

CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY, PUBLIC FINANCING AUTHORITY, & HOUSING AUTHORITY

MINUTES

JOINT **REGULAR** MEETING
Wednesday, September 25, 2013
06:00 P.M.

Minutes contain a summary of the discussions and actions taken by the City Council during a meeting. City Council meetings are video recorded and archived as a permanent record. The video recordings capture the complete proceedings of the meeting and are available for viewing on the City's website.

CALL TO ORDER AND ROLL CALL:

Present: Nichols, Campbell, Heebner, Zito, and Zahn.

Absent: None.

Also Present: David Ott, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk
Wende Protzman, Community Development Dir.
Mo Sammak, City Engineer/Public Works Dir.
Dan Goldberg, Principal Engineer
Marie Berkuti, Finance Manager
Dan King, Sr. Management Analyst

Mayor Nichols called the meeting to order at 6:00 p.m.

CLOSED SESSION REPORT: (when applicable)

FLAG SALUTE:

APPROVAL OF AGENDA:

MOTION: Moved by Zahn and seconded by Campbell **Motion carried unanimously.**

PRESENTATIONS:

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

1. Highway 101 Project Westside Improvement Project Update

Mo Sammak, Public Works Director, presented a powerpoint (on file) reviewing the project status.

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.

Al Evans stated that the road conditions on Highland were bad, that Highland be consideration the upcoming street repairs, and that there were new pot holes on Lomas Santa Fe from Highland west bound.

Council and Mr. Evans discussed plans for the center median areas at Highland and Sun Valley that contained weeds, a welcome sign, art by local artists, and a street maintenance program that would begin in 2014.

Joy Brinker said that pot holes were on the county side of this road as well.

Council and Staff discussed the fact that the City could not work on county land but would contact them to let them know about the area and work planned.

Rolf Gunnerson said that Highland Ave. was deteriorated and caused by construction.

Frank Warner stated that the conditions on Highland to the north end belonged to the county and asked the City to coordinate repairs.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

Deputy Mayor Campbell stated that Council was provided a list of donors that contributed to the Solana Beach Foundation to defray costs for construction on the Fletcher Cove Community Center, and that it would be added to this record by reference (filed under Commentary).

A. CONSENT CALENDAR: (Action Items) (A.1. - A.8.)

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 public 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 August 28, 2013.

MOTION: Moved by Heebner and seconded by Zito. **Motion carried unanimously.**

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

Recommendation: That the City Council

1. Ratify the list of demands for August 27 - August 30, 2013.

MOTION: Moved by Heebner and seconded by Zito. **Motion carried unanimously.**

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 FY 2013-2014 General Fund Adopted Budget.

MOTION: Moved by Heebner and seconded by Zito. **Motion carried unanimously.**

A.4. Quarterly Investment Report. (File 0350-44)

Recommendation: That the City Council

1. Accept and file Cash and Investment Report for the quarter ended June 30, 2013.

MOTION: Moved by Heebner and seconded by Zito. **Motion carried unanimously.**

A.5. Denial Resolution for Development Review Permit (DRP), Structure Development Permit (SDP) and Minor Subdivision Permit (SUB) at 636 Valley Avenue, Applicant: Sea Breeze Properties, LLC, Case 17-13-01. (File 0600-40)

Recommendation: That the City Council

1. Adopt Resolution 2013-113 denying the request for a Minor Subdivision, Development Review Permit and an Administrative Structure Development Permit for the proposed mixed use project at 636 Valley Avenue.

MOTION: Moved by Heebner and seconded by Zito. **Motion carried unanimously.**

A.6. Successor Agency's Recognized Obligation Payment Schedule (ROPS) and Administrative Budget. (File 0115-30)

Recommendation: That the City Council

1. Receive the Successor Agency's enforceable obligations payment information and administrative budget for the period January 1, 2014 to June 30, 2014.

MOTION: Moved by Heebner and seconded by Zito. **Motion carried unanimously.**

A.7. Public Improvement Agreement with the Successor Agency for the Solana Beach Redevelopment Agency. (File 0400-10)

Recommendation: That the City Council

1. Adopt City Resolution 2013-110, approving and authorizing execution and implementation of the Public Improvement Agreement for the Highway 101 Corridor Improvement Project and the La Colonia Park and Recreation Center Improvement Project with the Successor Agency for the Solana Beach Redevelopment Agency.
2. Adopt Successor Agency Resolution SA-008, approving and authorizing execution and implementation of the Public Improvement Agreement for the Highway 101 Corridor Improvement Project and the La Colonia Park and Recreation Center Improvement Project with the City of Solana Beach.

MOTION: Moved by Heebner and seconded by Zito. **Motion carried unanimously.**

A.8. Financial Software Upgrade. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2013-118

- a. Authorizing the City Manager to enter into an agreement with SunGard Pentamation to upgrade the Pentamation software to FinancePLUS Version 5.0 and CommunityPLUS Version 9.0 and purchase the required SQL server licenses.
- b. Authorizing the City Treasurer to appropriate \$15,017 from Undesignated Reserves in the Asset Replacement Fund into the Equipment account in the Asset Replacement Fund-Finance budget unit.

MOTION: Moved by Heebner and seconded by Zito **Motion carried unanimously.**

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 Permit (DRP), Structure Development Permit (SDP) and Minor Subdivision Permit (SUB) for 238 N. Cedros, Applicant: Doug Sheres & Terry Wardell, Case # 17-12-22. (File 0600-40)

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 15332 of the State CEQA Guidelines.
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2013-111 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 office use on the second floor and a separate residential efficiency unit on proposed Parcel 1, and two detached single-family dwelling units on proposed Parcel 2 on the property at 238 N. Cedros Avenue, Solana Beach.

David Ott, City Manager, introduced the item.

Patricia Bluman, Principal Planner, presented a powerpoint (on file) reviewing the proposed project.

Mayor Nichols opened the public hearing.

Council reported their familiarity with the project and the applicants.

Rob Quigley, Project Architect, presented a PowerPoint (on file) reviewing the proposed project. He stated that it was a small project that the project, that the project had exceeded the City's building height development standards, and that the applicant was not requesting any variances or special conditions. He stated that the project had been moved back from the property line to soften the transition from the residential-to-retail area, that the northern facade of the building that faced towards Claire's would be opened up, and that this was a sustainable project. He stated that the project contained LED lighting, and there would be a day lighting system to allow light in on two sides around nearly every part of the building.

Doug Sheres, applicant, continued the PowerPoint presentation reviewing design elements of the project. He stated that his goal was to design a project to fit with the character of the street and the community, that parking issues had been resolved by placing parking in the back of and adjacent to Claire's parking, and that neighbor's views behind the project would not be impacted. He stated that the applicants had met with the neighbors and incorporated their feedback and comments into the project, and that they had decided to reduce the building further below 30 ft. requirement of the code. He stated that the building was 27 ft. high, that the residential and commercial buildings acted as two separate projects, and that the residential project consisted of two cottage like buildings, and reviewed various design elements of those buildings.

Terry Wardell, applicant, stated that he had wanted the mission of the project to be a development that he and his family would be proud of, that it had to have great architecture, had to be sustainable from a monetary perspective, had to utilize sustainable construction, that the project had to qualify for formal green certification with California Build it Green for the residential building and LEED certification for the commercial building. He stated that some aspects that made the building sustainable included energy usage and conservation, LED florescent lighting, electric car chargers, water retention systems on

site, extensive use of permeable paving, and that the project had to utilize healthy living attributes.

Council and Mr. Quigley discussed that the type of window openings on the building had not been determined, discussed ADA requirements of signage, and that the two parcels of the project were intended to be separate and distinct.

MOTION: Moved by Heebner and seconded by Zahn to close the public hearing. **Motion carried unanimously.**

Council commented on the positive benefits of the project, commended the applicants for reaching out to the community, that all comments received from the neighbors and the community were favorable, and that the sustainable factors of the project were impressive.

MOTION: Moved by Heebner and seconded by Zito **Motion carried unanimously.**

C. STAFF REPORTS: (C.1.)

Submit speaker slips to the City Clerk

C.1. Community Grant Program Fiscal Year 2013-14. (File 0330-25)

Recommendation: That the City Council

1. Adopt Resolution No. 2013-114 approving and authorizing the FY 2013-14 Community Grant Program.

David Ott, City Manager, introduced the item.

Dan King, Sr. Management Analyst, presented a PowerPoint (on file) reviewing the new fiscal year program.

MOTION: Moved by Campbell and seconded by Zahn. **Motion carried unanimously.**

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.

Mayor Nichols reported that the City paid for his attendance at the League of California Cities Conference in Sacramento.

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

- a. Army Corps of Engineers & Regional Beach Nourishment - Nichols, 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 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:

Mayor Nichols adjourned the meeting at 7:10 p.m.



Angela Ivey, City Clerk

Approved: November 13, 2013