

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, December 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. 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)

ACTION: No reportable action.

FLAG SALUTE:

APPROVAL OF AGENDA:

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

COUNCIL REORGANIZATION

C. STAFF REPORTS: (C.1.)

C.1. Annual Council Mayoral Rotation: Mayor / Deputy Mayor Appointments. (File 0430-20)

Recommendation: That the City Council

1. Outgoing Mayor Remarks, if applicable.
2. Appoint the 2016 Mayor and Deputy Mayor for terms of December 9, 2015 to December 14, 2016.
 - a. Nominations are called for Mayor. Call for the vote.

COUNCIL ACTION: Approved 4/0/1 (Absent: Zahn) to appoint Dave A. Zito to Mayor.

- b. Nominations are called for Deputy Mayor. Call for the vote.

COUNCIL ACTION: Approved 4/0/1 (Absent: Zahn) to appoint Peter Zahn to Deputy Mayor

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

PRESENTATIONS:

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

Submit speaker slips to the City Clerk.

1. Regional Walk Scorecard 2015

PROCLAMATIONS/CERTIFICATES:

Ceremonial - None at the posting of this agenda

1. Live Well San Diego

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.8.)

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 October 31, 2015 through November 13, 2015.

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

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

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

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

A.3. Sewer and Storm Drain Repairs, Bid No. 2014-03 Notice of Completion. (File 0800-00)

Recommendation: That the City Council

1. Adopt **Resolution 2015-138**:

- a. Authorizing the City Council to accept, as complete, the 2014 Sewer and Storm Drain Pipeline Repairs Project, Bid No. 2014-03, performed by Burtech Pipeline.
- b. Authorizing the City Clerk to file a Notice of Completion.

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

COUNCIL ACTION: Approved 4/0/1/1 (Absent: Zahn / Recused: Nichols)

A.4. Americans with Disabilities Act (ADA) Pedestrian Ramps Project Notice of Completion. (File 0820-20)

Recommendation: That the City Council

1. Adopt **Resolution 2015-137**:

- a. Authorizing the City Council to accept, as complete, the ADA Pedestrian Ramps Project, Bid No. 2015-04, constructed by Blue Pacific Engineering & Construction.
- b. Authorizing the City Clerk to file a Notice of Completion.

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

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

A.5. San Andres Drive Median Improvements Final Change Order and Notice of Completion. (File 0820-40)

Recommendation: That the City Council

1. Adopt **Resolution 2015-139**:

- a. Authorizing the City Manager to execute Change Order No. 2, in the amount of \$24,335, with PAL General Engineering for a cumulative total amount of \$355,013.
- b. Authorizing the City Council to accept, as complete, the San Andres Drive Median Improvements, Bid No. 2015-02, constructed by PAL General Engineering.
- c. Authorizing the City Clerk to file a Notice of Completion.

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

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

A.6. Human Resources Manager Classification and Compensation. (File 0510-40)

Recommendation: That the City Council

1. Adopt **Resolution 2015-132** approving the creation of the Human Resources Manager position and adding it to the existing Management Employees' Salary and Classification Plan.

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

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

A.7. Community grant prior year recap. (File 0330-25)

Recommendation: That the City Council

1. Accept and file this report.

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

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

A.8. West Coast Arborists for City-Wide Tree Maintenance Services Agreement.
(File 0820-25)

Recommendation: That the City Council

1. Adopt **Resolution 2015-141**:
 - a. Authorizing the City Manager to sign a Professional Services Agreement with West Coast Arborists for city wide palm tree trimming.
 - b. Authorizing the City Manager to renew the agreement, on a bi-annual (every other year) basis, for two additional extensions at the City's option.

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

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

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: 500 Block of South Sierra Ave., – Time Extension Request for Development Review Permit (DRP) and Administrative Structure Development Permit (SDP) – Applicant: Hitzke Development Corporation, Case# 17-11-05. (File 0600-40)

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 2015-140**, approving the request for a 24 month extension for approvals and entitlements in Case No. 17-11-05 and setting the expiration date to 24 months from the date of the entry of the final judgment in the case.

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

[B.1. Supplemental Documents - R](#)

[B.1. Supplemental Documents 12-08 last updated 2.40 pm - R](#)

[B.1. Supplemental Documents 12-09 last updated 4.05am - R](#)

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

B.2. Public Hearing: 649 Marsolan Ave., – Development Review Permit (DRP) and Structure Development Permit (SDP) – Applicants: Jordan and Danielle Greenhouse, Case# 17-15-19. (File 0600-40)

The proposed project meets the minimum objective 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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2015-135** 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 649 Marsolan Avenue.

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

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

B.3. Public Hearing: 523-525 Pacific Ave., – Clarification of Conditional Use Permit (CUP) Modification Expiration Term – Applicant: Bannasch Family Trust, Case# 17-11-13. (File 0600-40)

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. Approve **Resolution 2015-131**, clarifying the expiration date of the approved Modification to CUP 17-11-13 under signed Resolution 2014-129 as October 8, 2016.

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

[B.3. Updated Report #1](#)

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

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

C. STAFF REPORTS: (C.2. - C.5.)

Submit speaker slips to the City Clerk.

C.2. Comprehensive Annual Financial Report (CAFR) Fiscal Year 2014-15.

(File 0310-22)

Recommendation: That the City Council

1. Accept and file the City of Solana Beach Comprehensive Annual Financial Report (CAFR) for the fiscal year July 1, 2014 – June 30, 2015.
2. Accept and file the Communication of Internal Control Related Matters Identified in an Audit letter.
3. Accept and file the Independent Accountants' Report on Agreed-Upon Procedures Applied to Appropriations Limit Worksheets letter.
4. Accept and file The Auditor's Communication With Those Charged with Governance letter.

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

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

C.3. Community Grant Program Awards FY 2015-2016. (File 0330-25)

Recommendation: That the City Council

1. Select the FY 2015-16 Community Grant Program recipients and identify an award amount to each recipient.
2. Adopt **Resolution 2015-142** authorizing the funding for the selected community grants recipients for financial assistance under the FY 2015-16 Community Grant Program.

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

COUNCIL ACTION: Approved 4/0/1 (Absent: Zahn) the following allocations:

- Assistance League Rancho San Dieguito \$3,000
- Boys and Girls Club of San Dieguito \$2,000
- Casa De Amistad \$2,000
- Community Resource Center \$5,000
- La Colonia de Eden Gardens, Inc. \$1,000
- Reality Changers \$3,000
- St. James and St. Leo Medical and Dental Program \$2,000
- San Dieguito River Valley Conservancy \$5,000
- Solana Beach Little League \$2,000

C.4. Adopt (2nd Reading) Ordinance 467 – Water Efficient Landscape Regulations Amendment. (File 0610-10)

Recommendation: That the City Council

1. Adopt **Ordinance 467** amending Solana Beach Municipal Code Section 17.56, Water Efficient Landscaping Regulations.

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

[C.4. Supplemental Documents – R](#)

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

C.5. Medical Marijuana Regulation Options. (File 0230-50)

Recommendation: That the City Council

1. Consider all options and provide direction on preparing ordinances that expressly regulate or expressly prohibit deliveries, cultivation and/or dispensing of medical marijuana within the City of Solana Beach.

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

[C.5. Supplemental Documents - R](#)

COUNCIL ACTION: Approved 4/0/1 (Absent: Zahn) to return with an Ordinance prohibiting deliveries and/or cultivation or medical marijuana within the city limits, including both commercial cultivation and cultivation for personal medical use, and banning marijuana dispensaries in nonresidential zones.

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 (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 December 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 December 2, 2015 at 6:15 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., December 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

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, December 17, 2015, 6:30 p.m. (City Hall)
- **Parks & Recreation Commission**
Thursday, December 10, 2015, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**
Tuesday, December 22, 2015, 5:30 p.m. (City Hall)
- **View Assessment Commission**
Tuesday, December 15, 2015, 6:00 p.m. (Council Chambers)