

SOLANA BEACH CITY COUNCIL
REDEVELOPMENT AGENCY AND PUBLIC FINANCING AUTHORITY

JOINT **REGULAR** MEETING

MINUTES

6:00 P.M.
WEDNESDAY, MAY 11, 2011

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.

CALL TO ORDER AND ROLL CALL:

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

Absent: None.

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

Mayor Heebner called the meeting to order at 6:05 p.m.

CLOSED SESSION REPORT: (when applicable)

Johanna Canlas, City Attorney, reported that there was no reportable action.

FLAG SALUTE:

Mayor Heebner led the flag salute.

APPROVAL OF AGENDA:

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

PROCLAMATIONS:

1. Public Works Week

Mayor Heebner presented a proclamation for Public Works Week to Mo Sammak, Dir of Public Works/Engineering.

PRESENTATIONS:

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

2. North Coast Rep Student Theatre

Matt Thompson, North Coast Repertory Student Theatre, stated that with the generosity of the City they did a play about the history of Solana Beach called "The Perfectly Perposturous Pirates of Solana Beach" that would run for one weekend, and he thanked the City for helping fund the production.

1. Equinox Dashboard

Ann Tartre, Executive Dir, Equinox Center, presented a powerpoint (on file) and stated that they were an independent, non-partisan, not for profit research and policy center, that they were founded two years ago, that their main concern was how to accomodate growth in the region, that SANDAG figures stated by 2030 there would be an additional 650,000 people, and that they were producing an annual dashboard to provide some key indicators including water consumption, affordable housing, and land use. She said that water consumption was down 9% there was less waste disposal, and there was an increase in renewable energy consumption.

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:

Council made community announcements.

COMMENTARY:

Council reported commentary.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.5.)

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 Roberts and seconded by Nichols. **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 January 26, 2011 and February 9, 2011.

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

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

Recommendation: That the City Council

1. Ratify the list of demands for April 2 - 15, 2011.

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

A.4. Re-establishing the La Colonia Park Ad Hoc Committee. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2011-059 re-establishing the La Colonia Park Ad Hoc Committee until May 10, 2012.
2. Re-appoint the two existing Councilmembers (Heebner, Nichols).

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

A.5. Castro Street Improvements Phase 3. (File 0840-10)

Recommendation: That the City Council

1. Adopt Resolution 2011-060:
 - a. Authorizing the City Council to accept as complete Castro Street Improvements Phase 3, Bid No. 2010-07, constructed by Team C Construction.
 - b. Authorizing the City Clerk to file a Notice of Completion.

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

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.)

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. Development Review Permit (DRP) and Structure Development Permit (SDP) for 624 Mar Vista, Applicants: Tony and Jasna Frakes, Case # 17-11-03. (File 0600-40) 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 and administratively issue a SDP. Therefore, Staff recommends that the Council:

1. Conduct the Public Hearing: Open the public hearing; Report Council disclosures; Receive public testimony; Close the public hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the Council makes the requisite findings and approves the project, adopt Resolution 2011-049 conditionally approving a DRP and an administrative SDP to demolish the existing residence and detached garage to construct a new two story, single-family residence and detached garage at 624 Mar Vista Drive.

David Ott, City Manager, introduced the item.

Corey Johnson, Assistant Planner, presented a powerpoint (on file).

Council reported their familiarity with the project.

Mayor Heebner opened the public hearing

Ryan Gonzales stated that he approved the project and lived south of the project, that his concerns were addressed, and felt that the proposed changes would benefit the area.

MOTION: Moved by Nichols and seconded by Roberts to close the public hearing. **Motion carried unanimously.**

Councilmember Nichols asked why the placement of curbs up front was not included in this project.

Mo Sammak, Public Works Dir., said that he had discussed it with community members in the area and they decided not to leave it in and that they understood why curbs were requested but that they did not like the design. He said that he would work on some options and once a mutually agreed on curb design was reached that met engineering standards, aesthetics and functionality, it could be reviewed and it could always be removed if Council decided to do away with it.

Councilmember Nichols said that the application of curbs should apply to the whole neighborhood to be consistent by either having or not having curbs.

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

C. STAFF REPORTS: (C.1. - C.3.)
Submit speaker slips to the City Clerk

C.1. Introduction (1st Reading) of Ordinance 431 regarding Stormwater Management. (File 0850-40)

Recommendation: That the City Council

1. Introduce Ordinance 431 amending Solana Beach Municipal Code Chapter 13.10 and repealing Chapter 13.30 regarding Stormwater Management.

David Ott, City Manager, introduced the item.

Danny King, Management Analyst, presented a powerpoint (on file).

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

C.2. Adopt (2nd Reading) Ordinance 423 related to vegetation abatement. (File 0610-80)

Recommendation: That the City Council

1. Adopt Ordinance 423 adding Solana Beach Municipal Code Section 6.06.030(D) as it relates to vegetation abatement.

Johanna Canlas, City Attorney, read the title of the ordinance.

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

C.3. 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 Ad Hoc Committee as necessary.

David Ott, City Manager, introduced the item.

Mayor Heebner stated that the City was still waiting for a response from Del Mar regarding the matrix and Solana Beach's concerns to review the public trust, that Del Mar had agreed with many of the City's concerns and said that they would provide feedback, which was about 6 weeks ago and that no response had been received, and that there was a recent article in the paper regarding Mr. Hilliard looking into the Senate Bill by Yee.

David Ott, City Manager, said that Del Mar's City Manager had stated that they did not want Solana Beach to think they had forgotten about it and that they still intended to get back to the City in writing and that they and had been busy, but would get back to Solana Beach on the Memorandum of Understanding (MOU).

Mayor Heebner said that all communications from Del Mar were coming through the newspapers instead of directly.

Council and Staff discussion ensued regarding the MOU and that the elapsed time had staled the agreement, to consider telling them to not bother on the MOU, and to get back to the City on the matrix, which was an analysis of Del Mar's recent proposal in January for governance and ownership providing some issues and a comparison between a potential JPA (Joint Powers Authority) and a Special District.

David Ott, City Manager, said that the 22nd District was interested in what Solana Beach's issues were, that it was shared that the biggest concern was Council's issue that no 3-person board or Council could change the structure, that it was an historical opportunity for the local region to control what goes on at the Fairgrounds, and explained that the City's intent was to create something that would work.

Councilmember Roberts said that everyone should know that the Del Mar City Manager had resigned her position and was moving to San Juan Capistrano, that he had a conversation with Kehoe and that the legislation was moving to a 2 year bill and that there were multiple options to look at, that the article was a complete surprise to the City since it was not notified, and that it was a time to improve the relationship with the 22nd DAA.

Mayor Heebner stated that she talked to a policy advisor to the Senator and there was continuing discussion, that SB1 was not completely dead but turned into a 2 year bill, that there could be a trailer added to the bill, and that there were benefits from the Fairgrounds as well as unmitigated impacts and costs.

Councilmember Campbell asked about Del Mar's status with negotiations with the horseowner group and their investment.

Mayor Heebner said that it was only known that there was not a MOU, but they had also suggested that they had an agreement.

David Ott, City Manager, stated that the City had requested the status of any negotiations or agreement and that they had only confirmed that they were making progress.

C.4. Fletcher Cove Community Center granting easement for erection of new utility pole anchor.

1. Adopt Resolution 2011-066 authorizing the City Manager to execute an easement with SDG&E for the placement and maintenance of guy poles, anchors and connecting wires needed to support a replacement utility pole that will be installed on the Fletcher Cove Community Center property, along Pacific Avenue, south of the community center building.

David Ott, City Manager, introduced the item

Mo Sammak, Dir of Public Works/Engineering, presented a powerpoint (on file).

Council and Staff discussion ensued regarding the anchors which appeared thin looking but were high strength, to what extent these will impact the Phase 3 improvements in this area, the dimensions of the area and that they would be a slight expansion from the current anchors, that the only alternative option would be a steel pole that would be significantly more expensive, and whether the wire cover could be a different color to not draw too much attention to it.

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

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:

Council reported committee meeting activity.

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.

Ad Hoc Committees: (All Primary Members) (Temporary Committees)

- a. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires December 7, 2011.

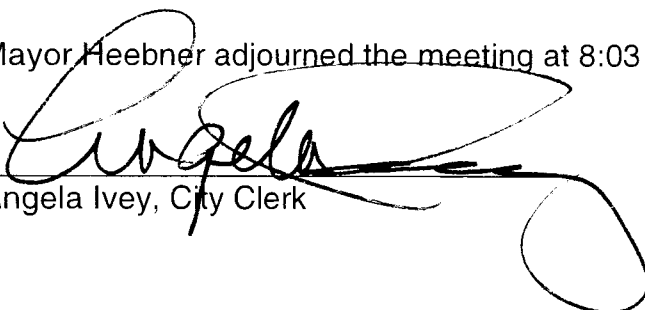
- b. City's 25th Anniversary - Heebner, Kellejian. Expires July 13, 2011.
- c. Development Review - Nichols, Heebner. Expires November 16, 2011.
- d. Environmental Sustainability - Roberts, Heebner. Expires December 7, 2011.
- e. Fire Department Management Governance-Kellejian,Roberts. Expires July 13, 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 8, 2012 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 August 22, 2011

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.
- f. Parks and Recreation Committee - Heebner, Nichols

ADJOURN:

Mayor Heebner adjourned the meeting at 8:03 p.m.


Angela Ivey, City Clerk

Approved: November 16, 2011