

# 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, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, PUBLIC FINANCING AUTHORITY, & HOUSING AUTHORITY**

**Joint REGULAR Meeting  
Wednesday, June 27, 2012  
6:00 P.M.**

City Hall / Council Chambers  
635 S. Highway 101, Solana Beach, California

### **PUBLIC MEETING ACCESS**

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live on Cox Communications-Channel 19, Time Warner-Channel 24 (*analog*) or Channel 131 (*digital*), and AT&T U-verse Channel 99. The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's website.

### **AGENDA MATERIALS**

A full City Council agenda packet including relative supporting documentation is available at City Hall, the Solana Beach Branch Library (157 Stevens Ave.), La Colonia Community Ctr., Fletcher Cove Lifeguard station, and online [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org). Agendas are posted at least 72 hours prior to the meeting. Writings and documents regarding an agenda of an open session meeting, received after the official posting, and distributed to the Council for consideration, will be made available for public viewing at the same time. In addition, items received at least 1 hour 30 minutes prior to the meeting time will be uploaded online with the courtesy agenda posting. Materials submitted for consideration should be forwarded to the City Clerk's department 858-720-2400. The designated location for viewing public documents is the City Clerk's office at City Hall during normal business hours.

### **SPEAKERS**

Please submit a speaker slip to the City Clerk prior to the meeting, or the announcement of the Section/Item, to provide public comment. Allotted times for speaking are outlined on the speaker's slip for each agenda section: Oral Communications, Consent, Public Hearings and Staff Reports.

### **AMERICAN DISABILITIES ACT TITLE 2**

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. 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 (858) 720-2400 at least 72 hours prior to 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.

**CITY COUNCILMEMBERS**  
**Joe G. Kellejian, Mayor**

**David W. Roberts, Deputy Mayor**  
**Thomas M. Campbell, Councilmember**

**Mike Nichols,**  
**Councilmember**  
**Lesa Heebner,**  
**Councilmember**

David Ott  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
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**

**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.

**COUNCIL COMMUNITY ANNOUNCEMENTS:**

**COUNCIL COMMENTARY:**

**A. CONSENT CALENDAR: (Action Items) (A.1. - A.9.)**

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. Register Of Demands. (File 0300-30)**

Recommendation: That the City Council

1. Ratify the list of demands for May 19 - June 1, 2012.

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

**COUNCIL ACTION: Approved 5/0**

**A.3. General Fund Adopted Budget for Fiscal Year 2011-12 Changes. (File 0330-30)**

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2011-2012 General Fund Adopted Budget.

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

**COUNCIL ACTION: Approved 5/0**

**A.4. City Investment Policy. (File 0350-30)**

Recommendation: That the City Council

1. Adopt Resolution 2012-093 approving the City's Investment Policy for Fiscal Year 2012-13.

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

**COUNCIL ACTION: Approved 5/0**

**A.5. Fiscal Year 2012-13 Appropriations Limit. (File 0330-60)**

Recommendation: That the City Council

1. Adopt Resolution 2012-094, establishing the FY 2012-13 Appropriations Limit in accordance with Article **XIIIB** of the California Constitution and Government Code Section 7910 and choosing the County of San Diego's change in population growth to calculate the Appropriations Limit.

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

**COUNCIL ACTION: Approved 5/0**

**A.6. Investment Reports. (File 0350-44)**

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Report for the quarter ending March 31, 2012.

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

**COUNCIL ACTION: Approved 5/0**

**A.7. Fire Benefit Fee. (File 0390-23)**

Recommendation: That the City Council

1. Adopt the Resolution 2012-092:
  - a. Setting the FY 2012/2013 Fire Benefit Fee at \$10.00 per unit, and
  - b. Approving the Fee for levying on the tax roll.

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

**COUNCIL ACTION: Approved 5/0**

**A.8. Installation of Emergency Lighting, Radios and Command Module in Fire Department Staff Vehicle. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2012-102 authorizing the City Manager to execute a Professional Service Agreement with the Johnson Equipment Company in the amount of \$25,200 for the installation of emergency lighting, radios and a command module.

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

**COUNCIL ACTION: Approved 5/0**

**A.9. La Colonia Park and Fiscal Sustainability Ad Hoc Committees. (File 0410-48)**

Recommendation: That the City Council

1. Adopt Resolution 2012-083 re-establishing the La Colonia Park Ad Hoc Committee until June 12, 2013.
2. Adopt Resolution 2012-104 re-establishing the Fiscal Sustainability Ad Hoc Committee until June 12, 2013.
3. Re-appoint two existing Councilmembers (La Colonia Park: Heebner, Nichols) (Fiscal Sustainability: Roberts, Campbell).

[Item A.9. 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.)**

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. Budget for Fiscal Year 2012-13. (File 0330-30)**

Recommendation: That the City Council

1. Adopt Resolution 2012-106 approving a budget for Fiscal Year 2012-13.  
[Item B.1. Report \(click here\)](#)

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

**COUNCIL ACTION: Approved 5/0**

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

*Submit speaker slips to the City Clerk*

**C.1. Workplan Fiscal Year 2012-13. (File 0410-08)**

Recommendation: That the City Council

1. Adopt the Fiscal Year 2012-13 Workplan.  
[Item C.1. 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: (8.2. - 8.5.)**

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.2. Solana Beach Coastal Rail Trail Maintenance District. (File 0495-20)**

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report disclosures, Receive public testimony, Close the public hearing.
2. Adopt Resolution 2012-088, amending and/or approving the Engineer's Report regarding the Coastal Rail Trail Maintenance District.
3. Adopt Resolution 2012-089, ordering the levy and collection of the annual assessments regarding the Coastal Rail Trail Maintenance District for FY 2012-13.

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

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

**COUNCIL ACTION: Approved 5/0**

**B.3. Solana Beach Lighting District. (File 0497-00)**

Recommendation: That the City Council

4. Conduct the Public Hearing: Open the public hearing, Report disclosures, Receive public testimony, Close the public hearing.
5. Adopt Resolution 2012-090 confirming the diagram and assessment; providing for the levy of the annual assessment in a special maintenance district; confirming the Engineer's Report; and ordering the transmission of charges to the County Auditor for collection.
6. Adopt Resolution 2012-095 ordering the levy and collection of annual assessments for Fiscal Year 2012-13.

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

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

**COUNCIL ACTION: Approved 5/0**

**B.4. Solid Waste Rate Increase for Commercial Waste and Recycling Services. (File 1030-15)**

Recommendation: That the City Council

7. Conduct the Public Hearing: Open the Public Hearing; Report Council Disclosures; Receive Public Testimony; Close the Public Hearing.
8. Following the Public Hearing, adopt Resolution 2012-096 approving EDCO's rate review request increasing commercial solid waste and recycling rates for FY 2012-13 in accordance with the Franchise Agreement.

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

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

**COUNCIL ACTION: Approved 5/0**

**B.5. Solid Waste Rate Increase for Residential Waste and Recycling. (File 1030-15)**

Recommendation: That the City Council

9. Conduct the Public Hearing: Open the Public Hearing; Report Council Disclosures; Receive Public Testimony; Close the Public Hearing.
10. Following the Public Hearing, adopt Resolution 2012-097 approving CWM's rate review request increasing residential solid waste and recycling rates for FY 2012-13 in accordance with the Franchise Agreement.

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

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

**COUNCIL ACTION: Approved 5/0**

**C. STAFF REPORTS: (C.2. - C.5.)**

*Submit speaker slips to the City Clerk*

**C.2. Sewer Repairs, Bid No. 2012-03. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2012-091:
  - a. Awarding the contract to Sancon Engineering Inc., in the amount of \$163,991, for the 2012 Sewer Pipeline Repairs Project, Bid No. 2012-03.
  - b. Approving the amount of \$24,009 for construction contingency.
  - c. Authorizing the City Manager to execute the construction contract on behalf of the City.

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

**COUNCIL ACTION: Approved 5/0**

**C.3. Sewer Maintenance Contract. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2012-103:
  - a. Awarding the contract to Affordable Pipeline Service, Inc. in the amount not to exceed \$241,950, in Fiscal Year 2012-13, for the Sewer and Storm Drain Maintenance and Video Inspection Agreement.
  - b. Authorizing the City Manager to execute the contract on behalf of the City.
  - c. Authorizing the City Manager to extend the agreement for up to four additional years, at the City's option, at an amount not to exceed the amount identified and budgeted for each subsequent year.

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

**COUNCIL ACTION: Approved 5/0 with modifications.**

**C.4. Adopt (2nd Reading) Ordinance 438 for the Fiscal Year 2012-13 Sewer Service Charge of \$574 per Equivalent Dwelling Unit (EDU). (File 1040-70)**

Recommendation: That the City Council

1. Adopt Ordinance 438 related to the Sewer Service Charge for Fiscal Year 2012-13.

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

**COUNCIL ACTION: Approved 5/0**

**C.5. General Municipal Election - November 6, 2012. (File 0430-20)**

Recommendation: That the City Council



1. Adopt Resolution 2012-099 Calling and Giving Notice of the Holding of a General Municipal Election to be held on Tuesday, November 6, 2012, 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 2012-098 requesting the Board of Supervisors of the County of San Diego to Consolidate a General Municipal Election to be held on November 6, 2012, with the Statewide General Election to be held on that date, pursuant to Section 10403 of the Elections Code.
3. Adopt Resolution 2012-100 adopting regulations for Candidates for Elective Office pertaining to Candidate's Statements submitted to the voters at an Election.
4. Adopt Resolution 2012-101 providing for a procedure in the event of a tie vote at any Municipal Election.

[Item C.5. 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 (meets twice a year) - Roberts, Kellejian (alternate).
- 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, Nichols (1st alternate), Heebner (2nd alternate)
- i. Regional Solid Waste Association (RSWA) - Nichols, Kellejian (alternate).

- j. SANDAG - Heebner (Primary), Nichols (1st alternate), Roberts (2nd alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee - Kellejian, Roberts (alternate).
- l. San Dieguito River Valley JPA- Heebner, 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. Parks and Recreation Committee - Heebner, Nichols
- e. Public Arts Committee - Roberts, Nichols.
- f. School Relations Committee - Roberts, Nichols.

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Kellejian, Campbell. Expires December 6, 2012.
- b. Development Review - Nichols, Heebner. Expires November 15, 2012.
- c. Environmental Sustainability - Roberts, Heebner. Expires December 6, 2012.
- d. Fire Department Management Governance-Kellejian,Roberts. Expires July 12, 2012.
- e. Fiscal Sustainability - Campbell, Roberts. Expires June 28, 2012.
- f. General Plan - Campbell, Nichols. Expires July 12, 2012.
- g. La Colonia Park - Nichols, Heebner. Expires May 10, 2012.
- h. Local Coastal Plan Ad-Hoc Committee - Roberts, Campbell. Expires February 7, 2013 or at the California Coastal Commission adoption.
- i. NCTD / Train Station Site Project Ad Hoc Committee - Heebner, Nichols. Expires January 10, 2013
- j. View Assessment - Nichols, Heebner. Expires October 21, 2012

**ADJOURN:**