

# 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 10, 2013**

**6:00 P.M.**

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](http://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**  
**Peter Zahn, 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:**

**PROCLAMATIONS/CERTIFICATES:**

1. Hospice House
2. SONGS Closure Certificates of Recognition

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 5/0**

**PRESENTATIONS:**

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

1. SDG&E
2. Highway 101 Project Westside Improvement Project Update
3. SDG&E

**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/ 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 May 22, 2013 and June 12, 2013.

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

**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 June 1 - 14, 2013.

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

**COUNCIL ACTION: Approved 5/0**

**A.3. General Fund Adopted Budget for Fiscal Year 2013-14 Changes. (File 0330-30)**

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2013-2014 General Fund Adopted Budget.

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

**COUNCIL ACTION: Approved 5/0**

**A.4. City Hall Second Floor Transaction Counter. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-080:

- a. Awarding the contract to Tony Cassi Construction in the amount of \$30,870, for the 2013 Second Floor Transaction Counter Project, Bid No. 2013-06.
- b. Approving the amount of \$3,000 for construction contingency.
- c. Authorizing the City Manager to execute the construction contract on behalf of the City.
- d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

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

**COUNCIL ACTION: Approved 5/0**

**A.5. Re-establish Two Council Ad Hoc Committees. (File 0410-48)**

Recommendation: That the City Council

1. Adopt Resolution 2013-081 re-establishing the General Plan Update Ad Hoc Committee to expire on July 9, 2014.
2. Adopt Resolution 2013-082 re-establishing the Fire Department Management Governance and Organizational Evaluation Ad Hoc Committee to expire on July 9, 2014.
3. Appoint Councilmember Zito to the General Plan Ad Hoc Committee in Deputy Mayor Campbell's position.

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

**COUNCIL ACTION: Approved 5/0**

**A.6. Quarterly Investment Report. (File 0350-44)**

Recommendation: That the City Council

1. Accept and file the attached Cash and Investment Report for the quarter ended March 31, 2013.

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

**COUNCIL ACTION: Approved 5/0**

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

*Submit speaker slips to the City Clerk*

**C.1. Climate Action Plan Tool Review. (File 0230-35)**

Recommendation: That the City Council

1. Receive the report regarding the Climate Action Plan Tool.

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

**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: (8.1. - 8.2.)**

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) for 1446 San Ignacio, Applicant: Tim and Camille Ault, Case# 17-13-12. (File 0600-40)**

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 2013-078 conditionally approving a DRP for a 966 square foot first floor addition resulting in a 3,806 square foot single story, single family residence located at 1446 San Ignacio.

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

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

**COUNCIL ACTION: Approved 5/0**

**B.2. Development Review Permit (DRP), Structure Development Permit (SDP), Minor Subdivision Permit (SUB) for 636 Valley Avenue, Applicant: Sea Breeze Properties, LLC, Case# 17-13-01. (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. 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 15332 of the State CEQA Guidelines.
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2013-083 conditionally approving a DRP, SUB and SDP for the project for a Mixed Use Development containing one structure with retail/office on the first floor and a residential unit on the second floor and three individual detached townhomes on the property at 636 Valley Avenue, Solana Beach.

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

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

**COUNCIL ACTION: Approved 5/0 to re-open the public hearing.**

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

**COUNCIL ACTION: Approved 5/0 to continue the item to September 11, 2013.**

**C. STAFF REPORTS: (C.2. - C.6.)**

*Submit speaker slips to the City Clerk*

**C.2. Donation Consideration of the "Mermaid Bench." (File 0910-45)**

Recommendation: That the City Council

1. Approve the Mermaid Bench and binoculars to be installed on top of the Dissipater at Fletcher Cove Park.

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

**COUNCIL ACTION: Approved 4/1 approve with modifications including expanding the 4 ft. on the sides closer to 5 ft., replacing the benches, that the binoculars were contingent upon maintenance by the owner with a maintenance agreement, and that the City had the right to remove them if any issues occurred. (Noes: Zito.)**

**C.3. Options for Allowing Dogs on the Beach. (File 0730-80)**

Recommendation: That the City Council

1. Provide direction.
2. If Council directs Staff to move forward with the Initial Study, adopt Resolution 2013-084 appropriating \$17,000 from Undesignated Reserves [Item C.3. Report \(click here\)](#)

**COUNCIL ACTION: Approved 4/1 (Noes: Campbell.)**

**C.4. Comprehensive Active Transportation Strategies Program Study. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-077 approving and authorizing the City Manager to execute a Professional Services Agreement with Chen Ryan Associates, Inc., in the amount of \$136,000, for the preparation of a Comprehensive Active Transportation Program Study. The proposed study would develop a document that addresses bicycle and pedestrian access at a City-wide level, primarily to accommodate non-recreational bicycle and walking trips.

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

**COUNCIL ACTION: Approved 5/0**

**C.5. Sewer Repairs Construction Contract. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-074:
  - a. Awarding the contract to Piperin Corporation in the amount of \$330,894, for the 2013 Sewer Pipeline Repairs Project, Bid No. 2013-04.
  - b. Approving the amount of \$50,000 for construction contingency.
  - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

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

**COUNCIL ACTION: Approved 5/0**

**C.6. 2013 Street Repair and Slurry Seal Rejection of Bids. (File 0370-36)**

Recommendation: That the City Council

1. Adopt Resolution 2013-072
  - a. Rejecting all bids for the 2013 Street Repair and Slurry Seal Project, Bid No. 2013-03.
  - b. Authorizing the City Engineer to modify the bid documents and to re-advertise the project for construction bids.

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

**COUNCIL ACTION: Approved 5/0**

**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) - Nichols, Heebner (alternate).
- b. County Service Area 17 - Zahn, Campbell (alternate).
- c. Escondido Creek Watershed Authority - Zito.
- d. League of Ca. Cities' San Diego County Executive Committee - Nichols, Heebner (alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee - Nichols, Heebner (alternate).
- f. League of Ca. Cities' Coastal Cities Issues Group (CCIG) - Nichols, Heebner (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, Zahn (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, Zito (both primary members) (no alternates).
- n. 22nd Agricultural District Association Community Relations Committee - Heebner, Campbell.

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



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

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Campbell, Zito. Expires December 5, 2013.
- b. Development Review - Nichols, Heebner. Expires October 23, 2014.
- c. Environmental Sustainability - Heebner, Zahn. Expires December 5, 2013.
- d. Fire Department Management Governance - Zito, Zahn. Expires July 10, 2013.
- e. Fiscal Sustainability - Campbell, Zito. Expires June 11, 2014.
- f. Gateway Property - Campbell, Heebner. Expires April 9, 2014.
- g. General Plan - Nichols, Campbell. Expires July 10, 2013.
- h. La Colonia Park - Nichols, Heebner. Expires June 11, 2014.
- i. Local Coastal Plan Ad-Hoc Committee - Campbell, Nichols. Expires January 22, 2014 or at the California Coastal Commission adoption.
- j. NCTD / Train Station Site Project Ad Hoc Committee - Nichols, Heebner. Expires January 8, 2014.
- k. View Assessment - Heebner, Zito. Expires June 11, 2014.

**ADJOURN:**