

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, July 11, 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. 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.10.)

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 March 28, 2012.
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 2 - 15, 2012.
[Item A.3. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.4. General Fund Adopted Budget for Fiscal Year 2012-13 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2012-2013 General Fund Adopted Budget.
[Item A.4. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.5. Ad Hoc Committees: General Plan Update and Fire Department Management Governance and Organizational Evaluation. (File 0410-48)

Recommendation: That the City Council

1. Adopt Resolution 2012-084 re-establishing the General Plan Update Ad Hoc Committee to expire on July 10, 2013.
2. Adopt Resolution 2012-085 re-establishing the Fire Department Management Governance and Organizational Evaluation [a1]Ad Hoc Committee to expire on July 10, 2013.
3. Re-appoint two existing members (General Plan: Campbell, Nichols) (Fire Department Management Governance and Organizational Evaluation:

Kellejian, Roberts).

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

COUNCIL ACTION: Approved 5/0

A.6. Salary and Classification Update, Memorandum of Understanding between the City and the Solana Beach Firefighters' Association, Marine Safety Unit, and Side Letter with Miscellaneous Employee Group. (File 0400-10, 0530-30, 0520-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-116 approving the FY 2012/2013 Memorandums of Understanding between the City of Solana Beach and the Solana Beach Employees' Association-Marine Safety Unit.
2. Adopt Resolution 2012-117 approving the FY 2012/2013 Memorandums of Understanding between the City of Solana Beach and the Solana Beach Firefighters' Association.
3. Adopt Resolution 2012-118 approving the FY 2012/2013 Side Letter Agreement between the City of Solana Beach and the Solana Beach Employees' Association-Miscellaneous Unit.
4. Adopt Resolution 2012-119 approving the FY 2012/2013 Salary and Compensation schedules.

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

COUNCIL ACTION: Approved 5/0

A.7. California Public Employees Retirement System (CalPERS) Employee Contributions and Tax Defer Member Paid Contributions (Final Installment). (File 0520-50)

Recommendation: That the City Council

1. Adopt Resolution 2012-112 approving members of the SBEA-Miscellaneous Unit and all unrepresented employees to pick up an additional 2.243% for a total of 8% of the CalPERS employee contribution effective the first full pay period in July 2012.
2. Adopt Resolution 2012-113 approving members of the SBEA-Miscellaneous Unit and all unrepresented employees to tax defer member paid contributions per provisions of section 414(h)(2) of the Internal Revenue Code.

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

COUNCIL ACTION: Approved 5/0

A.8. Comprehensive Active Transportation Strategies Grant Application. (File 0390-35)

Recommendation: That the City Council

1. Adopt Resolution 2012-110:
 - a. Authorizing the City Engineer to submit an application to the San Diego Association of Governments (SANDAG) for the Fiscal Year 2011/2012 Active Transportation Grant Program. The proposed project would develop a Comprehensive Active Transportation Strategies Plan which would address bicycle and pedestrian access at a Citywide level, primarily to accommodate non-recreational bicycle and walking trips.
 - b. Acknowledging, if a grant award is made by SANDAG to fund a Comprehensive Active Transportation Strategies Plan, the City Council commits to providing no matching funds and/or in-kind contributions and authorizes the City of Solana Beach City Manager to accept the grant funds, execute a grant agreement with SANDAG with no exceptions and complete the Project.

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

COUNCIL ACTION: Approved 5/0

A.9. Special Counsel Services for Municipal Elections. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-111 approving and authorizing the City Manager to execute a Professional Services Agreement for Special Counsel Services for Municipal Elections between the City of Solana Beach and Burke, Williams & Sorenson, LLP

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

COUNCIL ACTION: Approved 5/0

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

Recommendation: That the City Council

1. Adopt Resolution 2012-107 authorizing the City Manager to sign an I.T. support agreement with the City of Del Mar.

[Item A.10. 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. - B.3.)

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. Appeal of Determination of Incompleteness for Structure Development Permit (SDP), Application #573 - 215 North Rios Avenue, Applicant: John S. Murk and Kristin G. Hogue Murk. (File 0600-42)

Recommendation: That the City Council

1. Adopt Resolution 2012-115 Denying Appeal of Determination of Incompleteness for SOP Application# 573 - 215 North Rios Avenue.

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

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

COUNCIL ACTION: Approved 5/0

B.2. Conditional Use Permit (CUP) for a Modification to a Wireless Communications Facility at 1505 Lomas Santa Fe, Applicants: AT&T, Case# 17-11-28. (File 0610-60)

Recommendation: That the City 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 15301 of the State CEQA Guidelines; and
3. That the City Council adopt Resolution 2012-109 conditionally approving a CUP to modify an existing Wireless Communications Facility on an existing

mono-broadleaf simulated tree at 1505 Lomas Santa Fe, Solana Beach as mandated by the Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

4. Direct Staff to evaluate the City's current regulations, policies and procedures pertaining to Wireless Communication Facilities and to present recommendations on how to address the recent changes in the law.

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

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

COUNCIL ACTION: Approved 5/0 with modifications.

B.3. Conditional Use Permit (CUP) for 111 S. Cedros Avenue, Applicant: Solana Beach Brewing Co., Case No. 17-12-12. (File 0610-60)

Recommendation: That the City Council

B.3.a. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.

B.3.b. Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines; and

B.3.c. If the City Council makes the requisite findings and approves the project, adopt Resolution 2012-108 conditionally approving a CUP for a small-scale brewery operation located at 111 S. Cedros.

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

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

COUNCIL ACTION: Approved 5/0 to approve with modifications.

C. STAFF REPORTS: (C.1. - C.2.)

Submit speaker slips to the City Clerk

C.2. Street Light Repairs, Bid No. 2012-03. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-105:

- a. Awarding the contract to GTE Inc., in the amount of \$66,140, for the 2012 Street Light Repairs Project, Bid No. 2012-03.
- b. Approving the amount of \$9,860 for construction contingency.
- c. Authorizing the City Manager to execute the construction contract on behalf of the City.
- d. Authorizing the appropriation of \$177,700 to the Street Light Master

Plan Capital Improvement Project Budget Unit.

- e. Authorizing the City Treasurer to amend the Fiscal Year 2012-2013 Adopted Budget accordingly.

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

COUNCIL ACTION: Approved 5/0

C.1. Introduce (1st Reading) Ordinance 437 related to plastic bags. (File 0230-55).

Recommendation: That the City Council

1. Adopt Ordinance 437 clarifying the City's prohibition of plastic carry-out bags as it relates to restaurants and adding subsection 5.04.040(d) to the Solana Beach Municipal Code.

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

COUNCIL ACTION: Approved 5/0

C.3. City Manager Employment Agreement First Amendment. (File 0400-10) - added 7-6-12

Recommendation: That the City Council

1. Adopt Resolution 2012-125 approving and authorizing the Mayor to execute the First Amendment to the City Manager employment agreement.

COUNCIL ACTION: Approved 5/0 to approve and prepare correspondence to the Governor, Assemblyman, and Senators clarifying why this type of issue is creating problems for cities to reform pensions.

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

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: