

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, September 12, 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:

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.

APPROVAL OF AGENDA:

COUNCIL ACTION: Approved 5/0

PRESENTATIONS:

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

Highway 101 Improvement Project Update

PROCLAMATIONS/CERTIFICATES:

1. Mira Costa Community College President of the Board of Trustees
2. 2012 Rideshare Week and Rideshare Month
3. 2012 Walk and Bike to School Day

COUNCIL COMMUNITY ANNOUNCEMENTS:

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. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for August 1 - 17, 2012.
[Item A.2. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

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

COUNCIL ACTION: Approved 5/0

A.4. Emergency Storm Drain Repair of Acacia Ave. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-135:
 - a. Receiving this report detailing the specifics of the emergency nature of this project.
 - b. Making a finding, based on substantial evidence set forth in the Staff Report, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

- c. Ratifying the agreement with LCI Backhoe Services for the emergency storm drain repairs on South Acacia Avenue.

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

COUNCIL ACTION: Approved 5/0

A.5. General Plan Phase I Update Consulting. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-136:
 - a. Amending the General Plan Phase I Update contract to Project Design Consultants in the amount of \$200,000 and including the scope of work identified for FY2012-13.
 - b. Authorizing the City Manager to execute the amended General Plan Phase I Update contract on behalf of the City.

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

COUNCIL ACTION: Approved 5/0

A.6. Legal Services Agreement with McDougal, Love, Eckis, Boehmer & Foley. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2012-141 authorizing the Mayor to execute the Third Amendment to the Agreement between the City of Solana, Successor Agency to the Solana Beach Redevelopment Agency, and Solana Beach Public Finance Authority and McDougal, Love, Eckis, Boehmer & Foley effective July 1, 2012.
2. Adopt Resolution SA-006 authorizing the Chair to execute the Third Amendment to the Agreement between the City of Solana, Successor Agency to the Solana Beach Redevelopment Agency, and Solana Beach Public Finance Authority and McDougal, Love, Eckis, Boehmer & Foley effective July 1, 2012.

[Item A.6. 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. Conditional Use Permit (CUP), Development Review Permit (DRP), MEC, and Structure Development Permit (SDP) for 120 Stevens Ave., Applicant: Solana Beach Presbyterian Church, Case # 17-11-29. (File 0610-60)

Recommendation: 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 CUP, DRP, MEG and administratively issue a SOP. Therefore, Staff recommends that the Council:

B.1.a. Conduct the Public Hearing: Open the Public Hearing; Report Council disclosures; Receive Public Testimony; Close the Public Hearing;

B.1.b. Find the project exempt from the California Environmental Quality Act pursuant to Section 15302 of the State CEQA Guidelines; and

B.1.c. If the Council makes the requisite findings and approves the project, adopt Resolution 2012-134 conditionally approving a CUP, DRP, MEG and an administrative SOP to demolish and reconstruct a chapel/support building and classroom building, maintain the existing fellowship hall and sanctuary and reconfigure the existing parking, circulation and landscaping at 120 Stevens Avenue, Solana Beach.

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

COUNCIL ACTION: Approved 4/0/1 to close the public hearing. (Recuse: Nichols.)

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

B.2. Development Review Permit (DRP) and Structure Development Permit (SDP) at 545 Stevens Avenue, Applicant: Proptech, George Hunt, Solana Beach Self Storage, Case 17-12-10. (File 0600-40)

Recommendation: 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 SOP. Therefore, Staff recommends that the City Council:

B.2.a. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing.

B.2.b. Determine that the Project does not have any additional significant impacts to the environment that were not adequately addressed, therefore not requiring revisions to the Initial Study (IS), Mitigated Negative Declaration (MON) and Mitigation Monitoring and Reporting Program (MMRP) adopted and certified by the Solana Beach City Council November 12, 2008 pursuant to the California Environmental Quality Act (CEQA) per §15162, §15163, and §15164 of the 2012 State CEQA Guidelines; and

B.2.c. If the City Council makes the requisite findings and approves the project, adopt Resolution 2012-133 conditionally approving a DRP and an administrative SOP to replace Building 5 and Building 7 with two (2) new, three (3) story self storage buildings at 545 Stevens Ave.

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

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

COUNCIL ACTION: Approved 5/0

B.3. Introduce (1st Reading) Ordinance 440 Amending Section 17.60.0S0(D) of the Solana Beach Municipal Code Regarding the Storage and Handling of Hazardous, Flammable, and Toxic Materials or Chemicals. (File 0610-10).

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 categorically exempt from the California Environmental Quality Act pursuant to Section 15308 of the State CEQA Guidelines; and

B.3.c. Introduce Ordinance 440 related to Storage and Handling of Hazardous, Flammable, and Toxic Materials or Chemicals.

[Item B.3. 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. Fletcher Cove Community Center Potential Community Use. (File 0730-80).

Recommendation: That the City Council

1. Receive this report and discuss recommendations.
2. If the City Council gives direction to proceed, approve Resolution 2012-140 authorizing the City Manager to solicit proposals and enter into an agreement for a not to exceed \$25,000 contract to complete the required CEQA Initial Study.

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

COUNCIL ACTION: Approved 4/1 (Noes: Nichols.)

WORKPLAN COMMENTS:

(Adopted June 27, 2012)

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 12, 2013.
- f. General Plan - Campbell, Nichols. Expires July 12, 2012.
- g. La Colonia Park - Nichols, Heebner. Expires June 12, 2013.
- 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: