

# 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, September 9, 2015  
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, 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 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**

Gregory Wade  
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**

**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.6.)

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. Register Of Demands.** (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for August 1, 2015 through August 14, 2015.

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

**COUNCIL ACTION: Approved 5/0**

**A.2. General Fund Adopted Budget for Fiscal Year 2015-16 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2015-2016 General Fund Adopted Budget.

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

**COUNCIL ACTION: Approved 5/0**

**A.3. Recognized Obligation Payment Schedule (ROPS) and Administrative Budget.** (File 0115-30)

Recommendation: That the Successor Agency

1. Receive the Successor Agency's enforceable obligations payment information and administrative budget for the period January 1, 2016 to June 30, 2016.
2. Consider approval of the ROPS 15-16B and the SA Administrative Budget for January 1, 2016 through June 30, 2016.

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

**COUNCIL ACTION: Approved 5/0**

**A.4. Annual Progress Reports on the Status of Projects for the Public Improvement Agreement with the Successor Agency.** (File 0115-30)

Recommendation: That the Successor Agency

1. Receive report.

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

**COUNCIL ACTION: Approved 5/0**

**A.5. Memorandum of Understanding with the Miscellaneous Employee Group and Adoption of Corrected Salary and Compensation Plan. (File 0520-10)**

Recommendation: That the City Council

1. Adopt **Resolution 2015-106** approving a Two-Year Memorandum of Understanding (MOU) between the City and the SBEA-MISC for Fiscal Years 2015-2017 and a revised Salary Schedule for Fiscal Year 2015-2016.

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

**COUNCIL ACTION: Approved 5/0**

**A.6. ADA Pedestrian Ramps Contract Award. (File 0820-20)**

Recommendation: That the City Council

**1. Adopt Resolution 2015-100:**

- a. Rejecting Quality Construction & Engineering's bid as nonresponsive due to an incomplete bid package.
- b. Awarding the construction contract to Blue Pacific Engineering & Construction, in the amount of \$66,400, for the ADA Pedestrian Ramps, Bid 2015-04.
- c. Approving a change order reducing Bid Item Number 4, from 19 ramps to 15 ramps.
- d. Authorizing the City Manager to execute the construction contract and change order on behalf of the City.
- e. Approving an amount of \$2,648 for bid advertising, construction contingency and inspection.
- f. Appropriating \$69,048 to the Federal Grants revenue account and Professional Services expenditure account in the CDBG fund for the ADA Pedestrian Ramps CIP project for FY 2015-16 and authorizing the City Treasurer to amend the FY 2015-16 Adopted Budget accordingly.

[Item A.6. 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.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. Public Hearing: 716 S. Cedros - Development Review Permit (DRP) and Structural Development Permit (SDP), Applicant: Loseke, Case No: 17-15-10.** (File 0600-40)

Recommendation: 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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2015-096** conditionally approving a DRP and an administrative SDP to allow for the construction of a remodel and addition to an existing single-family residence at 716 South Cedros Avenue.

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

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

**B.2. Public Hearing: Introduce (1st Reading) Ordinance 464 – Amending the Findings for the Issuance of a Development Review Permit Where Another Agency Must Also Approve or Permit the Same Project. (File 0600-95)**

Recommendation: That the City Council

1. Receive the Report.
2. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
3. Introduce **Ordinance 464** amending the findings for the issuance of a development review permit where another agency must also approve or permit the same project.

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

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

**C. STAFF REPORT** (C.1. – C.6.)

*Submit speaker slips to the City Clerk.*

**C.1. Citizen Commission Appointments. (File 0120-05)**

Recommendation: That the City Council

1. Make one appointment (by Council-at-large) to the vacant position on the Parks and Recreation Commission with a term expiration date of January 2017.
2. Make one appointment (by Council-at-large) to the vacant position on the Public Arts Commission with a term expiration date of January 2016.
3. Make one appointment (by Councilmember Marshall) to the vacant position on the View Assessment Commission with a term expiration date of January 2016.

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

**COUNCIL ACTION: Failed 2/2/1** (Noes: Heebner, Zahn; Abstain: Nichols) to appoint Gary Garber. *Application period will be extended.*

**C.2. Polystyrene Options for Regulating.** (File 0220-70)

Recommendation: That the City Council

1. Receive report.
2. Provide further direction.

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

**COUNCIL ACTION: Approved 4/1 (Noes: Marshall)**

**C.3. Introduce (1<sup>st</sup> Reading) Ordinance 465 - Public Safety Commission.** (File 0120-35)

Recommendation: That the City Council

1. Introduce **Ordinance 465** repealing Chapter 2.62 of the Solana Beach Municipal Code regarding the Public Safety Commission.

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

**COUNCIL ACTION: Approved 4/0/1 (Abstain: Nichols)**

**C.4. Pension and OPEB (Other Post-Employment Benefits) Trust Funds.** (File 0520-50)

Recommendation: That the City Council

1. Receive Staff's report and a PARS presentation on establishing a Public Agencies Post-Employment Benefits Trust Program to Pre-Fund Pension and Other Post-Employment Benefits (OPEB) Obligations.
2. Provide direction on funding and investment strategies for the Trust.
3. Direct Staff to return with an authorizing Resolution to establish the Trust along with a proposed Funding Plan and Asset Allocation Strategy.

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

**Discussion. Consensus to return with Resolution to proceed.**

**C.5. Adopt (2<sup>nd</sup> Reading) Ordinance 463 - Clarify Projects Subject to the City's Waste Diversion Requirements. (File 0810-90)**

Recommendation: That the City Council

1. Adopt **Ordinance 463** to amend Section 6.36.020 of the Solana Beach Municipal Code to clarify projects that must meet the City's waste diversion requirements.

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

**COUNCIL ACTION: Approved 4/0/1 (Abstain: Nichols)**

Nichols elected to abstain from voting on the adoption since he was not present at the Introduction of the Ordinance on August 25, 2015.

**C.6. Adopt (2<sup>nd</sup> Reading) Ordinance 456 - Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Systems. (File 600-05)**

Recommendation: That the City Council

1. Adopt **Ordinance 456** to add Chapter 15.52 to the Solana Beach Municipal Code to Provide an Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Systems.

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

**COUNCIL ACTION: Approved 4/0/1 (Abstain: Nichols)**

Nichols elected to abstain from voting on the adoption since he was not present at the Introduction of the Ordinance on August 25, 2015.

**WORKPLAN COMMENTS:**

*Adopted June 10, 2015*

**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 (1<sup>st</sup> alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols, Zahn (alternate).
- j. SANDAG – Heebner (Primary), Nichols (1<sup>st</sup> alternate), Zito (2<sup>nd</sup> 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. 22<sup>nd</sup> 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 September 9, 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 September 2, 2015 at 5:30 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., September 9, 2015, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk  
City of Solana Beach, CA