solar lighting was considered but not powerful or reliable enough, to look into LED, that the plaque was required for the funding, and that the cost was approximately \$19,980.

MOTION: Moved by Roberts and seconded by Nichols to approve and confirming the back lighting, decreasing the name proportionate to the funding, and the underwater coral themed landscaping, and the bronzish orange colored fish. **Motion carried unanimously.**

C.8. Private Security Patrol. (File 0400-10)

Recommendation: That the City Council

1. Receive report.
2. Adopt Resolution 2010-038, establishing a security service program.

3. Approve funding option for the program as part of the Fiscal Year 10/11 Budget.

David Ott, City Manager, introduced the item reviewing the issues in the past including safety and locking in bathrooms over night.

Mo Sammak, City Engineer, said that closing the bathrooms engaged Staff time, that Staff was not always available to do it at 10 p.m. at night, that Fletcher Cove and weekends were the biggest issues, that locking the bathrooms leaves them out of use, that leaving them open over the weekend exposed them to vandalism, and that security reduced the vandalism.

Council and Staff discussed the lack of funds to continue patrolling, that the summer and weather increased the usage, that it would cost approximately \$10,000 to finish out the fiscal year, and to consider approving this amount and defer the discussion for further budgeting at the budget meeting for the next fiscal year.

MOTION: Moved by Campbell and seconded by Roberts to approve funding of \$10,000, or slightly more if needed, for four nights of security between now and June 30th and to adopt recommendation for services for next fiscal year subject to funding discussion at the budget review. **Motion carried unanimously.**

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:

Council made 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)

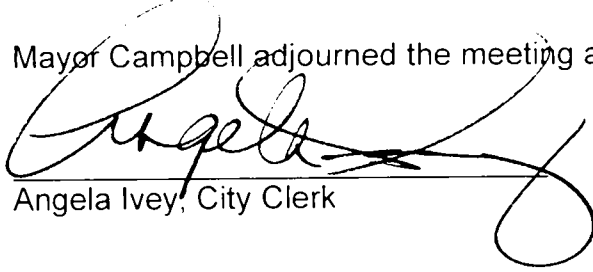
- a. Business Liaison Committee - Roberts, Campbell.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. I-5 Construction Committee - Heebner, Roberts.
- d. Public Arts Committee - Roberts, Nichols.
- e. School Relations Committee - Roberts, Campbell.

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:

Mayor Campbell adjourned the meeting at 9:19 p.m.



Angela Ivey, City Clerk

Approved: July 14, 2010