

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 for the Solana Beach Redevelopment Agency,
PUBLIC FINANCING AUTHORITY, HOUSING AUTHORITY**

**Joint REGULAR Meeting
Wednesday, May 13, 2015
6:00 P. M.**

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California
Teleconference Location: Hyatt Regency Capitol Hill, 400 New Jersey Ave., NW, Washington,
DC added on 5-8 at 12 pm

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 regular meetings and 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

Lesa Heebner, Mayor

David A. Zito, Deputy Mayor

Peter Zahn, Councilmember

Mike Nichols, Councilmember

Ginger Marshall, Councilmember

David Ott
Interim 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:

1. Bike to Work Month
2. Public Works Week

PRESENTATIONS:

(Ceremonial items that do not contain in-depth discussion and no action/direction.)
None at the posting of this agenda

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.12.)

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 January 5, January 14, January 28, February 11, and February 25, 2015.

Item A.1. Report (click here)

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 March 14, 2015 through April 24, 2015.

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

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

A.3. General Fund Adopted Budget for Fiscal Year 2014-15 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2014-2015 General Fund Adopted Budget.

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

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

A.4. Coastal Rail Trail Maintenance District. (File 0495-20)

Recommendation: That the City Council

1. Adopt **Resolution 2015-049**, initiating the proceedings for the annual levy of assessments within the Coastal Rail Trail Maintenance District.
2. Adopt **Resolution 2015-050**, approving the Engineer's Report for proceedings of the annual levy of assessments within Coastal Rail Trail Maintenance District.
3. Adopt **Resolution 2014-051**, 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 10, 2015.

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

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

A.5. Solana Beach Lighting District. (File 0497-30)

Recommendation: That the City Council

1. Adopt **Resolution 2015-052** approving the Engineer's Report for proceedings for the annual levy of assessments within a special maintenance district.
2. Adopt **Resolution 2015-053** 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 10, 2015.

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

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

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, 2015.

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

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

A.7. On-Call, As-Needed Repair Services Agreement. (File 0400-10)

Recommendation: That the City Council

1. Adopt **Resolution 2015-047**:
 - a. Authorizing the City Manager to execute an agreement with Lalley Construction, in the amount of \$14,000, for on-call, as-needed repair services for Fiscal Year 2015/2016.
 - b. Authorizing the City Manager to renew the agreement, on a yearly basis, for the next three years at the City's option.

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

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

A.8. 2015 Street Maintenance and Repairs Project. (File 0820-50 / 0400-10)

Recommendation: That the City Council

1. Adopt **Resolution 2015-054**:
 - a. Approving the list of streets scheduled for maintenance and repairs as part of the 2015 Street Maintenance and Repairs Project.
 - b. Authorizing the City Engineer to advertise for construction bids for the 2015 Street Maintenance and Repairs Project.

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

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

A.9. San Andres Drive Median Improvements Project. (File – 0820-14 / 0400-10)

Recommendation: That the City Council

1. Adopt **Resolution 2015-048**:
 - a. Awarding the construction contract to PAL General Engineering, in the amount of \$287,681, for the San Andres Drive Median Improvements, Bid No. 2015-02.
 - b. Authorizing the City Manager to execute the construction contract on behalf of the City.
 - c. Approving an amount of \$43,000 for construction contingency.
 - d. Approving an amount of \$29,000 for project management and inspection.
 - e. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.

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

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

A.10. Lomas Santa Fe at I-5 Interchange Right-of-Way. (File 0820-75)

Recommendation: That the City Council

1. Adopt **Resolution 2015-045**:

- a. City Council agrees to convey all rights-of-way that was needed for the final State Highway, to CALTRANS, at no cost, which includes property and soil nail easements used for the relocation of the northbound off ramp of Interstate 5.
- b. City Council agrees to accept maintenance, control and ownership, including all of CALTRANS' current obligations, rights, title and interest of highway area and appurtenant facilities depicted as Segment "1" on said Exhibit 2 upon recordation of the CTC's Resolution of Relinquishment in the San Diego County Recorder's Office, and thereafter operate, maintain and be liable for the improvements and facilities within the relinquished highway area, which includes, but not limited to, public street improvements at no additional cost to CALTRANS.
- c. City Council agrees that the proposed relinquishment area is in a good state of repair and the CITY waives CALTRANS' obligation to provide ninety (90) days prior notice of CALTRANS' "Intention to Relinquish" as set forth in Section 73 of the Streets and Highways Code.
- d. City Council agrees there shall be no CTC allocation of funds for a betterment or improvement of relinquished areas after the recordation of the respective CTC Resolution of Relinquishment.
- e. City Council agrees that CALTRANS reserves the right to enter relinquished facilities, including sidewalks and other areas adjacent to the State highway traveled way, to modify or add signage, drainage, and other improvements necessary for CALTRANS' highway operations, at no additional cost to CALTRANS for the right to perform said activities and at no additional cost incurred to the CITY.
- f. City Council agrees that this activity is not a "project" and is therefore exempt from CEQA pursuant to State CEQA Guidelines Section 150600(c) (3).
- g. Authorizing the City Manager to sign the Quitclaim Deed.

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

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

A.11. Reclaimed Water Line Extension Project Final Design. (File 1050-30 / 0400-10)

Recommendation: That the City Council

1. Adopt **Resolution 2015-058**, authorizing the City Manager to execute a Professional Services Agreement with Infrastructure Engineering Corporation for a final design package for the Reclaimed Water Line Extension Project, in an amount not to exceed \$225,000.

[Item A.11. Report \(click here\)](#)

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

A.12. La Colonia Veterans' Honor Courtyard Final Design. (File 0160-18 / 0400-10)

Recommendation: That the City Council

1. Adopt **Resolution 2015-059** authorizing the City Manager to execute an amendment to the Professional Services Agreement with Van Dyke Landscape Architects, in the amount of \$13,775, to prepare new bid documents which include final design plans and revised technical special provisions for the La Colonia Veterans' Honor Courtyard and to extend the length of the contract for one additional year.

[Item A.12. 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. – 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. 825 Viva Court - Development Review Permit (DRP) Applicant: Goodmacher, Case No. 17-14-37. (File 0600-10)

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 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2015-057** conditionally approving a DRP for a single-story, single family residence located at 825 Viva Court.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner) to close the Public Hearing

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

B.2. 529 N. Granados – Development Review Permit (DRP) Applicant: Fanning, Case No. 17-14-38. (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, 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 2015-044** conditionally approving a DRP to allow for the construction of a new 3,934 square foot single-family residence with an attached two-car garage and a partially subterranean basement at 529 North Granados Avenue.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner) to close the Public Hearing

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

B.3. 234 S. Rios – Development Review Permit (DRP) and Structural Development Permit (SDP) Applicant: Enderwick, Case No. 17-14-30. (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 SDP. 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 2015-041** conditionally approving a DRP and an administrative SDP to allow for the construction of a new two-story, 4,633 square foot single-family residence with an attached 861 square foot three-car garage at 234 South Rios Avenue.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner) to close the Public Hearing

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

C. STAFF REPORTS: (C.1. - C.6.)

Submit speaker slips to the City Clerk.

C.1. City Manager Employment Agreement. (File 0400-10 / 0560-30)

Recommendation: That the City Council

1. Adopt **Resolution 2015-066** approving and authorizing the Mayor to execute the City Manager employment agreement.

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

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

C.2. Termination of the San Diego Pooled Insurance Program Authority (SANDPIPA) Joint Powers Authority. (File 0400-10 / 0180-00)

Recommendation: That the City Council

1. Adopt **Resolution 2015-065**:
 - a. Approving and authorizing the termination of the San Diego Pooled Insurance Program Authority for Municipal Entities (“SANDPIPA”) and related amendments to the SANDPIPA Joint Powers Agreement affecting the windup of the affairs of SANDPIPA.

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

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

C.3. Introduce (1st Reading) Ordinance 459 - Recreational Vehicles. (File 0870-40)

Recommendation: That the City Council

1. Introduce **Ordinance 459** amending Solana Beach Municipal Code Sections 10.04.030 and 10.28.210 relating to recreational vehicles.

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

COUNCIL ACTION: Approved 3/1/1 (Noes: Marshall, Absent: Heebner)

C.4. Introduce (1st Reading) Ordinance 460 – Amending the City’s Purchasing Ordinance. (File 0370-55)

Recommendation: That the City Council

1. Introduce **Ordinance 460** (1st Reading) amending the City’s Purchasing Ordinance in SBMC Chapter 3.08.

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

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

C.5. San Dieguito River Park – San Dieguito River Valley Open Space Park Joint Agreement. (File 0150-62 / 0400-10)

Recommendation: That the City Council

1. Adopt **Resolution 2015-056** the San Dieguito River Valley Regional Open Space Park Joint Exercise of Powers Agreement and provide a signed copy to San Dieguito River Valley Regional Open Space Park.

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

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

C.6. Consideration of Opposition to San Diego Gas & Electric's Proposed Rate Design Changes. (File 0400-10 / 0180-50)

Recommendation: That the City Council

1. Discuss and consider developing a Resolution of Opposition to San Diego Gas & Electric's Proposed Rate Design Changes.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner) to Adopt Resolution 2015-077.

WORKPLAN COMMENTS:

Adopted June 25, 2014

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, Zahn (alternate).
- b. County Service Area 17 – Zahn, Marshall (alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities' San Diego County Executive Committee – Nichols, Zahn (alternate) and any subcommittees.
- e. League of Ca. Cities' Local Legislative Committee – Nichols, Zahn (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 – Zito, Zahn (alternate).
- m. San Elijo JPA – Marshall, Zito (both primary members) (no alternates).
- n. 22nd Agricultural District Association Community Relations Committee – Heebner, Nichols.

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

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

ADJOURN:

AFFIDAVIT OF POSTING:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF SOLANA BEACH

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the May 13, 2015 Council Meeting was called by City Council, Successor Agency to the Redevelopment Agency, Public Financing Authority, and the Housing Authority of the City of Solana Beach, California, was provided and posted on May 6, 2015 at 5:00 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., May 13, 2015, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk
City of Solana Beach, CA

UPCOMING CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:

Regularly Scheduled, or Special Meetings that have been announced, as of this Agenda Posting.

- a. **Budget & Finance Commission**
Thursday, May 21, 2015, 6:30 p.m. (City Hall)
- b. **Parks & Recreation Commission**
Thursday, May 14, 2015, 4:00 p.m. (Fletcher Cove Community Center)
- c. **Public Arts Advisory Commission**
Tuesday, May 26, 2015, 5:30 p.m. (City Hall)
- d. **Public Safety Commission**
Tuesday, June 9, 2015, 6:30 p.m. (Council Chambers)
- e. **View Assessment Commission**
Tuesday, May 19, 2015, 6:00 p.m. (Council Chambers)