

## 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, August 28, 2013**

**6:00 P.M.**

Council Chambers, 635 S. Highway 101, Solana Beach, California and  
Teleconference Location (Campbell) 15 Grindell Ave., Dennis Port, MA 02639

#### **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.

<b><u>CITY COUNCILMEMBERS</u></b> <b>Mike Nichols, Mayor</b>		
<b>Thomas M. Campbell, Deputy Mayor</b>	<b>Lesa Heebner, Councilmember</b>	
<b>David A. Zito , Councilmember</b>	<b>Peter Zahn, Councilmember</b>	

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 5/0**

**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/ COMMENTARY:**

**A. CONSENT CALENDAR: (Action Items) (A.1. -A.7.)**

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 June 26 and July 10, 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 15 - July 26, 2013.

[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. Boys and Girls Club of San Dieguito Joint Use Agreement. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-094 authorizing the City Manager to enter into a Joint-Use Agreement with the Boys and Girls Club of San Dieguito.

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

**COUNCIL ACTION: Approved 5/0**

#### **A.5. Public Arts Advisory Commission Recommendation to Fund the Community Grant Request for North Coast Repertory Theatre. (File 0330-25)**

Recommendation: That the City Council

1. Adopt Resolution 2013-095:

- a. Approving the payment of \$5,000 from the Reserve Public Art Account in the Coastal Business/Visitors TOT fund to support the NCRT's Holocaust education program.
- b. Appropriating \$5,000 from the Reserve Public Arts Account to the Contribution to Agencies expenditure account in the Coastal Business Visitors TOT fund.
- c. Authorizing the City Treasurer to amend the FY 2013-14 Adopted Budget accordingly.

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

**COUNCIL ACTION: Approved 5/0**

**A.6. Fire Station Living Area Repairs - Reject All Bids. (File 0370-36)**

Recommendation: That the City Council

1. Adopt Resolution 2013-089:

- a. Rejecting all bids for the Solana Beach Fire Station - Repairs to Living Areas, Bid No. 2013-05.
- b. Authorizing the City Manager prioritize the repairs and to move forward with the work as he deems necessary.

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

**COUNCIL ACTION: Approved 5/0**

**A.7. Fiscal Year 2013-2014 Salary and Classification Update and Memorandum of Understanding for Miscellaneous Employee Group and Solana Beach Marine Safety Unit. (File 0520-10)**

1. Adopt Resolution 2013-099 approving the FY 2013/2014 Memorandums of Understanding between the City of Solana Beach and the Solana Beach Employees' Association-Marine Safety Unit.
2. Adopt Resolution 2013-098 approving the FY 2013/2014 Memorandums of Understanding between the City of Solana Beach and the Solana Beach Employees' Association - Miscellaneous Unit.
3. Adopt Resolution 2013-100 approving the FY 2013/2014 Salary and Compensation schedules (excluding Fire Salary Schedule 5).

[Item A.7. 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. Development Review Permit and Structural Development Permit for 330 S. Rios, Applicant: David and Kathy Jacobs, Case 17-12-36. (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 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, and 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 2013-087 conditionally approving a DRP and an administrative SOP to allow for the construction of a new multi-level, single-family residence with a subterranean basement and an attached garage at 330 South Rios Avenue.

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

**B.2. Development Review Permit and Structural Development Permit for 630 Glenmont, Applicant: Jeff and Brigid Hoyle, Case 17-13-07. (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 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 2013-090 conditionally approving a DRP and an administrative SOP for a 1,111 square foot addition located at 630 Glenmont Drive.

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

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

**COUNCIL ACTION: Approved 5/0**

**B.3. Development Review Permit and Structural Development Permit for 542 5. Granados, Applicant: Matthew and Elisette Carlson, Case 17-13-08. (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 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, and 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 2013-088 conditionally approving a DRP and an administrative SOP to allow for the demolition of the existing residence on site and construct a new 4,225 square foot, single-family residence with an attached 512 square foot garage and a detached 393 square foot garage at 542 S. Granados Avenue.

[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. - C.6.)**  
*Submit speaker slips to the City Clerk*

**C.1. Fletcher Cove Community Center (FCCC) Council Use Policy - Community Use of for Private Weekend Events. (File 0730-00)**

Recommendation: That the City Council

1. Adopt Resolution 2013-096 to adopt a City Council Policy to allow limited private weekend rentals of the FCCC for a one year trial period.

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

**COUNCIL ACTION: Approved 5/0**

**C.2. Master Art Policy Compliance for 120 Stevens Ave., Applicant: Solana beach Presbyterian Church, Case# 17-11-29. (File 0600-40)**

Recommendation: That the City Council

1. Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to 15302 Replacement and Reconstruction.
2. Adopt Resolution 2013-092 approving the proposed art as the fulfillment of the MAP for the private development project and authorizing Staff to provide a refund of \$15,000.00, once the art has been installed and the final occupancy for the building have been granted

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

**COUNCIL ACTION: Approved 5/0**

**C.3. Chamber of Commerce Visitor Center Agreement. (File 0400-10)**

Recommendation: That the City Council

1. Authorize the City Manager to execute the agreement between the City and the Solana Beach Chamber of Commerce on behalf of the City, and
2. Adopt Resolution 2013-085 authorizing funding in the amount of \$15,000 with the Solana Beach Chamber of Commerce for operation of the Visitor Center.

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

**COUNCIL ACTION: Approved 5/0**

**C.4. Solana Beach Sewer Pump Station Electrical Rehabilitation. (File 00400-10).**

Recommendation: That the City Council

1. Adopt Resolution 2013-021:
  - a. Awarding a construction contract for the Solana Beach Sewer Pump Station Electrical Rehabilitation, Bid No. 2013-05, in the amount of \$341,500, to Southern Contracting Company.
  - b. Approving an amount of \$51,000 for construction contingency.
  - c. Approving a consultant inspection and construction support allowance of \$15,000.
  - d. Approving an expenditure of up to \$40,000 to SDG&E for electrical conversion costs.
  - e. Approving an amendment to the Dudek electrical upgrades design contract to analyze financial benefits and infrastructure capabilities of conveying and treating Del Mar sewage flows, for an amount not to exceed \$5,000.
  - f. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - g. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)**

**C.5. South Cedros Traffic Calming Project. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-086
  - a. Awarding a construction contract for the South Cedros Avenue Traffic Calming Project, Bid No. 2013-07, in the amount of \$78,515, to PAL General Engineering.
  - b. Approving an amount of \$12,000 for construction contingency.
  - c. Approving an inspection allowance of \$5,000.
  - d. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - e. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.
  - f. Authorizing the City Manager to execute a Reimbursement Agreement with the South Cedros Property Owners Association for \$44,352.
  - g. Authorizing the Finance Manager to transfer \$7,000 from Project Number 9344.00-6661 into Project Number 9321.00-6661.
  - h. Authorizing the Finance Manager to appropriate \$44,352, to be reimbursed by the South Cedros Property Owners Association, into the Reimbursement Agreement Revenue Account for Capital Projects and appropriating the same amount into Project Number 9321.00-6661.



- i. Authorizing the City Treasurer to amend the FY 2013/2014 Adopted Budget accordingly.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)**

**C.6. 2013 Street Maintenance & Repair Project. (File 0400-10)**

Recommendation: That the City Council

1. Adopt Resolution 2013-091
  - a. Awarding a construction contract for the 2013 Street Maintenance & Repair Project, Bid 2013-08, in the amount of \$394,758.10, to PAL General Engineering.
  - b. Approving an amount of \$60,000 for construction contingency.
  - c. Approving an inspection allowance of \$5,000.
  - d. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - e. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Campbell)**

**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 09, 2014.
- e. Fiscal Sustainability - Campbell, Zito. Expires June 11, 2014.
- f. Gateway Property - Campbell, Heebner. Expires April 9, 2014.
- g. General Plan - Nichols, Zito. Expires July 09, 2014.
- h. La Goiania 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:**