

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, May 14, 2014

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. Posted agendas are subject to change up to the meeting's required posting deadline. Please check agenda postings for updates. Writings and documents regarding an agenda item of an open meeting, received after the official agenda posting, will be distributed to Council for consideration, and made available for public viewing. Items received at least 1 1/2 hours prior to the start of the meeting will be uploaded online with the agenda. Material received after this cut-off as well materials handed out at the meeting will become part of the record for filing. 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
Thomas M. Campbell, Mayor

**Les a Heebner,
Deputy Mayor
Peter Zahn,
Councilmember**

**David A. Zito,
Councilmember
Mike Nichols,
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 5/0

PROCLAMATIONS/CERTIFICATES:

1. Bike to Work Month
2. National Public Works Week

PRESENTATIONS:

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

1. Del Mar Shores Staircase

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.11.)

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 March 5, 12, and 26, 2014.

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

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

Recommendation: That the City Council

1. Ratify the list of demands for April 5 - 18, 2014.

[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. Quarterly Investment Report. (File 0350-44)

Recommendation: That the City Council

1. Accept and file the Cash and Investment Report for the quarter ended March 31, 2014.

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

COUNCIL ACTION: Approved 5/0

A.5. Street Lighting District Annual Assessment. (File 0495-20)

Recommendation: That the City Council

1. Adopt Resolution 2014-044 approving the Engineer's Report for proceedings for the annual levy of assessments within a special maintenance district.
2. Adopt Resolution 2014-045 declaring intention to provide for an annual levy and collection of assessment in a special maintenance district and setting a time and date for a public hearing; and scheduling the public hearing for June 11, 2014.

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

COUNCIL ACTION: Approved 5/0

A.6. Coastal Rail Trail Maintenance District Annual Assessment. (File 0495-20)

Recommendation: That the City Council

1. Adopt Resolution 2014-041, initiating the proceedings for the annual levy of assessments within the Coastal Rail Trail Maintenance District.
2. Adopt Resolution 2014-042, approving the Engineer's Report for proceedings of the annual levy of assessments within Coastal Rail Trail Maintenance District.
3. Adopt Resolution 2014-043, declaring intention to provide for the annual levy and collection of assessments in Coastal Rail Trail Maintenance District and setting a time and date for a public hearing for June 11, 2014.

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

COUNCIL ACTION: Approved 5/0

A.7. Del Mar Shores Beach Stairway Conservancy Grant. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-034:
 - a. Approving the award of grant funding from the Coastal Conservancy for the project.
 - b. Acknowledging that the City has sufficient funds to complete the project and to operate and maintain the Del Mar Shores Beach Access Stairway for a reasonable period, not less than the useful life of the stairway.
 - c. Agreeing to provide any funds beyond the Coastal Conservancy grant funds necessary to complete the project.

- d. Agreeing to be bound by all terms and conditions of the grant agreement and any other agreement or instrument as may be required by the Coastal Conservancy and as may be necessary to fulfill the terms of the grant agreement and to complete the project.
- e. Authorizing the City Manager to act as a representative of the City, to execute on behalf of the City all agreements and instruments necessary to complete the project and to comply with the Coastal Conservancy's grant requirements, including, without limitation, the grant agreement.

[Item A.7. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.8. Fire Apparatus Maintenance Agreement. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-049 authorizing the expenditure in the amount of \$15,525 to Miramar Truck Center for repairs on the Fire Apparatus.

[Item A.8 Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.9. 2014 Street Maintenance and Repairs Project Bid. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-046:
 - a. Approving the list of streets scheduled for maintenance and repairs as part of the 2014 Street Maintenance and Repairs Project.
 - b. Authorizing the City Engineer to advertise for construction bids for the 2014 Street Maintenance and Repairs Project.

[Item A.9. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.10. Sewer Service Annual Charge for Fiscal Year 2014-15. (File 1040-70)

Recommendation: That the City Council

1. Set a public hearing date for June 11, 2014, pursuant to Proposition 218, to consider an increase in the annual sewer charge of 2.5% to \$603.06 per EDU.

[Item A.10. Report \(click here\)](#)

COUNCIL ACTION: Approved 5/0

A.11. San Dieguito River Valley Joint Powers Authority (JPA) Agreement. (File 0400-10)

Recommendation: That the City Council

1. Adopt Resolution 2014-055 approving and authorizing the City Manager to execute the extension agreement with the San Dieguito River Valley JPA.

[Item A.11 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.4.)

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. 305 S. Highway 101 Conditional Use Permit (CUP) of a New Wireless Communications Facility , Applicant: AT&T Mobility , Case No: 17-13-30. (File 0610-60)

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 15301 of the State CEQA Guidelines; and
3. Adopt Resolution 2014-019 conditionally approving a CUP for a new WCF and associated equipment located on the roof of an existing commercial structure at 305 S. Highway 101, Solana Beach.

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

B.2. 735 Valley Avenue Development Review Permit (DRP), Structural Development Permit (SDP), and Minor Subdivision (SUB), Applicant: Sea Breeze Properties, LLC, Case No: 17-13-16. (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 15332 of the State CEQA Guidelines.
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2014-038 conditionally approving a SUB, DRP and SOP for the project for a Multi-Family Development containing two detached, single family dwelling units and two attached single family dwelling units each consisting of two story structures with attached two car garages on the property at 735 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

B.3. 331 5. Granados Avenue Development Review Permit (DRP) and Structural Development Permit (SDP), Applicant: Cohen/Biven, Case No: 17-13-19. (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 2014-018 conditionally approving a DRP and an administrative SOP for a 795 square foot addition located at 331 S. Granados Avenue.

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

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

COUNCIL ACTION: Approved 5/0

B.4. 521 S. Rios Avenue Development Review Permit (DRP) and Structural Development Permit (SDP), Applicant: Dye Equities, Case No: 17-13-29. (File 0600-40)

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 2014-047 conditionally approving a DRP and an administrative SOP to allow for the construction of a new multi-level, 4,624 square foot, single-family residence with a partially subterranean lower level and attached 646 square foot garage at 521 South Rios Avenue.

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

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

COUNCIL ACTION: Approved 5/0

C. STAFF REPORTS: (C.1. - C.4.)

Submit speaker slips to the City Clerk

C.1. Hot Car Warning Signs. (File 0200-00)

Recommendation: That the City Council

1. Receive report and provide direction to Staff

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

COUNCIL ACTION: Approved 5/0

C.2. La Colonia Veteran's Honor Courtyard. (File 0160-18)

Recommendation: That the City Council

1. Adopt Resolution 2014-053 authorizing the City to provide \$80,000 from the remaining bond proceeds from the former Solana Beach Redevelopment Agency, that were designated to be used in the park area, towards construction costs of the La Colonia Veteran's Honor Courtyard. These funds are currently in the Public Improvement Grant fund.

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

COUNCIL ACTION: Approved 5/0

C.3. Citizens United Constitutional Amendment. (File 0480-60)

Recommendation: That the City Council

1. Accept report and provide direction as needed.

2. Should the Council desire to adopt a resolution to show support for overturning Citizens United, consider approving Resolution 2014-052 as prepared by Staff, with modifications as necessary.

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

COUNCIL ACTION: Approved 5/0 to approve with modifications.

C.4. California AB (Assembly Bill) 2145 related to Community Choice Aggregation (CCA). (File 0480-70)

Recommendation: That the City Council

1. Receive report and discuss whether to take action.

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

COUNCIL ACTION: Approved 5/0

WORKPLAN COMMENTS:

Adopted June 26, 2013

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:

ADJOURN: