

## 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 26, 2011  
**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 COUNCIL MEMBERS**

**LESA HEEBNER, MAYOR**

**JOE G. KELLEJIAN, DEPUTY MAYOR**  
**DAVID W. ROBERTS, COUNCILMEMBER**  
**MIKE NICHOLS, COUNCILMEMBER**  
**THOMAS M. CAMPBELL, 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:**

**CLOSED SESSION REPORT: (when applicable)**

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 5/0**

**PRESENTATIONS:**

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

1. Regional Beach Sand Project 2 Project Status Update

**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.6.)**

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 July 26, 2010, September 22, 2010, and October 4, 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 December 18 - 31, 2010.

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

**COUNCIL ACTION: Approved 5/0**

**A.4. Annual Report for the Redevelopment Agency for the Year Ended June 30, 2010. (File 0115-20)**

Recommendation: That the City Council

1. Accept and file this report.

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

**COUNCIL ACTION: Approved 5/0**

**A.5. Reappropriate Funding for Interchange Project and Authorize Developer Interchange Contribution Transfer. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2011-015:

- a. Appropriating \$11,236 from Deposit Account 001-2270 to the Lomas Santa Fe at 1-5 Interchange Project.
- b. Authorizing the City Finance Director to fund the escrow account an additional amount of \$9,600 per the agreement with American Assets executed on May 24, 2006.
- c. Authorizing the use of \$1,636 towards the Palm Engineering construction contract for the Lomas Santa Fe and 1-5 Interchange Median Project.
- d. Authorizing the City Treasurer to amend the Fiscal Year 2010/2011 Budget accordingly.

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

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

**A.6. Resolution of Denial of a Development Review Permit and Structure Development Permit for 624 Mar Vista Drive, Case# 17-10-12, Applicants: Tony and Jasna Frakes. (File 0600-40)**

Recommendation: That the City Council

1. Adopt Resolution 2011-021 denying the request for an application for a Development Review Permit and an Administrative Structure Development Permit for the proposed project at 624 Mar Vista Drive.

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

**COUNCIL ACTION: Approved 5/0**

**C.6. Award Construction Contract for the Fletcher Cove Community Center Renovations, Bid No. 2011-01. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2011-019 to award construction contract or to reject all bids for Fletcher Cover Community Center Renovations, Bid No. 2011-01. Appropriate action will be identified in the blue-folder update.

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

**COUNCIL ACTION: Approved 5/0**

**C. STAFF REPORTS: (C.1. - C.10.)**

*Submit speaker slips to the City Clerk*

**C.1. 2011 Annual Citizen Commission Appointments. (File 0120-05)**

Recommendation: That the City Council

1. Appoint 3 members to the Budget and Finance Commission:

- a. Three (3) vacancies nominated/appointed by individual Councilmembers (Heebner, Kellejian, Roberts) for a two year term until January 2013.

**COUNCIL ACTION: Approved 5/0 to appoint Anthony Craig (Kellejian).**

**COUNCIL ACTION: Approved 5/0 to appoint Michael Whitton (Roberts).**

**COUNCIL ACTION: Approved 5/0 to appoint Gordon Johns (Heebner).**

2. Appoint 4 members to the Parks and Recreation Commission:

- a. Four (4) vacancies nominated/appointed by Council-at-large for a two year term until January 2013.

**COUNCIL ACTION: Approved 5/0 to appoint Courtney Boule, Rick Fay, Wendy Forrester, and Adam Paulsen.**

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

- a. Three (3) vacancies nominated/appointed by Council-at-large for a two year term until January 2013.

**COUNCIL ACTION: Approved 5/0 to appoint Sharon Klein, Allen Moffson, and Carol Rodriguez.**

4. Appoint 5 members to the Public Safety Commission:

- a. Five (5) vacancies nominated/appointed by individual Councilmembers (Heebner, Kellejian, Roberts, Nichols) AND one Council-at-large for a two year term until January 2013.

**COUNCIL ACTION: Approved 5/0 to appoint Bernhard Geierstanger (Nichols), Thomas Alexander (Kellejian), David Bittar (Roberts), Vickie Driver (Heebner), and George Manahan (At Large).**

5. Appoint 3 members to the View Assessment Commission:

- a. Three (3) vacancies nominated/appointed by individual Councilmembers (Heebner, Roberts, Nichols).

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

**COUNCIL ACTION: Approved 5/0 to appoint Georgia Wood (Roberts), Jack Hegenauer (Nichols), and Jewel Edson (Heebner).**

**C.2. Local Coastal Program/Land Use Plan Progress Update. (File 0610-12)**

Recommendation: That the City Council

1. Provide direction to the City Manager to continue discussions with CCC staff and continue to work with the CCC staff on a final draft LCP/LUP for City Council consideration and approval.

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

**COUNCIL ACTION: Approved 5/0**

**C.3. First Amended and Restated Exclusive Right to Negotiate Agreement (ERNA) for the Development of an Affordable Housing Project at the 500 block of South Sierra Avenue. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2011-022
  - a. Authorizing the City Manager to execute the First Amended and Restated Exclusive Right to Negotiate 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 (APN 298-211-81).
  - b. Appointing the City Manager as lead negotiator for the City during the negotiation period.
2. Adopt Resolution RDA-044
  - a. Authorizing the Executive Director to execute the First Amended and Restated Exclusive Right to Negotiate 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 (APN 298-211-81).
  - b. Appointing the Executive Director as lead negotiator for the Agency during the negotiation period.

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

**COUNCIL ACTION: Approved 5/0**

**C.4. Adopt (2nd Reading) Ordinance 412 related to film permits. (File 0910-45)**

Recommendation: That the City Council

1. Adopt Ordinance 412 adding Solana Beach Municipal Code Chapter 11.10 as it relates to film permits.

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

**COUNCIL ACTION: Approved 5/0**

**C.5. Artwork for Temporary Public Art Program. (File 0910-45)**

Recommendation: That the City Council

1. Adopt Resolution 2011-020 approving the two Urban Trees, Topiary and A Tree for All Seasons for the City's Temporary Public Art Program.

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

**COUNCIL ACTION: Approved 5/0**

**C.7. Introduction (1st Reading) of Ordinance 429 related to Public Notice Requirements. (File 0610-05)**

Recommendation: That the City Council

1. Introduce Ordinance 429 revising Solana Beach Municipal Code Section 17.72.030(0)(4).

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

**COUNCIL ACTION: Approved 5/0**

**C.8. First Amended and Restated Cooperation and Repayment Agreement between the City of Solana Beach and Solana Beach Redevelopment Agency. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2011-025 approving and Authorizing the City Manager to Execute the First Amended and Restated Cooperative Agreement between the City of Solana Beach and Solana Beach Redevelopment Agency.
2. Adopt Resolution RDA 045 approving and Authorizing the Executive Manager to Execute the First Amended and Restated Cooperative Agreement between the City of Solana Beach and Solana Beach Redevelopment Agency.

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

**COUNCIL ACTION: Approved 5/0**

**C.9. Public Improvements and Affordable Housing Grants and Cooperation Agreement.**

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

**COUNCIL ACTION: Approved 5/0**

**C.10. 22nd District Agricultural Association Community Relations Committee Update on Discussions with the City of Del Mar Regarding the Sale of the Del Mar Fairgrounds. (File 0150-85)**

Recommendation: That the City Council

1. Discuss the item and provide direction to the 22nd District Agricultural Association Community Relations Committee as necessary.

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

**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 - Heebner, 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 7, 2011.
- b. City's 25th Anniversary - Heebner, Kellejian. Expires July 13, 2011.
- c. Development Review - Nichols, Heebner. Expires November 16, 2011.
- d. Environmental Sustainability - Roberts, Heebner. Expires December 7, 2011.
- e. Fire Department Management Governance-Kellejian,Roberts. Expires July 13, 2011.
- f. Fletcher Cove - Campbell, Heebner. Expires November 16, 2011.
- 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 9, 2011 or at the California Coastal Commission adoption.
- j. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires January 11, 2012
- k. View Assessment - Nichols, Heebner. Expires February 24, 2011

**ADJOURN:**