

# CITY OF SOLANA BEACH

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



## 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.

### Joint REGULAR Meeting

Wednesday, March 9, 2016 \* 6:00 P. M.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California

- Minutes contain a summary of significant discussions and formal actions taken at a City Council meeting.
- City Council meetings are video recorded and archived as a permanent record. The video recording captures the complete proceedings of the meeting and is available for viewing on the City's website.
- Posted Reports & Supplemental Docs contain records up to the cut off time prior to meetings for processing new submittals. Complete records containing meeting handouts, PowerPoints, etc. can be obtained through a [Records Request](#).

### 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

David A. Zito, Mayor

Peter Zahn, Deputy Mayor

Mike Nichols, Councilmember

Ginger Marshall, Councilmember

Lesla Heebner, 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:**

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

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

**PROCLAMATIONS/CERTIFICATES: None**

**PRESENTATIONS: None**

**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:**

*An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.*

**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 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.

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 February 6, 2016 through February 19, 2016.

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

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

**A.3. General Fund Adopted Budget for Fiscal Year 2015-2016 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.3. Report \(click here\)](#)

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

**A.4. California State Association of Counties-Excess Insurance Authority (CSAC-EIA) Joint Powers Agreement and Memorandum of Understanding for the Excess Liability Insurance Program.** (File 0320-20)  
Recommendation: That the City Council

1. Adopt **Resolution 2016-031**:
  - a. Authorizing the City Manager to act as the City's authorized representative for CSAC-EIA.
  - b. Authorizing the City Manager to execute the CSAC-EAI Joint Powers Agreement and Memorandum of Understanding for the Excess Liability Program.

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

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

**A.5. Human Resources Services.** (File 0400-10)  
Recommendation: That the City Council

1. Adopt **Resolution 2016-032** authorizing the City Manager to amend the PSA with Pouneh Sammak for part-time human resources consulting services from \$24,999 to a not-to-exceed amount of \$60,000 at an hourly billing rate of \$65 per hour.

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

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

**A.6. Fire Department Governance and Organizational Evaluation Council Standing Committee.** (File 0410-45)

Recommendation: That the City Council

1. Adopt **Resolution 2016-009** establishing the Fire Department Governance and Organizational Evaluation Council Standing Committee
2. Appoint two Councilmembers to serve on the Standing Committee.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner) appointing Zito and Zahn.**

**A.7. Emergency Audio/Visual Services.** (File 0400-10)

Recommendation: That the City Council

1. Adopt **Resolution 2016-029** ratifying an amendment, as approved by the City Manager, to the PSA with Western Audio Visual for maintenance and upgrading of the City's Audio Visual systems in an amount not to exceed \$36,000.

[Item A.7. 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. Public Hearing: 517-521 Pacific Ave. Request for a Conditional Use Permit (CUP) for a Bluff Retention Device Below, Applicants: Ronald Lucker and David Winkler, Case # 17-15-43.** (File 0610-60)

Recommendation: 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 Proposed Project exempt from the requirements of CEQA pursuant to the 2015 State California CEQA Guidelines §15269 as emergency conditions exist onsite and §15304 minor alteration of land.

3. Adopt **Resolution 2016-010** conditionally approving a Conditional Use Permit to construct a 140 foot long, 32 foot high, tied back shotcrete seawall along the coastal bluff at the base of properties located at 517-521 Pacific Avenue, Solana Beach.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner) to continue the hearing to a date certain of March 23, 2016.**

**B.2. Public Hearing: 703 N. Rios Ave. Request for a Development Review Permit (DRP) and Structural Development Permit (SDP), Applicants: Doug and Jully Nguyen, Case # 17-15-20. (File 0600-40)**

The proposed project meets the minimum zoning requirements under the SBMC, could be found to be consistent with the General Plan and could 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 2016-024** conditionally approving a DRP and an administrative SDP to allow for the construction of a new two-story, single-family residence with an attached garage at 703 North Rios Avenue, Solana Beach.

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

*Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.*

**COUNCIL ACTION: Approved 3/0/2 (Recused: Zito, Absent: Heebner) to continue the hearing to a date certain of March 23, 2016.**

**B.3. Public Hearing: 707 North Rios Ave. Request for a Development Review Permit (DRP) to Demolish an Existing Single-Family Residence and Construct a New Single-Family Residence, Applicants: Jully and Doug Nguyen, Case # 17-15-27. (File 0600-40) – recommendation corrected 3-8-16**

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 2016-025** conditionally approving a DRP to allow for the construction of a new 3,708 square-foot, two-story, single-family residence with an attached garage at 707 North Rios Avenue.

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

**COUNCIL ACTION: Approved 4/0/1 (Absent: Heebner) to continue the hearing to a date certain of March 23, 2016.**

### **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 March 9, 2016 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 March 2, 2016 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., March 9, 2016, 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. Dates, times, locations are all subject to change. See the City's Commission's website or the City's Events Calendar for updates.*

- **Budget & Finance Commission**  
Thursday, March 17, 2016, 6:30 p.m. (City Hall)
- **Climate Action Commission**  
Meeting Schedule to be determined by the appointed members.
- **Parks & Recreation Commission**  
Thursday, April 14, 2016, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**  
Tuesday, March 22, 2016, 5:30 p.m. (City Hall)
- **View Assessment Commission**  
Tuesday, March 15, 2016, 6:00 p.m. (Council Chambers)