



**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, June 22, 2016 \* 6:00 P. M.**

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

- 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**  
**Ginger Marshall, Councilmember**

**Mike Nichols, Councilmember**  
**Lesa 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:**

**CLOSED SESSION REPORT:** (when applicable)

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**COUNCIL ACTION: Approved 5/0**

**PRESENTATIONS:**

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

1. KAABOO Event
2. Sheriff's Annual Report

**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 held May 25, 2016.

See Approved Minutes [http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B\\_BASIC](http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC)

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**COUNCIL ACTION: Approved 5/0**

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

Recommendation: That the City Council

1. Ratify the list of demands for May 21, 2016 through June 16, 2016.

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

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**COUNCIL ACTION: Approved 5/0**

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

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**COUNCIL ACTION: Approved 5/0**

**A.4. Worker Compensation Claims Administration. (File 0180-75)**

Recommendation: That the City Council

1. Adopt **Resolution 2016-086** authorizing the City Manager to negotiate and execute a one-year contract with Tri-Star Risk Management.

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

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**COUNCIL ACTION: Approved 5/0**

**A.5. Caltrans and San Elijo Lagoon Conservancy Cooperative.** (File 0800-00)

Recommendation: That the City Council

1. Adopt **Resolution 2016-085**:
  - a. Approving and authorizing the City Manager to execute the Cooperative Agreement with CALTRANS (California Department of Transportation).
  - b. Approving and authorizing the City Manager to negotiate and execute the agreement with SELC.
  - c. Authorizing the City Manager to take any and all actions needed to effectuate both agreements.
  - d. Appropriating \$470,000 into the North Coast Corridor Community Enhancement Program.
  - e. Authorizing the City Treasurer to Amend Fiscal Year 2016/17 Adopted Budget accordingly.

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

[A.5. Updated Report #1](#)

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**COUNCIL ACTION: Approved 5/0**

**A.6. General Election November 8, 2016.** (File 0430-20)

Recommendation: That the City Council

1. Adopt **Resolution 2016-081** Calling and Giving Notice of the Holding of a General Municipal Election to be held on Tuesday, November 8, 2016, for the Election of Certain Officers as required by the Provision of the Laws of the State of California Relating to General Law Cities and determining tie vote provisions.
2. Adopt **Resolution 2016-082** requesting the Board of Supervisors of the County of San Diego to Consolidate a General Municipal Election to be held on Tuesday, November 8, 2016, with the Statewide General Election to be held on that date.
3. Adopt **Resolution 2016-083** adopting regulations for Candidates for Elective Office pertaining to Candidate's Statements submitted to the voters at an Election.

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

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**COUNCIL ACTION: Approved 5/0**

**A.7. Quarterly Investment Report.** (File 0350-44)

Recommendation: That the City Council

1. Accepts and files the Cash and Investment Report for the quarter ended March 31, 2016.

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

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**COUNCIL ACTION: Approved 5/0**

**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: Streetlight Assessment.** (File 0495-20)

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. Adopt **Resolution 2016-063** confirming the diagram and assessment; providing for the levy of the annual assessment in a special maintenance district; confirming the Engineer's Report; and ordering the transmission of charges to the County Auditor for collection.
3. Adopt **Resolution 2016-064** ordering the levy and collection of annual assessments for FY 2016/17.

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

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

**COUNCIL ACTION: Approved 5/0**

**B.2. Public Hearing: Solana Beach Coastal Rail Trail Maintenance District.** (File 0495-20)

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. Adopt **Resolution 2016-061**, amending and/or approving the Engineer's Report regarding the Coastal Rail Trail Maintenance District.
3. Adopt **Resolution 2016-062**, ordering the levy and collection of the annual assessments regarding the Coastal Rail Trail Maintenance District for Fiscal Year 2016/17.

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

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

**COUNCIL ACTION: Approved 5/0**

**B.3. Public Hearing: 243 N. Highway 101, Applicant: Evarts / Distillery 101, Case No: 17-15-38.** (File 0610-60)

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 CUP. 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 2016-087** conditionally approving a CUP for the project to allow for a tenant improvement to combine two existing restaurant tenant spaces and add 155 square feet from an adjacent office tenant space for the use of a restaurant with a bar or cocktail lounge and to allow for the incidental use four tables and 16 chairs without providing additional parking spaces in a gated patio in front of the proposed tenant space along Highway 101 within The Boardwalk shopping center at 243 N. Highway 101, Solana Beach.

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

[B.3. Supplemental Documents - R](#)

[B.3. Supplemental Documents 6-21 last update - R](#)

[B.3. Supplemental Documents 6-22 last update 455 pm - R](#)

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**COUNCIL ACTION: Approved 5/0 to continue the hearing to a date certain of July 13,**

**2016.**

**C. STAFF REPORTS:** (C.1. - C.2.)

*Submit speaker slips to the City Clerk.*

**C.1. Introduce (1<sup>st</sup> Reading) Ordinance 461 Regulating Retail Pet Sales** (File 0200-20)

Recommendation: That the City Council

1. Introduce (1st reading) **Ordinance 461** amending Chapter 4 of the Solana Beach Municipal Code regulating the retail sale of dogs, cats and rabbits.

**Item C.1. Report (click here)**

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**COUNCIL ACTION: Approved 5/0**

**C.2. Community Choice Aggregation Program.** (File 0480-70)

Recommendation: That the City Council

1. Authorize the release of the RFQ/P for to solicit bids for the development and ongoing administration of a local CCA.

**Item C.2. Report (click here)**

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**COUNCIL ACTION: Approved 5/0**

**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 June 22, 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 June 15, 2016 at 5:15 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., June 22, 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, July 21, 2016, 6:30 p.m. (City Hall)
- **Climate Action Commission**  
Wednesday, July 20, 2016, 5:30 p.m. (City Hall)
- **Parks & Recreation Commission**  
Thursday, August 11, 2016, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**  
Tuesday, June 28, 2016, 5:30 p.m. (City Hall)
- **View Assessment Commission**  
Tuesday, July 19, 2016, 6:00 p.m. (Council Chambers)