

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, January 23, 2013

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., and online www.cityofsolanabeach.org. Agendas are posted at least 72 hours prior to at least 24 hours prior to special meetings. 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

Mike Nichols, Mayor

Thomas M. Campbell, Deputy Mayor
David A. Zito, 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.

READING OF ORDINANCES AND RESOLUTIONS:

Pursuant to Solana Beach Municipal Code Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

CALL TO ORDER AND ROLL CALL:**CLOSED SESSION REPORT: (when applicable)****FLAG SALUTE:****APPROVAL OF AGENDA:**

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner)

PROCLAMATIONS/CERTIFICATES:**PRESENTATIONS:**

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

1. Highway 101 Project Westside Improvement Project 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.

COUNCIL COMMUNITY ANNOUNCEMENTS:**COUNCIL 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 P-Ublic will be discussed immediately after approval of the Consent Calendar.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held January 9, 2013.

Approved Minutes

<https://www.cityofsolanabeach.org/en/government/public-meetings/agendas-minutes-videos>

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner)

A.2. Register of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for December 15 - 28, 2012.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner)

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 4/0/1 (Absent: Heebner)

A.4. Second Amendment to First Amended and Restated Exclusive Right to Negotiate and Predevelopment Loan Agreement with Hitzke Development (South Sierra Avenue Development). (File 400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-008 approving and Authorizing the City Manager to execute the Second Amendment to the First Amended and Restated Exclusive Right to Negotiate Agreement between the City of Solana Beach and Hitzke Development Corporation.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner)

A.5. Local Coastal Plan Ad Hoc Committee. (File 410-48)

Recommendation: That the City Council

1. Adopt Resolution 2013-006 re-establishing the Local Coastal Plan Ad Hoc Committee until January 22, 2014 or until the California Coastal Commission's adoption of the Solana Beach Local Coastal Plan.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner)

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 (DRP) and Structure Development (SDP) Permits at 238 5. Nardo Avenue, Applicant: Keystone Financial Group, Robert Mueller, Case: 17-12-24. (File 600-40)

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 SOP. Therefore, Staff recommends 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 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2013-004 conditionally approving a DRP and an administrative SOP for a new two (2) story, single family residence with 3,144 square feet of living area, 463 square feet of garage, 320 square feet of deck and 55 square feet of front porch at 238 S. Nardo Avenue.

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

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner)

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

Submit speaker slips to the City Clerk

C.1. 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 shall be nominated/appointed each by individual Councilmembers (Heebner, Zito, and Zahn) for a two year term until January 2015.

COUNCIL ACTION: Approved 4/0/1 to appoint Anthony Craig (Zito appointment), Michael Whitton (Zahn appointment), and Gordon Johns (Heebner appointment) to the Budget & Finance Commission. (Absent: Heebner)

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

- a. Three (3) vacancies shall be nominated/appointed each by Council-at-large for a two year term until January 2015.

COUNCIL ACTION: Approved 4/0/1 to appoint Allen Moffson, Carol Beth Rodriguez, and Brett Reisdorf to the Public Arts Advisory Commission (all appointed by Council-at-large). (Absent: Heebner)

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

- a. Four (4) vacancies shall be nominated/appointed each by Council-at-large for a two year term until January 2015.

COUNCIL ACTION: Approved 4/0/1 to appoint Chris Hohn, Steve Ostrow, Holly Coughlin, and Peggy Walker (all appointed by Council-at-large). (Absent: Heebner)

5. Appoint 4 members to the View Assessment Commission:

- a. Three (3) vacancies shall be nominated/appointed each by individual Councilmembers (Nichols, Heebner, Zahn) for a two year term until January 2015.
- b. One (1) vacancy shall be nominated/appointed by individual Councilmembers (Campbell) for a one year term until January 2014.

COUNCIL ACTION: Approved 4/0/1 to appoint Jack Hegenauer (Nichols appointment), Jewel Edson (Heebner appointment), Rebecca Lawson (Campbell appointment), and Dean Pasko (Zahn appointment). (Absent: Heebner)

4. Appoint 5 members to the Public Safety Commission:

- a. Four (4) vacancies shall be nominated/appointed each by individual Councilmembers (Nichols, Heebner, Zito, Zahn) for a two year term until January 2015.
- b. One (1) vacancy shall be nominated/appointed by Council-at-large for a one year term until January 2014.

COUNCIL ACTION: Approved 4/0/1 to appoint David Bittar (Zahn appointment), Bernhard Geierstanger (Nichols appointments), and Morey Rahimi (Zito appointment). (Absent: Heebner)

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

C.2. Chevron Energy Solutions (Chevron ES) Contract Change Orders and Notice of Completion. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-005
 - a. Appropriating \$14,995 from General Fund Undesignated Reserves to the Chevron ES Project in the City CIP Fund for costs associated with Change Order No. 1.
 - b. Appropriating \$1,465.50 from Street Lighting Undesignated Reserves to the Chevron ES Project in the City CIP Fund for costs associated with Change Order No. 2.
 - c. Accepting as complete the Chevron ES contract and authorizing the City Clerk to file a Notice of Completion for the project.
 - d. Authorizing the City Treasurer to amend the FY 2012-13 Adopted Budget accordingly.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner)

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) - Vacant, Vacant (alternate).
- b. County Service Area 17 - Campbell, Nichols (alternate).
- c. Escondido Creek Watershed Authority - Nichols, Vacant (alternate).
- d. League of Ca. Cities' San Diego County Executive Committee - Vacant, Vacant (alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee - Vacant, Vacant (alternate).
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) - Vacant, Vacant (alternate).
- g. North County Dispatch JPA- Zahn, Nichols (alternate).
- h. North County Transit District - Nichols, Heebner (1st alternate)
- i. Regional Solid Waste Association (RSWA) - Nichols, Vacant (alternate).
- j. SANDAG - Heebner (Primary), Nichols (1st alternate), Zito (2nd alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee - Nichols, Heebner (alternate).
- l. San Dieguito River Valley JPA- Heebner, Nichols (alternate).
- m. San Elijo JPA- Campbell, Vacant (both primary members) (no alternates).
- n. 22nd Agricultural District Association Community Relations Committee - Campbell, Heebner.

Standing Committees: (All Primary Members) (Permanent Committees)

- a. Business Liaison Committee - Campbell, Vacant.
- b. Highway 101 / Cedros Ave. Development Committee - Nichols, Heebner.
- c. 1-5 Construction Committee - Heebner, Vacant.
- d. Parks and Recreation Committee - Nichols, Heebner.
- e. Public Arts Committee - Nichols, Vacant.
- f. School Relations Committee - Zito, Zahn.

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Campbell, Vacant. Expires December 5, 2013.
- b. Development Review - Nichols, Heebner. Expires October 23, 2013.
- c. Environmental Sustainability - Heebner, Vacant. Expires December 5, 2013.
- d. Fire Department Management Governance Vacant, Vacant. Expires July 10, 2013.
- e. Fiscal Sustainability - Campbell, Vacant. Expires June 12, 2013.
- f. General Plan - Nichols, Campbell. Expires July 10, 2013.
- g. La Colonia Park - Nichols, Heebner. Expires June 12, 2013.
- h. Local Coastal Plan Ad-Hoc Committee - Campbell, Vacant. Expires February 7, 2013 or at the California Coastal Commission adoption.

- i. NCTD / Train Station Site Project Ad Hoc Committee - Nichols, Heebner. Expires January 10, 2013
- j. View Assessment - Nichols, Heebner. Expires June 10, 2013

ADJOURN: